

**Board of Education
Policy Committee Meeting
December 9, 2010
5:30PM**

MINUTES

Attendance: Commissioner Cruz (Chair); Commissioners Powell and Campos, (arrived 5:56PM). Parent Representative: Vicki Robertson. District Staff: Chuck Johnson and Gary Smith. Board Staff: Debra Flanagan

Commissioner Cruz convened the meeting at 5:29 p.m.

I. Review and Approval of Minutes from November 9, 2010 Policy Committee Meeting

Motion by Commissioner Powell to approve the minutes of the November 9, 2010 Policy Committee Meeting. **Adopted 2-0, with concurrence of parent representative.**

II. Review Proposed Amendments to Professional Services Contracting policy (6741)

Chuck Johnson reviewed amendments proposed to the Professional Services Contracting policy (6741) requested by the Board in the November 18, 2010 Business Meeting. Specifically, the proposed policy has been amended to be consistent with the criteria in the Responsible Bidder policy (6725) regarding non-discrimination and enhancing participation of M/WBE firms. He also noted that proposed policy would increase the dollar threshold from \$25K to \$35K for Board approval to reflect similar changes in the proposed Authorization of Contracts policy (6745).

Mr. Johnson explained that the proposed Professional Services Contracting policy would require Requests for Information (RFI) for professional services contracts of \$35 – 100K and Requests for Proposal (RFP) to be issued for these contracts of \$100K or more. He pointed out that these requirements will lead to significant increases in administrative processes and paperwork, and requested that the policy not become effective until September 15, 2011. Mr. Johnson stated that extending the effective date would allow time to manage and implement contracts due in the fall and the beginning of the school year.

Commissioner Powell suggested using the same numbering system as the New York State School Boards Association (NYSSBA) to ensure consistency within the Policy Manual.

Motion by Commissioner Powell to approve proposed amended Professional Services Contracting policy with numbering to coincide with NYSSBA system and an effective date of September 15, 2011. **Adopted 2-0, with concurrence of parent representative.**

III. Review of Proposed Authorization of Contracts policy (6745)

In the November 9, 2010 meeting, the members of the Policy Committee directed Mr. Johnson to develop a policy establishing dollar thresholds for contracts subject to Board approval. Mr. Johnson noted that these provisions have been contained in a Superintendent regulation, but actually pertain more to Board policy. He reviewed the main components of the proposed Authorization of Contracts policy (6745), explaining that Board approval would be required for:

- All professional services contracts of \$35K or more;
- Professional services contracts with the same consultant during the fiscal year of \$10K or more (after the initial contract for \$35K or more has been approved by the Board);
- Contracts for goods and services subject to competitive bidding of \$35K or more;
- Annual maintenance contracts of \$35K or more.

In addition, the amount for services requiring a contract is proposed to be increased from \$600 to \$2K. Mr. Johnson stated that any services below this dollar threshold could be obtained through a purchase order.

Commissioner Powell inquired about the provision for maintenance contracts and whether this would apply only to Information Technology. Mr. Johnson replied that the only annual maintenance contracts that would not be subject to Board approval would be for sole source providers or those approved by the NYS Office of Governmental Services, and this would only apply to Information Technology.

Commissioner Powell suggested adding a note to the proposed policy to state that these provisions had been contained previously in Superintendent's regulation 6745-R so that there is a record of the history of developing the policy.

Motion by Commissioner Powell to approve proposed Authorization of Contracts policy (6745) with addition of a note regarding the provisions having been contained previously in Superintendent regulation 6745-R. **Adopted 2-0, with concurrence of parent representative.**

Mr. Johnson explained that approval of the proposed Authorization of Contracts policy (6745) would also require amending the Financial Reports & Resolutions policy (6630) regarding providing a quarterly report to the Board of all contracts under \$35K. Currently the Financial Reports & Resolutions policy (6630) requires a quarterly report to the Board of all contracts below \$25K.

Motion by Commissioner Powell to approve proposed amendment to Financial Reports & Resolutions policy (6630). **Adopted 2-0, with concurrence of parent representative.**

IV. Proposed Revisions to Wellness Policy (5405) and New Wellness Regulation

Mr. Johnson described the development of a district-wide Wellness Task Force led by Commissioner Campos with a broad range of representation (parents, teachers, a principal, Director of Food Services with Aramark, and a representative of a community organization –

Healthi Kids). He stated that the most substantive aspect of this initiative is contained in the regulation because it can easily be modified with changing conditions in the District or emerging nutritional science. Mr. Johnson noted that the intent of the proposed revisions is to balance concerns for student health, wellness, and academic achievement with consideration of the social and cultural aspects of food in our society.

Mr. Johnson reviewed the other important provisions of the proposed policy:

- Formalizing the district-wide Wellness Task Force and its broad representation
- Amending the Health Education section to reflect NYS regulations
- Amending the Physical Education section to establish guidelines based on grade level and increasing the percentage of time students spend in moderate to vigorous activity in physical education classes from 50% to 80%.
- Encouraging physical activity to be incorporated into the classroom as much as possible
- Encouraging time for recess

Mr. Johnson explained that the policy encourages recess and incorporation of physical activity into the classroom as much as possible, but does not establish a mandate that might interfere with other existing mandates regarding academic core subjects.

Commissioner Powell replied that she would not be opposed to a mandate for recess or for physical activity in the classroom. Parent Representative Vicki Robertson concurred, emphasizing the importance of physical activity in aiding children's concentration, attention span, and ability to learn.

Commissioner Cruz pointed out that the problem with any mandate is the resistance engendered in response.

Commissioner Campos noted that the Wellness Task Force has been working to develop the proposed policy revision and a robust regulation to provide options and opportunities rather than focusing on mandates. She stated that the Task Force will continue to generate ideas and strategies for incorporating these initiatives in schools.

Mr. Johnson stated that the most critical part of the regulation is the standards for nutrition and food offered in schools. The proposed policy directs the Superintendent to develop regulations to establish nutritional standards and includes provision for an adequate amount of time for meals and guidelines for the sale or offering of competitive foods (i.e. foods sold in vending machines or school stores). The policy states that these nutritional guidelines would also apply to Supplemental Educational Service (SES) providers.

Parent Representative Vicki Robertson stated that some of the nutritional guidelines are confusing. She pointed out that one section states that at least two fruits and one vegetable is to be offered to students each day, but another section states that at least four non-fried, no-sugar-added fruit and/or vegetable options will be offered to students daily. Mr. Johnson replied that the guidelines had just been changed in a recent Task Force meeting, and should be changed to indicate that at least two fruits and one vegetable is to be offered daily.

Action Item: Mr. Johnson will revise the regulation pertaining to the proposed amended Wellness policy to state that at least two fruits and one vegetable is to be offered to students daily.

Mr. Johnson noted that the Task Force decided to use the nutritional guidelines for food used in fundraising to ensure consistency. He explained that the primary concern of the Task Force regarded food accessible to students, so that the nutritional guidelines would not apply to food only available to teachers (i.e. in locked teachers' lounges)

Commissioner Cruz objected to this exception in allowing unhealthy foods to be available to the adults in the building but not for the children. He emphasized the need for consistency in standards and guidelines for children and adults.

Action Item: Mr. Johnson will discuss with the Superintendent modifying the regulation to apply nutritional guidelines to students and staff.

Mr. Johnson acknowledged the substantive changes involved in the proposed policy and regulation, explaining that these are first to be implemented in several elementary and secondary schools as a pilot project. He stated that the policy and regulation may be amended based on experience from the pilot project.

Parent Representative Vicki Robertson emphasized the need to implement the pilot project in the Central Office to gain credibility and prevent management from appearing to impose requirements on schools that they are not following. Commissioner Cruz concurred.

Commissioner Campos stated that pushback is expected from secondary schools in that sales in their school stores are used to support many extracurricular and athletic events.

Mr. Johnson noted the difficulty in implementing the proposed policy and regulation district-wide due to vending machine contracts being localized and controlled at the school level. He explained that this was another consideration in deciding to implement as a pilot project.

Commissioner Cruz emphasized the need to address resistance through educational campaigns.

Action Item: Board staff will include presentation of the proposed policy and regulation to PTAs in the agenda for the next Wellness Task Force meeting.

Commissioner Campos stated that the Superintendent has committed to providing a Best Practices guide for principals and for teachers at the next principals' meeting.

Commissioner Powell suggested inserting a provision in the policy under section 5405.50 stating that the regulation will be phased in through a pilot program. She also suggested adding a provision stating that locally grown products will be used as much as possible.

Action Item: Mr. Johnson will amend the proposed Wellness policy to state that the corresponding regulation will be implemented on a pilot basis, and to use locally grown products as much as possible.

Motion by Commissioner Powell to table consideration of the proposed amendments to the Wellness policy (5405) and regulation until the January Policy Committee meeting to allow additional time for review. Seconded by Commissioner Campos. **Adopted 3-0, with concurrence of parent representative.**

Motion by Commissioner Powell to adjourn. Seconded by Commissioner Campos. **Adopted 3-0, with concurrence of parent representative.**

Meeting adjourned at 6:32PM.

Next Meeting: January 13, 2011 at 5:30PM