Agenda- Regular Meeting at the MS/HS - Jun 03 2025 Minutes

Tuesday, June 3, 2025 at 6:00 PM

MS/HS Auditorium

Page

1. Meeting Opening

1.01 Call to Order 6:00

1.02 Tobacco Policy Statement

We have a Tobacco policy in place, there is no smoking within 100 feet of any school building

1.03 Pledge of Allegiance

1.04 Roll Call: Present: Trustee Knutsen, Trustee Mitchell-Marell, Trustee Goodrich, Trustee Hemingway Lynch, Trustee Reimondo, Trustee Bishop

Not Present; Trustee Jerome

2. Proposed Executive Session

2.01 Enter Executive Session

Motion to enter into executive session to discuss the employment of particular people and the Superintendent's Evaluation

(duration 1 hour 15 min)

Moved by: Meghann Reimondo

Seconded by: Eric Knutsen

Yea Cindy Bishop, Meghann Reimondo, Sarah

Hemingway Lynch, Emily Mitchell-Marell, Clark Goodrich, and Eric Knutsen

Motion Carries 6-0

2.02 Exit Executive Session

Motion to exit executive session and return to public session

Moved by: Meghann Reimondo

Seconded by: Eric Knutsen

Yea Cindy Bishop, Meghann Reimondo, Sarah Hemingway Lynch, Emily Mitchell-Marell, Clark Goodrich, and Eric Knutsen

Motion Carries 6-0

3. Hearing for Safety Plan

3.01 The Board President will open the Hearing on the 2025-2026 District Wide Safety and Emergency Plan 21 - 72

District Wide Safety and Emergency Plan Draft 2025 2026.pdf

3.02 The Board President will close the Hearing on the District Wide Safety and Emergency Plan

4. Acceptance of Minutes

4.01 Acceptance of Minutes

The Board of Education hereby accepts the minutes of the May 20, 2025 meeting

Moved by: Meghann Reimondo

Seconded by: Clark Goodrich

Yea Cindy Bishop, Meghann Reimondo, Sarah Hemingway Lynch, Emily Mitchell-Marell, Clark Goodrich, and Eric Knutsen

Motion Carries 6-0

Agenda- Budget Vote and Special Meeting at the MS/HS- May 20 2025 - Minutes - Html

5. Superintendent District News

5.01 The Superintendent will report District News

Board of Education Community Update – June 2025, written by Principal Fallo, narrated by Superintendent McLaren

"As we approach the end of the school year, Onteora Middle School is wrapping up with a full calendar of meaningful events that reflect both academic achievement and student growth. In the coming weeks, all grade levels will participate in field trips that support hands-on learning and team building, including outdoor education experiences at Frost Valley and a culminating trip for our eighth graders to Six Flags. Our music students are also representing the district with performances at Kingston High School, showcasing the hard work they've put into their craft throughout the year.

Academically, students will be completing final exams during the last week of school, with early dismissals to support a focused and manageable testing environment. Chromebook collection will follow immediately after exams. For our eighth-grade students, this is an especially exciting time—they will take part in a checkpoint exam for language studies, celebrate their achievements during the Moving Up Ceremony, and officially conclude their time at the middle school.

The district will be closed in observance of Juneteenth, and the last full day of regular classes will include locker clean-out and final preparations for summer break. We've communicated with families regarding expectations and schedules, including information about final exam make-up procedures and transportation. We appreciate our families' continued support and are committed to ensuring a smooth, successful conclusion to the school year for all students."

- Principal Fallo

Summer Skills Academy

We are excited to welcome our elementary students to our summer skills academy. We currently have 58 students registered. There is one additional week for registration - the closing date is June 9th so that we can appropriately prepare. I wanted to note that we received a clarifying email from the NYS Education Department stating that the immunization requirements that are in place for the school year also apply to summer programs.

Budget Approval

Thank you to everyone in the community who supported our budget for the 2025-2026 school year. Seventy-five percent of voters approved the budget and we are grateful for the support. This allows us to continue to serve our students and provide them with all of the programs and services that they deserve. Thank you.

Regionalization Meeting

Ms. Laffin, Ms. Allison, and I participated in the third regionalization meeting this afternoon at Ulster BOCES. We will continue this work in the fall, and the discussions will be broadened to include additional stakeholders. There has been an identification of areas of focus which include expanding Career and Tech and workforce development opportunities, finding ways to collaborate across the county for professional development, finding additional special education and therapeutic programming expansion, alternative education, and behavior support expansion.

Parent Square

Mr. Reimer, our Director of Technology has done more work in the sandbox of parent square and also identified the four programs that we have currently that would be replaced by this tool. It would be an increased cost but the increase is approximately $5,000. He feels confident that it will integrate with our student information system as well. We will be discussing it again in our Cabinet meeting tomorrow.

The Anxious Generation Book Club

I will be sending out a parent and family communication tomorrow with the information about the community book club that we will be hosting in September. We will be holding an informal meeting on Monday, June 9th to hand out copies of the book to anyone interested in joining.

Path Forward for Bond Proposition

The attorney has provided the following information for the Board to consider in determining the path forward:

Section 416(6) of the Education Law authorizes a school board to resubmit a defeated proposition to "...construct a new schoolhouse or an addition to a present schoolhouse on the same site..." no more than twice within a twelve-month period, provided that the second proposition is not submitted less than 90 days after the same or similar proposition was presented for a vote.

The Board could present the proposition at a special district meeting of the qualified voters as early as August 18th. It would need to publish a legal notice of the special district meeting at least four times within a seven week period prior to the vote date, with the first publication occurring at least 45 days prior to the vote date.

While the Board is not required to hold a public hearing on the vote (as it would be required to do so for the annual budget vote), it is free to convene such a hearing at its discretion.

In discussion with Holly Brooker, she recommended that a new vote be held in September or October at the earliest.

6. Board District News

6.01 The Board will report District News

Trustee Bishop expressed appreciation for the community members who came out to vote.

- Mentioned that a review of the data showed that older community members were the majority of voters.
- Stated disappointment in the defeat of Proposition 2, but thanked the community for electing two new board members whose views mirror hers regarding a central campus.
- Discussed some of the results of the exit poll survey.
- Stated, “Every student in this district matters.”
- Encouraged the Board and Superintendent to take a deeper look at Proposition 2 and to reach out to Dr. Baughman prior to moving forward.

Trustee Bishop also wanted to comment that the Bennett and Woodstock Concert was a wonderful event and wished she had attended.

Trustee Mitchell-Marell prepared and read a statement

" I understand that a community can not vote on whether or not to close a school. But the helplessness of our constituents combined with the bitter divide we as a board helped create makes me wonder if we approached the process in the right way. I think because Woodstock and West Hurley parents and community members felt so out of control with the potential school closure, voting no on Prop 2 was the ONLY possible way they could feel any control, the only option given to them to voice their opinion. Even if it was seemingly misguided it was their only chance to have their voice heard on the issue. That it came with the potential sacrifice of other things they wanted is our fault as a board.

This was probably exactly how Phoenicia parents and community members felt when Caroline, Clark and I got elected. They knew that vote might not keep their school open but they were truly desperate to be heard and seen and that was the only way. Even if for just a moment, we can all see this as a good thing, the fact that people are desperate to keep their community schools open because they love them so much. This is a reflection of the great work we are doing. People love

the schools that we help create the culture of and to me, this is the greatest compliment.

It feels at times that we as a board have put centralization above all else, white knuckling it at the expense of other very important things. I am reminded of the phrase "do you want to be right or do you want to be happy?" Do we want desperately to close Woodstock and fully centralize without renovating our other schools at all costs, or at this exact moment do we need the improvements and renovations more? I feel we need to prioritize the improvements, which I also believe the majority of voters want too. The renovations have been put off for far too long and they are being held hostage by the centralization goal and the closing of Woodstock. Let's get the improvements passed as soon as possible. We have to wonder if there is a way to give kids new athletic fields, outdoor classrooms and air conditioning without it being contingent on the loss, pain and grief of another part of our own district. There has to be a way to present the bond that is less expensive and also gives more voters in our district more of what they want. With that approach, the vote will sail through. The improvements can and will happen, and could quickly if we can be flexible. People agree on the renovations. Who doesn't want a nicer school? If we can temporarily at least take out the parts that are deeply tied to fully centralizing, it will pass, and in creating something amenable to all sides, we will also begin to heal the divide. Which I do think we owe the district at this point. I can not imagine going through something similar a second time. It is detrimental to us and so stressful for all involved parties. Everyone was dying for it to be over.

We gave the all-in-one proposition a chance. That vote always felt lose/lose to me and I think we can come up with something so much better. I would argue that part of our job is to make this vote next time a positive thing for our community instead of one rife with conflict and based on pitting the district against itself. Now it's time to try something else" - Trustee Michell-Marell

Trustee Goodrich also prepared a read a statement

"When I heard proposition 2 failed, my immediate reaction was

I personally failed all the students to deliver any significant modern 21st century facility upgrades. I felt there were no winners. The reality is the students got nothing here.

Days later, after the voting results, I thought back at what was accomplished.

- *6th grade was successfully moved to middle school*
- *Phoenicia school was successfully closed. Onteora will no longer be the only NY public school with a 1000 student enrollment and 3 elementary buildings.*
- *Onteora will no longer be busing the majority of Phoenicia students passed Bennett.*
- *Our architects, engineers, administration, community forums provided us with the opportunity to dream and envision what a modern centralized school district could look like with one elementary building and the cost of such a plan.*
- *We learned, thanks to Onteora's administration, that a $55 million dollar 20 year bond could be paid for from the savings by closing Phoenicia and Woodstock elementary buildings. This was a conservate estimate and new information. If we had this information 15 years ago how would that have affected the Princeton plan of keeping three elementary buildings open?*
- *Board of Education voted unanimously in favor of Proposition 2 which provided facility upgrades not just for grades 6 through 12 but also K through 5.*
- *Information provided on the Onteora website "Optimizing Onteora: A Tax Neutral Capital Project" was truly amazingly informative and transparent.*
- *Given the extremely large voter turn out and exit poll information, Onteora will continue to learn about the views and concerns of the Onteora School District voters.*

I personally want to thank Onteora Central School Superintendent Victoria McLaren, administration, CPL Architects, and members of the community that took part in the community forums. I also want to thank the 2023 board members that passed the May 2023 Long Term Resolution, which made this journey possible. What a journey it was and still is. I also want to thank all the voters and those that took

the exit poll. I am optimistic we will take what we learned to improve student educational opportunities going forward. After all, this is what it's all about.

Moving forward, the questions I ask myself, why is it that Onteora has such a difficult time upgrading facilities that in most cases are over 60 years old? Will Onteora have the same old elementary K-12 classrooms 60 years from now?

I suggest the Board of Education may need to look at this from a different perspective. I ask my fellow board members these questions.

What exactly are our goal(s)?
What are we really trying to achieve and why?
Is optimizing and centralization a goal or a solution to a higher goal? " - Trustee Goodrich

Trustee Hemingway Lynch reported that after speaking to community members post-vote, she came to two conclusions:

1. No one felt good after the vote.
2. Many community members did not look at what was right overall but rather focused on individual needs.

- The community also raised questions about whether the project was truly tax neutral.
- Trustee Hemingway Lynch stressed the need for a long-term strategic plan.
    - Suggested that for financial reasons, closing Woodstock would give students more opportunities.
- She urged the community to think about the needs of **all** children and to view things differently considering the rural context of the district.
- Emphasized the importance of asking questions and noted a lack of trust in the board, superintendent, and administration.
- Stated that voters believed voting no would keep Woodstock open.

Trustee Knutsen pointed out that candidates running for the board to try and keep Woodstock open were not elected, placing third and fourth. He recommended to continuing to move toward a central campus.

Trustee Reimondo thanked the board members for their thoughtful comments, along with thanking the community for voting. She mentioned that the board has fiduciary responsibilities to staff and students and encouraged the community to consider their neighbors beyond just those nearby.

Board Discussion

- Trustees continued discussions around Proposition 2.
- Talked about ways to better educate community members.
- Shared ideas on the best options for moving forward.

Conclusion

- The board recommended that Superintendent McLaren reach out to Dr. Baughman.
- Architects will attend the June 17, 2025, board meeting to answer questions from trustees regarding the capital project.

7. Student Representative Report

7.01 The Student Representative on the Board, Olivia McHugh, will give a report

It has been very busy at Onteora. Some recent school events include: The Middle School Spring Concert which was May 14th and the High School's was the 21st. The 8th graders recently took a field trip to Ellis Island. Additionally, the Middle School went to Frost Valley today as well. And lastly Theater Club had their first interest meeting May 29th.

Senior festivities have begun. Today, Seniors attended the Senior Summit. This past Saturday was Prom. We would like

to extend a big thank you to the class officers, Yogi Johanson, Coco Asada, Alexia Melendez, Riley Fitzgerald, and Natalie Hastie for their involvement in making prom happen. Additionally, thank you to Ms.Cassie and all the Chaperones! This Friday will be the Senior Picnic as well.

Lastly, Spring Sports have begun to end. Last night was the Athletic Awards Ceremony, a night in which all student-athletes were recognized for their participation and dedication in sports. Thank you to the Booster Club for providing food and drinks. And another big thank you to the athletic administrators and coaches for their involvement in athletics.

High Schools will begin to take their final exams

8. Public and Student Comment

8.01 Public and Students may comment on any agenda or non-agenda item

Tansy Michaud

Jess Wisneski

Daniel Souwanie

Stephanie Bryant

Jenny Jared

Bennett Fleischer

9. Discussion and Possible Action

9.01 Approve Statement of the Chair

The Board of Education hereby approves the Statement of the Chair for the 2025 Budget Vote and Election

Moved by: Eric Knutsen
Seconded by: Emily Mitchell-Marell

Yea Cindy Bishop, Meghann Reimondo, Sarah Hemingway Lynch, Emily Mitchell-Marell, Clark Goodrich, and Eric Knutsen

Motion Carries 6-0

https://docs.google.com/spreadsheets/d/1R48hTjXtKiknsei8xnJNS8BUgmn2kHIyS7rWIPTlPoQ/edit?usp=sharing

9.02 Continued Discussion on the New Trustee Onboarding Process (duration 20 min) 88 - 155

NYSBBA new-school-board-member-handbook-rev2-04242025.pdf

Current Onteora CSD Board Member Handbook.pdf

Trustee Bishop recommended that board members be tasked with updating the Board Member Handbook.

Trustee Knutsen and Trustee Bishop will collaborate on this effort.

10. **Break**

10.01 The Board will take a 5 minute break if needed

11. Consent Agenda

11.01 Approve Consent Agenda

The Board hereby approves item numbers 11.02 - 11.07

Moved by: Meghann Reimondo

Seconded by: Sarah Hemingway Lynch

Yea	Cindy Bishop, Meghann Reimondo, Sarah Hemingway Lynch, Emily Mitchell-Marell, Clark Goodrich, and Eric Knutsen

Motion Carries 6-0

11.02 Approve Volunteers

The Board of Education hereby approves the following volunteers for Woodstock Elementary School listed below:

Rebecca Reynolds

Carried

11.03 Personnel Agenda

The Board of Education hereby approves the personnel agenda as attached

Carried

6-3-25 personnel agenda.pdf

11.04 Donations

The Superintendent recommends approval for the attached donations, each contributing to various initiatives within our district, and increasing their respective budgetary appropriations. The total amount for approval is $15,627.25.

Carried

Donation Spreadsheet for 24-25 BOE Approval 6.3.2025 $15,627.25.pdf

11.05 Approve Overnight Trip for NYSPHSSA Girls Golf Championships

The Board of Education hereby approves 1 student to attend the NYSPHSAA Girls Golf Championships held Sunday, June 8 and Monday, June 9, 2025, at Wild Wood Country Club, 1201 Rush West Rush Rd., Rush, NY. Due to tournament procedures, an overnight stay is required on Friday, June 6, Saturday, June 7 and Sunday, June 8 with all related fees, room and board

Carried

11.06 Approve Overnight Trip for Graduation Celebration

The Board of Education hereby approves the overnight trip for the seniors to attend the graduation celebration to Belleayre Mountain on June 26, 2025 to June 27, 2025 and pay all necessary fees.

Carried

11.07 Schedule U- The Committee on Special Education (CSE) and Committee on Pre-School Special Education (CPSE) Recommendations

The Board hereby approves the Instruction - Schedule U-The Committee on Special Education (CSE) and Committee on Pre-School Special Education (CPSE) Recommendations, Schedule U, #6/25 Confidential, as reviewed by Trustee Reimondo

Carried

Pages from Schedule U 6325 (002).pdf

12. Contracts and Independent Contractor Retainers

12.01 Approve all Contracts and Independent Contractor Retainers

The Board hereby approves item numbers 12.02 - 12.08

Moved by: Meghann Reimondo
Seconded by: Sarah Hemingway Lynch

Yea	Cindy Bishop, Meghann Reimondo, Sarah Hemingway Lynch, Emily Mitchell-Marell, Clark Goodrich, and Eric Knutsen

Motion Carries 6-0

12.02 Health and Welfare Services for Rondout Valley Central School District

BE IT RESOLVED, that the Board of Education of the Rondout Valley Central School District establishes the rate of $1,813.37 per pupil for the school year 2024-2025 for Health Services provided for Onteora resident pupils attending nonpublic schools in the Rondout Valley Central School District.
BE IT FURTHER RESOLVED, that the Board President and Superintendent of Schools be authorized to sign contracts for health services for the 2024-2025 school year.

Carried

24-25 Rondout Valley Central School District H&W Contract for BOE Approval 6.3.2025.pdf

12.03 Approve Superintendent Contract

RESOLVED, that the Board of Education of the Onteora Central School District approves a contract for Victoria McLaren, as Superintendent of Schools, for a five year term commencing June 4, 2025 in accordance with the terms and conditions of a contract negotiated between the parties, a fully-executed copy of which will be filed with the District Clerk; and further authorizes the President to sign the contract.

Carried

McLaren - Supt contract 2025 - 2030 Final.pdf

12.04 Approve Assistant Superintendent for Business Contract

BE IT HEREBY RESOLVED on recommendation by the Superintendent of Schools that the Board of Education of the Onteora Central School District approve the contract between the Onteora Central School District and Monica Kim LaClair , Assistant Superintendent for Business for the period of July 1, 2025 through June 30, 2030 and authorizes the Superintendent to sign such an agreement.

Carried

Assistant Superintendent for Business-LaClair 2025 2030 Final.pdf

12.05 Approve Assistant Superintendent for Curriculum and Instruction Contract

BE IT HEREBY RESOLVED on recommendation by the Superintendent of Schools that the Board of Education of the Onteora Central School District approve the contract between the Onteora Central School District and Stephanie Laffin, Assistant Superintendent for Curriculum & Instruction for the period of July 1, 2025 through June 30, 2030 and authorizes the Superintendent to sign such an agreement.

Carried

assistant_superintendent_for_C and I Stephanie Laffin 2025 2030 Final.pdf

12.06 Institute for Family Health- Medical Director Services

IT HEREBY RESOLVED on recommendation by the Superintendent of Schools that the Board of Education of the Onteora Central School District approve the Contract between the Onteora Central School District and the Institute for Family Health retained as Medical Director Services, effective July 1, 2025 through June 30, 2026 at an annual rate of $55,929.00 and authorizes the Superintendent to sign such an agreement.

Carried

2025-2026 Onteora Central School District medical agreement.pdf

12.07 Astor Services

BE IT HEREBY RESOLVED on recommendation by the Superintendent of Schools that the Board of Education of the Onteora Central School District approve the Contract between the Onteora Central School District and Astor Service for Mental Health Intensive School Support effective September 1, 2025 through June 30, 2026 at an annual rate of $42,670 and authorizes the Superintendent to sign such an agreement.

Carried

Astor Onteora Contract FY26.pdf

12.08 The Judge Rotenberg Educational Center, Inc.

BE IT HEREBY RESOLVED on recommendation by the Superintendent of Schools that the Board of Education of the Onteora Central School District approve the Contract between the Onteora Central School District and The Judge Rotenberg Educational Center, Inc. effective July 1, 2025 through June 30, 2026 at a tuition rate to be paid to JRC at the rate certified by New York State (approx. $150,000) and

authorizes the Superintendent to sign such an agreement.

Carried

JRC Agreement.pdf

13. Policies

13.01 Second Reading and Adoption of Policy 5710 Transportation Program 206

5710 Transportation Program.pdf

The Board hereby adopts policy 5710 as written 206

Moved by: Clark Goodrich
Seconded by: Meghann Reimondo

Yea Cindy Bishop, Meghann Reimondo, Sarah Hemingway Lynch, Emily Mitchell-Marell, Clark Goodrich, and Eric Knutsen

Motion Carries 6-0

13.02 Second Reading and Adoption of Policy 5720 Scheduling and Routing 207

5720 Scheduling and Routing.pdf

The Board hereby adopts policy 5720 as written 207

Moved by: Meghann Reimondo
Seconded by: Emily Mitchell-Marell

Yea Cindy Bishop, Meghann Reimondo, Sarah Hemingway Lynch, Emily Mitchell-Marell, Clark Goodrich, and Eric Knutsen

Motion Carries 6-0

13.03 Second Reading and Adoption of Policy 5721 Late Bus Runs 208

5721 Late Bus Runs.pdf

The Board hereby adopts policy 5721 as written 208

Moved by: Meghann Reimondo
Seconded by: Eric Knutsen

Yea Cindy Bishop, Meghann Reimondo, Sarah Hemingway Lynch, Emily Mitchell-Marell, Clark Goodrich, and Eric Knutsen

Motion Carries 6-0

13.04 Second Reading and Adoption of Policy 5730 Transportation of Students 209

5730 Transportation of Students.pdf

The Board hereby adopts policy 5730 as written 209

Moved by: Emily Mitchell-Marell
Seconded by: Meghann Reimondo

Yea Cindy Bishop, Meghann Reimondo, Sarah Hemingway Lynch, Emily Mitchell-Marell, Clark Goodrich, and Eric Knutsen

Motion Carries 6-0

13.05 Second Reading and Adoption of Policy 5961 Alcohol and Drug Testing of Drivers 210 - 212

5961 Alcohol and Drugs of Drivers.pdf

The Board hereby adopts policy 5961 as written 210 - 212

Moved by: Meghann Reimondo
Seconded by: Eric Knutsen

Yea Cindy Bishop, Meghann Reimondo, Sarah Hemingway Lynch, Emily Mitchell-Marell, Clark Goodrich, and Eric Knutsen

Motion Carries 6-0

14. Committee Reports

14.01 Audit Committee

Trustee Knutsen reported that the Audit Committee met on May 19, 2025. Mike Rossi, external auditor from West and Company, was present at the meeting. He will present his audit at a future Board meeting in September.

14.02 Communications Committee

Trustee Hemingway Lynch reported that the Communications Committee met twice since the last Board meeting. The first meeting was held on May 21, 2025, to review content for the May Board Briefs. The second meeting was held on June 2, 2025, to review the exit poll survey and content for the June Board Briefs.

14.03 Facilities Committee

Trustee Knutsen reported that the Facilities Committee learned about projects taking place at the Middle/High School this summer, including previously approved projects and potential future projects.

14.04 Legislative Action Committee

14.05 Policy Committee

Trustee Mitchell-Marell reported that the Policy Committee discussed the district's cell phone policy and the new temperature policy.

15. Old Business

15.01 The Board will discuss Old Business

Trustee Hemingway Lynch inquired about the EV Bus mandate and Onteora’s plan moving forward.

Trustee Knutsen reported the expectation of state budget cuts and that the student census for Onteora has been updated to reflect current enrollment

16. New Business

16.01 The Board will discuss New Business

Trustee Mitchell-Marell asked if the exit poll results will be shared with the public.

Trustee Goodrich inquired about the district's plan for managing the potential $5 million loss in Foundation Aid. Superintendent McLaren responded that two versions of the budget were created—one with cuts in place should the $5 million loss occur.

Trustee Mitchell-Marell also requested an updated budget presentation reflecting the loss of Foundation Aid.

17. Request for Information

17.01 Board Members will Request Information of the Superintendent

Nothing requested

18. Adjournment

18.01 Adjourn the Meeting. Next meeting is June 17, 2025 at the Middle/High School.

The meeting is adjourned at 9:09 pm .

Moved by: Clark Goodrich

Seconded by: Meghann Reimondo

Yea Cindy Bishop, Meghann Reimondo, Sarah Hemingway Lynch, Emily Mitchell-Marell, Clark Goodrich, and Eric Knutsen

Motion Carries 6-0

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CAO

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Mayor

ONTEORA

CENTRAL SCHOOL DISTRICT

DISTRICT-WIDE SAFETY & EMERGENCY MANAGEMENT PLAN

UPDATED JUNE 2025

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State Requirements

Requirement	Required Action	Date	Check when Completed
The District-Wide School Safety Team was **appointed by the Board of Education**.[1]	**Appointed by the Board of Education on**:		☐
The District Chief Emergency Officer is[2]: Victoria McLaren, Superintendent, 845-657-6383 x1023, vmclaren@onteora.k12.ny.us	**District Chief Emergency Officer Appointed on:**		☐
The District-Wide School Safety Team conducted **annual review and updates** to the District-Wide School Safety Plan:[3]	**Annual Review and Updates completed on:**		☐
The District-Wide School Safety Plan was **made available for public comment** at least thirty days prior to its adoption by the Board of Education**:**[4] It is recommended that a **DRAFT** version of the plan be **posted on the district website for the 30-day comment period** (watermark is suggested)	**Public Comment Period Start Date:** **Public Comment Period End Date:**		☐
At least one **public hearing** that provided for the participation of school personnel, parents, students, and any other interested parties, was held prior to adoption of the plan.[5]	**Date of Public Hearing/Adoption**		☐
District-wide plan must be **submitted to the commissioner** within 30 days after its adoption, and no later than October 1st.[6]	**District plan submitted in the NYSED business portal (no later than October 1st):**		☐
The date the **Board Adopted District-Wide School Safety Plan was posted on District Website:**[7] Within 30 days from adoption and no later than October 1st.	**Date Posted (no later than October 1st):**		☐

[1] 155.17(b)(14) District-wide school safety team means a district-wide team appointed by the board of education, the chancellor in the case of New York City, or other governing board.
[2] 155.17(c)(1)(xix) the designation of the superintendent, or superintendent's designee, as the district chief emergency officer
[3] 155.17(a) Each district-wide school safety plan and building-level emergency response plan shall be reviewed by the appropriate school safety team on at least an annual basis, and updated as needed.
[4] 155.17(c)(3)(i) Each board of education, chancellor or other governing body shall make each district-wide safety plan available for public comment at least 30 days prior to its adoption.
[5] 155.17(c)(3)(i) Such district-wide plans may be adopted by the school board only after at least one public hearing that provides for the participation of school personnel, parents, students and any other interested parties.
[6] 155.17(c)(3)(i) Each district shall submit its district-wide safety plan and all amendments to such plan to the commissioner, in a manner prescribed by the commissioner, within 30 days after its adoption. Commencing with the 2019- 2020 school year, such district-wide plans must be submitted no later than October 1, 2019, and each subsequent October 1st thereafter.
[7] District-wide School Safety Plan Self-Assessment and Planning Tool, Within 30 days from adoption, and no later than October 1, each district must post their District-Wide Safety Plan on their district website. The URL must be submitted to the Education Department to comply with the requirement that the plan be submitted to the Commissioner within 30 days from adoption.

	District Wide School Safety Plan of District-wide School Safety Plan on District Website **URL was verified/checked to be sure the link is working**		
Date **training** was provided to staff on **Building-level Emergency Response Plans, school violence prevention** and **mental health by September 15th**: [8]	**Date of Training:**		☐

[8] 155.17(c)(1)(xiii) policies and procedures for annual multi-hazard school safety training for staff and students, provided that the district must certify to the commissioner that all staff have undergone annual training by September 15, 2016 and each subsequent September 15th thereafter on the building-level emergency response plan which must include components on violence prevention and mental health, provided further that new employees hired after the start of the school year shall receive such training within 30 days of hire or as part of the district's existing new hire training program, whichever is sooner;

Section I General Considerations and Planning Guidelines

Purpose

Emergencies in schools are defined as undesirable events that occur and have the potential to cause injury or illness to members of our school community or disrupt the orderly educational process. They range from acts of bullying or harassment to catastrophic natural or man-made events. Emergency management is the discipline of dealing with and avoiding risks. It is a discipline that involves preparing for an emergency situation or disaster before it occurs as well as supporting and rebuilding from the emergency after natural or human-made disasters have occurred.

Emergency management in our schools is the continuous process by which our staff, students, administrators, parents, school groups, emergency responders and our community manages hazards in an effort to avoid or mitigate the impact of disasters resulting from hazards. Preventive measures and good planning will reduce the likelihood that emergencies will occur and allow us to address those that do in an expeditious and effective manner.

Districts are required to develop district-wide school safety and emergency management plans designed to prevent and effectively manage such events to minimize the effects of serious incidents and emergencies. These plans also facilitate the coordination of the District with local and county plans and resources when incidents and emergencies occur.

The district-wide plan is responsive to the needs of all schools in the District and is consistent with the more detailed building-level emergency plans. Districts are vulnerable to a wide variety of acts of violence; and natural and manmade disasters. To address these threats, the State of New York has enacted the Safe Schools Against Violence in Education (S.A.V.E.) law. Project S.A.V.E. is a comprehensive planning effort that addresses prevention, response, and recovery with respect to a variety of emergencies in schools.

The Onteora Central School supports the S.A.V.E. legislation. As such, the Superintendent of Schools, Board of Education, and the entire District staff encourages and advocates on-going district-wide cooperation in support of Project S.A.V.E.

Superintendent's Directive

The Superintendent will serve as the District's Chief Emergency Officer (CEO)[9] whose duties shall include, but not be limited to:

1. Coordination of the communication between school staff, law enforcement, and other first responders;[10]
2. Leading the efforts of the district-wide school safety team in the completion and yearly update of the district-wide school safety plan and the coordination of the district-wide plan with the building-level emergency response plans;[11]
3. Ensuring staff understanding of the district–wide school safety plan;[12]
4. Ensuring the completion and yearly update of building-level emergency response plans for each school building.[13] The CEO will require each building principal to maintain a Building-level Emergency Response Plan in compliance with Commissioner of Education Regulation 155.17(2). Each plan should be updated annually with the assistance of the Building-level Emergency Response Planning Team. The plan shall provide for lockdown, secure lockout, shelter-in-place/shelter, evacuation (evacuate), early dismissal, fire and other emergency planning and notification (when necessary) to students and staff, annual drills and exercises, and coordination with local and county emergency preparedness administrators. These plans shall be submitted to the District's Safety Team for annual approval and incorporation into the overall District-wide Safety and Emergency Management Plan.
5. Assisting in the selection of security related technology and development of procedures for the use of such technology;[14]
6. Coordination of appropriate safety, security, and emergency training for district and school staff, including required training in the district-wide school safety plan and building-level emergency response plan;[15]
7. Ensuring the conduct of required evacuation and lockdown drills in a trauma-informed, developmentally, and age-appropriate manner that does not include props, actors, simulations, or other tactics intended to mimic a school shooting or other act of violence or emergency in all district buildings as required by Education Law section 807; [16] and
8. Ensuring the completion and yearly update of building-level emergency response plans by the dates designated by the commissioner.[17]

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[9] 155.17(1)(c)(xix) the designation of the superintendent, or superintendent's designee, as the district chief emergency officer whose duties shall include, but not be limited to:

[10] 155.17(c)(1)(xix)(a) coordination of the communication between school staff, law enforcement, and other first responders;

[11] 155.17(c)(1)(xix)(b) lead the efforts of the district-wide school safety team in the completion and yearly update of the district-wide school safety plan and the coordination of the district-wide plan with the building-level emergency response plans

[12] 155.17(c)(1)(xix)(c) ensure staff understanding of the district–wide school safety plan

[13] 155.17(c)(1)(xix)(d) ensure the completion and yearly update of building-level emergency response plans for each school building

[14] 155.17(c)(1)(xix)(e) assist in the selection of security related technology and development of procedures for the use of such technology

[15]155.17(c)(1)(xix)(f) coordinate appropriate safety, security, and emergency training for district and school staff, including required training in the district-wide school safety plan and building-level emergency response [plan] plan(s);

[16]155.17(c)(1)(xix)(g) ensure the conduct of required evacuation and lock-down drills in a trauma informed, developmentally, and age-appropriate manner that does not include props, actors, simulations, or other tactics intended to mimic a school shooting or other act of violence or emergency in all district buildings as required by section 807 of the Education Law

[17] 155.17(c)(1)(xix)(h) ensure the completion and yearly update of building-level emergency response plans by the dates designated by the commissioner

9. Ensures protocols for responding to a declared state disaster emergency involving a communicable disease are substantially consistent with the provisions of Section 27-C of the Labor Law.

Identification of School Teams

The District-wide Safety and Emergency Management Plan was developed pursuant to Commissioner's Regulation 155.17(b)(13) and NYS Education Law 2801-a[18]. At the direction of the Board of Education and under the direction of the Superintendent, a District-wide Safety Team will be utilized for emergency management within the District[19]. The Safety Team shall include, but is not limited to, representatives of the school board, teacher, administrator, and parent organizations, school safety personnel and other school personnel including bus drivers and monitors.

At the discretion of the board of education, a student may be allowed to participate on the safety team. [20] If the Board appoints or selects a student to participate on the safety team, in accordance with Regulation 155.17(b)(14) and EL 2801-A(4), no portion of a confidential building-level emergency response plan shall be shared with such student nor shall such student be present where details of a confidential building-level emergency response plan or confidential portions of a district-wide emergency response strategy are discussed.

The duties of the team shall include the development, review, and update of the District-wide Safety and Emergency Management Plan in compliance with Commissioner of Education Regulation 155.17. The District Safety Team should meet regularly throughout the year to conduct the following business:

1. Assess and review the District-wide Safety and Emergency Management Plan annually.

2. Make any necessary recommendations regarding emergency operations, planning, procedures, and/or protocols.

3. Conduct training sessions as necessary.

4. Meet with, oversee, and help guide the Building-level Emergency Response Planning Teams at each school as necessary.

5. Meet as needed with the District's Emergency Management Consultant to review protocols and procedures as well as receive training and instruction.

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[18] 2801-a Each district-wide school safety team shall be appointed by the board of education, or the chancellor in the case of the city school district of the city of New York, and shall include but not be limited to representatives of the school board, teacher, administrator, and parent organizations, school safety personnel, and other school personnel including bus drivers and monitors.

[19] 155.17(b)(14) District-wide school safety team means a district-wide team appointed by the board of education, the chancellor in the case of New York City, or other governing board. The district-wide team shall include, but not be limited to, representatives of the school board, teacher, administrator, parent organizations, school safety personnel, and other school personnel including bus drivers and monitors.

[20] 155.17(b)(14)/2801-A(4) At the discretion of the board of education, or the chancellor in the case of the city of New York, a student may be allowed to participate on the safety team, provided however, that no portion of a confidential building-level emergency response plan shall be share with such student nor shall such student be present where details of a confidential building-level emergency response plan or confidential portions of a district-wide emergency response strategy are discussed.

6. Meet with local government and emergency service organization officials to develop procedures for obtaining guidance and for emergency situations that exceed the expertise and/or resources of the District. These procedures may then be incorporated into the District's Emergency Management Plan.

7. Conduct all other business as deemed necessary.

District Safety Team[21]

Members listed here may be removed from the "additional emergency numbers" table

REQUIRED MEMBERS	NAME	TITLE	OFFICE PHONE	ALTERNATE NUMBER (optional)
School Board	Board Member/Parent Rep	Clark Goodrich		
Teacher	Teacher/OTA President	Scott Via	845-657-2373	
Administrator	Superintendent of Schools/Chief Emergency Officer	Victoria McLaren	845-657-8851	
	Assistant Superintendent of Pupil Personnel Services	Amanda Allison	845-657-6383 ext 1020	
	Assistant Superintendent of Curriculum and Instruction	Stephanie Laffin	845-657-8851	
	Assistant Superintendent for Business	Monica LaClair	845-657-8499	
	Principal – H.S./OAA	Lance Edelman	845-657-2373 ext2110	
	Principal – M.S./OAA	James DiDonna	845-657-2383 ext2210	
	Principal – Bennett/OAA	Gabriel Buono	845-657-2354 ext 4101	

[21] 155.17(b)(14) District-wide school safety team means a district-wide team appointed by the board of education, the chancellor in the case of New York City, or other governing board. The district-wide team shall include, but not be limited to, representatives of the school board, teacher, administrator, parent organizations, school safety personnel, and other school personnel including bus drivers and monitors. At the discretion of the board of education, or the chancellor in the case of the City of New York, a student may be allowed to participate on the safety team, provided however, that no portion of a confidential building-level emergency response plan shall be shared with such student nor shall such student be present where details of a confidential building-level emergency response plan or confidential portions of a district-wide emergency response strategy are discussed.

	Principal – Woodstock/OAA	Scott Richards	845-657-2316 ext 5101	
Parent Organization	Bennett PTA	Jenny Jared		
School Safety Personnel	School Resource Officer	Tom Sharon		
Bus Driver	Bus Driver/Dispatcher/ONTEA	Ray Clinton	845-657-2537	
Bus Monitor	Bus Monitor/Dispatcher/ONTEA	Ray Clinton	845-657-2537	
*Student (optional)				
Other School Personnel (below)	Director of Operations and Maintenance/ ONTSA	Kyle Harjes	845-657-6384	
	Director of Transportation	Nicole Sommer	845-657-2537	
	Guidance and Counseling Department Chairperson/OTA	Sarah Turck	845-657-2373	
	HS Nurse/OTA	Sabrina Blakely	845-657-2373	
	Social Worker/OTA	Maegan Schenker	845-657-2373	
	Director of Technology/ONTSA	John Reimer	845-657-2373	

Concepts of Operation

1. The District-wide School Safety and Emergency Management Plan will be directly linked to individual Building-level Emergency Response Plans for each school. Protocols developed in the District-wide School Safety and Emergency Management Plan will guide the development and implementation of Building-level Emergency Response Plans.

2. All District building plans have been standardized to the extent possible so that leadership decisions are consistent and leaders may be interchangeable as necessary. The training and expectations set at the district level are applicable to all building team members.

3. In the event of an emergency or violent incident, the initial response at an individual school will be by the Building-level Emergency Response Planning Team.

4. Once the Superintendent and/or their designee are notified, the District Emergency Response Team may be mobilized to respond, and when appropriate, local emergency officials will be notified. All will follow the emergency management protocols and practices outlined in the National Incident Management System (NIMS) and will practice Incident Command System (ICS) techniques to better manage these events.

Plan Review & Public Comment

1. The District-wide Safety and Emergency Management Plan shall be monitored and maintained by the District Safety Team. The District Safety Team shall review the plan annually before making it available for a 30-day comment period, a public hearing, and, finally, adoption by the Board of Education before September 1st of each year.[22]

2. On June 23, 2022, Governor Hochul signed Alyssa's Law, Chapter 227 of the Laws of 2022 (Chapter 227) which became effective immediately. Chapter 227 amends Education Law § 2801-a to require that district-wide school safety teams of public schools, boards of cooperative educational services, and county vocational education extension boards consider the usefulness of silent panic alarm systems when reviewing and amending district-wide safety plans.[23]

3. Building-level Emergency Response Plans shall be confidential and not subject to disclosure under Article 6 of the Public Officers Law or any other provision of law in accordance with Education Law Section 2801-a.

4. Full copies of the District-wide Safety and Emergency Management Plan and any amendments will be submitted to the New York State Education Department within 30 days of adoption and no later than October 1st each year.

[22] 155.17(a) By September first of each school year, every board of education of a school district, every board of cooperative educational services and county vocational education and extension board, and the chancellor of the City School District of the City of New York shall adopt a comprehensive district-wide school safety plan and building-level emergency response plans regarding crisis intervention and emergency response and management, and commencing with the 2023-2024 school year district-wide school safety plans shall include plans for the provision of remote instruction during any emergency school closure, provided that in the City School District of the City of New York, such plans shall be adopted by the chancellor of the city school district.

[23] EL 2081-A(f) District-wide school safety teams shall consider, as part of its reviews of the comprehensive district-wide safety plan, the installation of a panic alarm system. For purposes of this paragraph, "panic alarm system" shall mean a silent security system signal generated by the manual activation of a device intended to signal a life-threatening or emergency situation requiring a response from local law enforcement or, in the case of a school building located in a municipality in which there is no municipal police department, a location designated by the superintendent of state police and may include one or more of the following: wired panic button or buttons, wireless panic button or buttons or a mobile or computer application; The New York State Register, December 2022, https://dos.ny.gov/system/files/documents/2022/12/122822.pdf (page 12)

5. The Board of Education must formally adopt the District-wide Plan pursuant to Commissioner's Regulation, Section 155.17(c)(3).[24] This plan will be made available for public comment at least 30 days prior to its adoption.

6. Building-level Emergency Response Plans will be supplied to the appropriate local law enforcement agency and the State Police by October 1st of each year or within 30 days of adoption.[25]

[24] 155.17(c)(3)(i) Each board of education, chancellor or other governing body shall make each district-wide safety plan available for public comment at least 30 days prior to its adoption. Such district-wide plans may be adopted by the school board only after at least one public hearing that provides for the participation of school personnel, parents, students and any other interested parties. Each district shall submit its district-wide safety plan and all amendments to such plan to the commissioner, in a manner prescribed by the commissioner, within 30 days after its adoption. Commencing with the 2019-2020 school year, such district-wide plans must be submitted no later than October 1, 2019, and each subsequent October 1st thereafter.

[25]155.17 (c)(3)(ii) Each board of education, chancellor or other governing body or officer shall ensure that each building-level emergency response plan and any amendments thereto, is submitted to the appropriate local law enforcement agency and the State Police within 30 days of its adoption, but no later than October 1 for the 2020-2021 school year and each October 1st thereafter. Building-level emergency response plans shall be confidential and shall not be subject to disclosure under Article Six of the Public Officers Law or any other provision of law.

Section II Risk Reduction/Prevention and Intervention

Prevention and Intervention Strategies[26]

The District utilizes a variety of intervention strategies to reduce risk and prevent critical incidents.

1. The District utilizes trained multidisciplinary Threat Assessment Teams (a.k.a. Behavioral Assessment Teams) at each building to evaluate threats and implement the appropriate mitigation strategies. The District provides support and record keeping for the activities of each team.

2. The District has established building-level multidisciplinary Behavioral Assessment Team which assesses whether certain exhibited behaviors or actions need intervention or other support. The Behavioral Assessment Team convenes annually to conduct staff training sessions on the safety and emergency procedures of such team [27]

3. The District utilizes a multidisciplinary Behavioral Threat Assessment Team provided by Ulster County Threat Assessment Team that assesses whether certain exhibited behaviors or actions need intervention or other support. The Behavioral Threat Assessment Team is available to the district whenever a threat is identified and requires evaluation.

4. The District Safety Team may utilize table top exercises to discuss their roles during an emergency and their responses to a sample emergency situation.[28]

5. Any utilized school safety officers and other security personnel are trained annually with the assistance of one or more of the following collaborative relationships:

    - Emergency Responders
    - Regional BOCES
    - District Consultants

6. Training for school staff working in an incident control capacity may include:

[26] 155.17(c)(1)(iii) appropriate prevention and intervention strategies, such as:(a) collaborative arrangements with State and local law enforcement officials, designed to ensure that school safety officers and other security personnel are adequately trained, including being trained to de-escalate potentially violent situations, and are effectively and fairly recruited;(b) where applicable, the establishment and/or participation of, school or district staff in a multi-disciplinary behavioral assessment team to assess whether certain exhibited behaviors or actions need intervention or other support, including a school or district-level behavioral assessment team or, if available, a county or regional threat assessment team. Where such teams are utilized, the district-wide school safety plan shall describe the school, district, or county team and its purpose, and annual staff training on safety and emergency procedures shall include information regarding the purpose and procedures of such team. (c) nonviolent conflict resolution training programs; (d) peer mediation programs and youth courts; and (e) extended day and other school safety programs.

[27]155.17(c)(1)(iii)(b) where applicable, the establishment and/or participation of, school or district staff in a multi-disciplinary behavioral assessment team to assess whether certain exhibited behaviors or actions need intervention or other support, including a school or district-level behavioral assessment team or, if available, a county or regional threat assessment team. Where such teams are utilized, the district-wide school safety plan shall describe the school, district, or county team and its purpose, and annual staff training on safety and emergency procedures shall include information regarding the purpose and procedures of such team.

[28]155.15(4)(1)(xiv)(3) Tabletop exercises may be utilized by school and district safety teams as a training resource and may include a discussion-based activity for staff in an informal classroom or meeting-type setting to discuss their roles during an emergency and their responses to a sample emergency situation.

- Individual and group de-escalation techniques
- Non-violent conflict resolution skills and
- Peer mediation

7. The District may provide de-escalation techniques and nonviolent conflict resolution training to other staff annually. Each building has some staff trained in nonviolent conflict resolution.

8. Training may be available during staff development sessions, on conference days and via on-demand web-based training modules.

9. Procedures relating to building security including utilization of staff and security equipment are as follows:[29]

    1. All authorized staff members are expected to carry their classroom/office keys/swipe cards at all times.
    2. All staff members are expected to wear District-issued photo identification badges.
    3. After the designated start time of the school day, each school will be appropriately secured.
    4. All visitors must report to each building's designated single point of entry and sign in before proceeding further into the building.
    5. All contractors assigned to work in any building must first be authorized by the Facilities Department to receive an identification badge, which must be visible at all times when workers are on school property. All deliverables and delivery personnel must first be authorized by the Facilities Department, prior to delivery. An exception for regular food service deliveries may be made after the vendor has been authorized for the school year.
    6. The District has executed Memorandums of Understanding (MOU) with Security Providers as required by NYS Regulation[30].
    7. Extended day and other school safety programs - The district school buildings and facilities provide a valuable resource to our students and community after the conclusion of the school day. The following are strategies utilized during after-school hours:

[29] 155.17(c)(1)(xi)(a) policies and procedures relating to school building security, including, where appropriate: (a) the use of school safety or security officers and/or school resource officers. Beginning with the 2019-20 school year, and every school year thereafter, every school shall define the areas of responsibility of school personnel, security personnel and law enforcement in response to student misconduct that violates the code of conduct.

[30] 155.17(c)(1)(xi)(a)/2801-a A school district or charter school that employs, contracts with, or otherwise retains law enforcement or public or private security personnel, including school resource officers, shall establish a written contract or memorandum of understanding that is developed with stakeholder input, including, but not limited to, parents, students, school administrators, teachers,collective bargaining units, parent and student organizations and community members, as well as probation officers, prosecutors, defense counsels and courts that are familiar with school discipline. Such written contract or memorandum of understanding shall define the relationship between a school district or charter school, school personnel, students, visitors, law enforcement, and public or private security personnel. Such contract or memorandum of understanding shall be consistent with the code of conduct, define law enforcement or security personnel's roles, responsibilities and involvement within a school and clearly delegate the role of school discipline to the school administration. Such written contract or memorandum of understanding shall be incorporated into and published as part of the district safety plan.

- To the degree possible, access to areas of the school building is limited to only those needed for activities.
- Some buildings may use a modified point of entry.

10. The district has established a comprehensive **After School Annex** to safely manage after-school events, including athletic activities and programs, ensuring a secure and welcoming environment for all attendees. These guidelines outline protocols for visitor management, crowd control, emergency preparedness, and coordination with law enforcement as needed. This detailed annex can be found in each confidential building-level safety plan.

11. In compliance with recent legislation that established a plan to address extreme heat conditions, the district has developed a Maximum Temperature in Schools Annex. These plans include monitoring room temperatures, implementing heat mitigation strategies, and relocating students and staff when practicable. In the event of a heat emergency, the district will activate the protocols outlined in the Building-level Emergency Response Plans. The district will also address medical needs, transportation, and the emergency notification of parents and guardians as outlined in the Building-level Emergency Response Plans.

The District continually investigates other security measures and conducts staff development training to ensure schools are as safe as possible. Security measures include:

a. Security personnel
b. Surveillance cameras
c. Door-lock (buzzer) entry systems
d. Portable Radios
e. Alarm Systems
f. Keypad or swipe entry systems
g. Single or limited points of entry

Improving Communication with Students

Each of the schools within the district provides a wealth of school safety-related initiatives aimed at improving communication among students, between students and staff, and between administration and parents or persons in parental relation.[31] These programs may include peer mediation, bullying prevention, conflict resolution, social skills development, managing emotions and components of character education. Students are involved in a wide variety of safety activities through both their classes as well as through work with school counselors, social workers, and school psychologists. By

[31]155.17(c)(1)(xvi) strategies for improving communication among students, between students and staff and between administration and parents or persons in parental relation regarding reporting of potentially violent incidents, such as the establishment of youth-run programs, peer mediation, conflict resolution, creating a forum or designating a mentor for students concerned with bullying or violence and establishing anonymous reporting mechanisms for school violence;

October 1st of each school year, the superintendent and chief school administrator have provided written information to all students and staff about emergency procedures.[32]

Each building has established a mechanism for the anonymous reporting of school violence and harassment and has communicated this to students and parents.[33]

The school district's Code of Conduct is accessible to parents and students and reviewed with all students in the beginning of the school year. During the review with students, bullying, discrimination, harassment and violations of the Code of Conduct, along with consequences are discussed.

All staff members are trained in recognizing and effectively dealing with these behaviors, as outlined in the Code of Conduct.

In addition, each school has a wide range of programs and supports that impact school safety. These may include offering a variety of clubs, classroom lessons, small group lessons and/or individual counseling sessions, school-wide meetings, morning meetings in classrooms, assemblies, mindfulness rooms, yoga and movement breaks, and a variety of wellness opportunities.

Reporting Threats or Acts of Violence

Students, staff, parents and others are informed annually about the importance of reporting threats or acts of violence and the procedures of reporting.

The District has developed a system for reporting threats and actual acts of violence. The procedure for reporting is as follows:

- Students are instructed to report threats and acts of violence to staff members.
- Each school has designated a reporting process, which can be done anonymously.
- Staff members are required to report all student referrals to the administration for investigation.
- Staff training programs meet S.A.V.E. requirements. Instruction on issues of school safety is provided to all employees each year.

[32] 155.17(g) Instruction. Each public school superintendent and each chief school administrator of an educational agency other than a public school shall take action to provide written information, by October 1st of each school year, to all students and staff about emergency procedures.

[33] 155.17(c)(1)(xvi) strategies for improving communication among students, between students and staff and between administration and parents or persons in parental relation regarding reporting of potentially violent incidents, such as the establishment of youth-run programs, peer mediation, conflict resolution, creating a forum or designating a mentor for students concerned with bullying or violence and establishing anonymous reporting mechanisms for school violence;

Drills and Exercises:[34]

General Guidelines for Drills

Trauma-Informed Approach: All drills conducted during the school day with students present will be conducted in a trauma-informed, developmentally, and age-appropriate manner. Props, actors, simulations, or tactics mimicking a school shooting, incident of violence, or other emergencies are strictly prohibited.[35] (Effective 7/31/24) The New York State Fire Code requires that the fire alarm be used in an evacuation (evacuate) drill, and it is not considered a prop.

Annual Training: Drills will be conducted only after annual training in emergency procedures has been provided to students and staff.

Varied Scheduling: Drills will be scheduled on different dates, days of the week, and during different times of the school day.[36]

Exclusions for Unplanned Events: Unplanned evacuations or false alarms do not count as a required drill. Evacuations made necessary by the unplanned activation of the fire alarm system or by any other emergency shall not be substituted for a required evacuation (evacuate) drill.[37]

Student/Staff Notification: At the time that drills are conducted, students and staff shall be informed that the activities being conducted are a drill. Provided, however, that students and staff shall not be informed in advance of evacuation (evacuate) drills. (Effective 7/31/24)[38]

Parental Notification: Parents or persons in parental relation will be given advance notice of each drill being conducted within one week prior to the drill.[39] (Effective 7/31/24) Procedures for notifying parents or persons in parental relation will include:

1. **Official Letter or Email**
    - Timing: **Within one week** before the drill.
    - Include the following information:

[34] 155.17(c)(1)(xiv) procedures for review and the conduct of drills, tabletop exercises, and information about emergency procedures and drills, including information about procedures and timeframes for notification of parents or persons in parental relation regarding drills and other emergency response training(s) that include students. At their discretion, schools and districts may participate in full-scale exercises in coordination with local and county emergency responders and preparedness officials.

[35] 155.17(c)(1)(xiv)(1) Drills conducted during the school day with students present shall be conducted in a trauma-informed, developmentally, and age-appropriate manner and shall not include props, actors, simulations, or other tactics intended to mimic a school shooting or other act of violence or emergency.

[36]155.17 (c)(2)(vii)(c) be completed on different dates, days of the week, and during different times of the school day; and

[37] 401.7 New York State Fire code (pg 59)

[38] 155.1(c)(1)(xiv)(2) At the time that drills are conducted, students and staff shall be informed that the activities being conducted are a drill. Provided, however, that students and staff shall not be informed in advance of evacuation drills.

[39] 155.17(c)(2)(vii)(d) parents or persons in parental relations shall be given advance notice of each drill being conducted within one week preceding any such drill.

- General time frame of the drill
    - (e.g., Sometime the week of [month/date], [school name] will have a [drill type] drill
- Type of drill (e.g., fire drill, lockdown drill)
- Purpose of the drill
- Importance of the drill for student safety
- Contact information for questions or concerns

2. **Automated Phone Calls and Text Messages**
    - Timing: **Within one week** before the drill.
    - Use the school's automated messaging system to send a notification.
    - Include the following information:
        - General time frame of the drill
            a. (e.g., Sometime the week of [month/date], [school name] will have a [drill type] drill
        - Type of drill (e.g., fire drill, lockdown drill)
        - Purpose of the drill
        - Importance of the drill for student safety
        - Contact information for questions or concerns
3. **Printed Notices**
    - Timing: **Within one week** before the drill.
    - General time frame of the drill
        - (e.g., Sometime the week of [month/date], [school name] will have a [drill type] drill
    - Send printed notices home with students.
    - Include the following information:
        - General timeframe of the drill
        - Type of drill (e.g., fire drill, lockdown drill)
        - Purpose of the drill
        - Importance of the drill for student safety
        - Contact information for questions or concerns
4. **Post-Drill Follow-Up**
    - Timing: Immediately after the drill.
    - Send a follow-up letter or email to parents/guardians summarizing the drill, what went well, and any areas for improvement.
    - Reassure parents that the drill was conducted safely and effectively**.**

Required Drills

Evacuation (Evacuate) Drills: Eight (8) evacuation (evacuate) drills will be conducted each year, with six (6) completed between September 1 and December 31. Four (4) of these drills must involve the use of fire escapes on buildings where fire escapes are provided or other secondary means of egress such as different corridors, hallways, stairways, and exit doors.[40] [41] Students will be instructed in the procedure

[40] 155.17(h)(i) Four drills shall be through the use of the fire escapes on buildings where fire escapes are provided or through the use of identified secondary means of egress, such as through different corridors, hallways, stairways, and exit doors. Drills shall be conducted at different times of the school day

[41] EL §807.1 four of the required drills must be through use of the fire escapes on buildings where fire escapes are provided or through the use of identified secondary means of egress

to be followed in the event that a fire occurs during the lunch period or assembly. This instruction may be waived if a drill is held during the regular school lunch period or assembly[42]

Lockdown Drills: Four (4) lockdown drills will be conducted annually, with two (2) completed between September 1 and December 31.

Emergency Dismissal Drill: One (1) emergency dismissal drill will be conducted to test early dismissal procedures, occurring no more than 15 minutes before the normal dismissal time. Parents will be notified of these drills at least one week prior. Transportation Officials and District staff may also take place in conducting an evaluation of this drill. This drill also allows the District to test the usefulness of the communications and transportation system during emergencies.[43]

Additional Evacuation (Evacuate) Drill Requirements

Residential Schools: Four (4) additional drills must be conducted during the hours between sunset and sunrise for schools with student sleeping accommodations.[44]

Summer School: At least two (2) additional drills are required in buildings used for summer school, with one (1) drill held during the first week.

After-School Programs, Events, and Performances: For after-school programs, events or performances conducted within a school building that include persons who do not regularly attend classes in the building, the principal or other person in charge of the building must require the teacher or person in charge of the after-school program, event or performance notify attendees of the procedures to be followed in an emergency.[45]

Optional Drills

Shelter-in-Place/Shelter and/or Secure Lockout Drills: While not required, each school in the District may conduct Shelter-in-Place/Shelter and/or Secure Lockout drills in addition to those drills required by New York State regulation. The appropriate Police Department may, upon mutual agreement with the District, participate in some or all of the drills and offer feedback regarding the effectiveness of these drills.

Full Scale Exercises: The district may opt to conduct functional exercises with emergency response agencies to involve staff, students and parents in realistic drills. Exercises that include props, actors, simulations, or other tactics intended to mimic a school shooting or other act of violence or emergency

[42]155.17(h)(ii) Pupils shall be instructed in the procedure to be followed if an emergency occurs during a lunch period or assembly, provided however, that such additional instruction may be waived where a drill is held during the regular school lunch period or assembly.

[43] 155.17(h)(3) Emergency Dismissal drills shall test the usefulness of the communications and transportation system during emergencies.

[44] 155.17(h)(1)(i) Four additional drills shall be held in each school year during the hours after sunset and before sunrise in school buildings in which students are provided with sleeping accommodations.

[45] 807.1-a for after-school programs, events or performances conducted within a school building and include persons who do not regularly attend classes in the building, the principal or other person in charge of the building must require the teacher or person in charge of the after-school program, event or performance notify attendees of the procedures to be followed in an emergency.

may not be conducted on a regular school day and when school activities such as athletics are occurring on school grounds. Such exercises may not include students without written consent from parents or persons in parental relation.[46]

The district does not plan to conduct functional exercises with emergency response agencies that involve staff, students, and parents in drills using props, actors, simulations, or other tactics intended to mimic a school shooting or other act of violence or emergency. If this policy were to change in the future, any such exercises would not be conducted on a regular school day or when school activities such as athletics are occurring on school grounds. Additionally, no students would participate in these exercises without written consent from parents or persons in parental relation.

Procedures for obtaining written consent for students to participate in full-scale exercises from parents parents or persons in parental relation will include:[47]

1. **Distribution of Consent Forms:**
    - Consent forms will be distributed to parents through the following methods:
        - **Mail**: Consent forms will be sent to parents' home addresses.
        - **Home with Students**: Students will bring consent forms home in their backpacks.
        - **Email**: Electronic consent forms will be sent to parents' registered email addresses.
        - **School Newsletter**: A detachable consent form will be included in the monthly school newsletter.
        - **Parent Portal**: Consent forms will be available on the school's parent portal.
2. **Content of Consent Forms:**
    - The consent form will include:
        - A detailed description of the full-scale exercise, including date, time, and activities involved.
        - Potential risks and safety measures in place.
        - Instructions for completing and returning the form.
3. **Return of Consent Forms:**
    - Parents can return signed consent forms through the following methods:
        - **Mail**: Forms can be mailed back to the school.
        - **Home with Students**: Students can return forms to their homeroom teachers.
        - **Email**: Scanned copies of signed forms can be emailed to the designated school email address.
        - **Parent Portal**: Digital consent forms can be submitted through the parent portal.
4. **Follow-Up and Reminders:**

[46]155.17(c)(1)(xiv)(4) Schools and districts that opt to participate in full-scale exercises in conjunction with local and county emergency responders and preparedness officials that include props, actors, simulations, or other tactics intended to mimic a school shooting or other act of violence or emergency shall not conduct such exercises on a regular school day or when school activities such as athletics are occurring on school grounds. Such exercises may not include students without written consent from parents or persons in parental relation.

[47] 155.17(c)(1)(xiv)(4) ... Such exercises may not include students without written consent from parents or persons in parental relations.

- The school will send reminders via email, text messages, and phone calls to ensure that all parents submit the consent forms in a timely manner.

5. **Record Keeping:**
    - The school will maintain a digital record of all returned consent forms. This record will be securely stored and accessible to authorized school personnel.

Training and Review Processes

Training for Students: Prior to the first annual drill, staff shall review emergency response procedures and drill requirements with students during class time, providing an opportunity for students to ask questions about any unclear procedures.

Building-level Emergency Response Planning Team and District Administration Team Training: Each Building-level Emergency Response Planning Team and representatives of the District administration engage in tabletop exercises facilitated by the district's emergency management consultant. Emergency response agencies are encouraged to participate in these exercises.[48]

Drill Review and Protocol Updates: In addition to post-drill debriefings conducted by each building-level emergency response planning team, each building will complete a drill evaluation form that will be submitted to the district-wide safety team for periodic review, which includes observations from the drill as well as any additional feedback obtained from building personnel. Changes to procedures are made as needed. The district-wide safety team should evaluate communications and transportation systems during emergencies.[49]

Local Emergency Responder Involvement: The appropriate Fire and Police Departments may, upon mutual agreement with the District, participate in some or all evacuation (evacuate) and lockdown drills, offering feedback on the effectiveness of building evacuation during a fire and the overall effectiveness of lockdown procedures.

Special Provisions

Building Occupants with Special Needs: Prior to the commencement of each school year, the Building-Level Emergency Response Planning Team shall conduct an inventory of any special needs students. Appropriate accommodations for the school year will be incorporated into each Building-Level Emergency Response Plan.

[48] 155.17(c)(1)(xiv)(3) Tabletop exercises may be utilized by school and district safety teams as a training resource and may include a discussion-based activity for staff in an informal classroom or meeting-type setting to discuss their roles during an emergency and their responses to a sample emergency situation.

[49] 155.17(h)(3) Emergency Dismissal drills shall test the usefulness of the communications and transportation system during emergencies.

Communication

Staff Information: Information about drills will be included in the teacher's manual or handbook as mandated by Education Law §807.2.

A summary of drill procedures are detailed in each of the Building-Level Emergency Response Plans.

Staff Development Training:

All general staff will receive training on District-wide procedures as well as specific procedures contained within their respective building-level emergency response plan. This training shall occur prior to September 15th of each school year or within 30 days of joining the district. This training will be conducted at a staff development day in August, online or a combination of both.[50]

The District will provide advanced training for each Building-level Emergency Response Planning Team and District-wide Safety Team annually. Effective July 1, 2025, the training will include a description of the roles and responsibilities of the Building-level Emergency Response Planning Team, the building-level Incident Command System including the roles and responsibilities of designated staff, and the building level-emergency response plan procedures for implementing the following required emergency response terms: shelter, hold, evacuate, secure lockout, and lockdown. The required training shall also include the procedures for conducting drills, including whether classrooms will be released from lockdown by law enforcement or school or district administrators during drills, and the district and building policies, procedures, and programs related to safety including those which include components on violence prevention and mental health.[51]

Additional training includes but is not limited to:

- De-escalation training
- Warning signals for violence and mental health concerns
- Non-violent conflict resolution
- Student School Emergency Response Procedures Training

[50]155.17(c)(1)(xiii) policies and procedures for annual multi-hazard school safety training for staff and students, provided that the district must certify to the commissioner that all staff have undergone annual training by September 15, 2016 and each subsequent September 15th thereafter on the building-level emergency response plan which must include components on violence prevention and mental health, provided further that new employees hired after the start of the school year shall receive such training within 30 days of hire or as part of the district's existing new hire training program, whichever is sooner;
**Please note, the terminology in this paragraph has been pulled directly from the law language, and therefore the terminology remains shelter, hold, evacuate, secure lockout, and lockdown.
[51]155.17(2)(xiii) https://www.regents.nysed.gov/sites/regents/files/424p12d2.pdf

Proactive Building Security Measures

1. The District buildings use limited points of entry. All doors are locked. Signs are in place directing visitors to sign-in at the reception desk at each school. Main doors are controlled by remote "buzzer" entry during normal school hours.

2. All schools have greeters or office staff members just inside the entrance to each school in the District. These individuals ensure visitor sign-in procedures and help supervise building traffic flow. The building principals are responsible for supervision of the greeters and other staff.

3. Staff members are required to wear visible identification badges.

4. Visitors are required to sign in and wear visitor identification.

5. Visitor access is limited to specific areas of the school building.

Vital Educational Information[52]

Information on each building's student and staff, transportation needs, and the telephone numbers of key officials are outlined in each Building-level Emergency Response Plan. The purpose of including such information in the Building-level plan is to ensure coordination or coverage in the event of a serious incident.

Early Detection of Potentially Dangerous Behavior [53]

This section contains the District policy and procedure for disseminating information regarding early detection of potentially dangerous behavior.

1. A "plain language" summary of the District's Code of Conduct is provided to all students in the District at the start of every school year to ensure that all students understand acceptable behavior in the school setting. The Code of Conduct delineates, among other behavior, lack of tolerance for harassment, discrimination, bullying and violence.

2. A "plain language" summary of the District's Code of Conduct is mailed or emailed to all parents/guardians of students in the District at the start of each school year, and is disseminated at the time of registration thereafter.

[52] 155.17(2)(ix)Except in a school district in a city having a population of more than one million inhabitants, the chief executive officer of each educational agency located within a public school district shall provide to the superintendent of schools information about school population, number of staff, transportation needs and the business and home telephone numbers of key officials of such educational agencies.
[53]155.17(c)(1)(xii) policies and procedures for the dissemination of informative materials regarding the early detection of potentially violent behaviors, including but not limited to the identification of family, community, and environmental factors to teachers, administrators, school personnel including bus drivers and monitors, parents [and] or other persons in parental relation to students of the school district or board, students and other persons deemed appropriate to receive such information;

3. All new employees will be provided with a copy of the Code of Conduct at the time of hire. All teachers and other staff members will be provided with a copy of the Code of Conduct annually.

4. Efforts are made on the building level in each of the District's schools to identify, prevent, and resolve potentially dangerous behavior at the earliest possible stage. Teams meet regularly in each building in order to work with classroom staff in identifying and preventing potentially dangerous behavior. School counselors, school psychologists, school social workers, nurses, outside agencies (when appropriate), administrators, teachers, bus drivers and monitors, parents/guardians and students may be involved in this process.

5. District students at all grade levels participate in instruction guided by evidence-based violence prevention/intervention programs. Elements of these programs support students in identifying potentially violent or problematic situations with peers and in developing strategies to address these such as reporting to an adult.

6. Secondary health curricula incorporate information regarding emotional health, the impact of drugs and alcohol on an individual's behavior, and on responsible decision-making.

7. Each of the District's school psychologists/social workers may facilitate counseling groups for identified students around issues related to poor social skills development, managing emotions, and good decision-making.

8. Certified and noncertified staff members working with students who have been identified by the Committee on Special Education as being at-risk for engaging in violent behaviors receive annual training in crisis prevention and intervention.
9. The District may work in collaboration with building-level and District-wide PTAs to offer parents/guardians information regarding early-warning signs of potentially dangerous and/or violent behavior, as well as a forum to discuss specific parental concerns.

Police Agencies

The District buildings fall within the jurisdiction of the following police departments:

Agency	Phone Number
Olive Police Department	845-331-3115
Shandaken Police Department	845-688-9902
Woodstock Police Department	845-679-2422
Ulster County Sheriff's Office	845-338-3640
New York State Police (TROOP F)	845-344-5300

Hazard Identification

Identification of Potentially Dangerous or Hazardous Sites:

Each school will identify and locate areas of potential emergencies in and around its building. The Director of Facilities and building custodians will locate these sites.

1. These sites are to include electrical, gas, heating, ventilation, water supply and sewage systems locations and shut-off valves. Local fire department personnel have and will continue to participate in these efforts.

2. These sites of potential emergencies will be listed in each Building-level Emergency Response Plan supplied to police, fire, emergency management services, and District personnel.

3. Potentially dangerous sites indicated below that are contained within school property and under the jurisdiction of the school district, will be checked regularly and inspected by building safety personnel on a regular schedule, at least annually. They include but are not limited to:

    - Electrical panels/shut-offs
    - Gas lines/shut-off
    - Gas appliances
    - Heating plant
    - Sewage system
    - Structural failure
    - HVAC
    - Water supply/shut-off
    - Chemical storage and cleaning supplies
    - Paper supply storage
    - Industrial arts room
    - Science rooms and labs
    - Isolated areas near the school
    - Nearby aqueduct, streams, ponds, rivers (flooding)
    - Steep areas near school
    - Unprotected exterior gas/electric, air conditioning supplies or equipment

- Playground equipment

School Safety Personnel Allocations, Hiring, Duties, and Training[54]

School Resource Officers

This plan includes contracts or memoranda of understanding that define the relationship between the district, personnel, students, visitors, law enforcement, and public or private security personnel. These contracts or memoranda are consistent with the Code of Conduct, and define the roles, responsibilities, and involvement in the schools of law enforcement or security personnel. The role of school discipline is delegated to school administration.

Security Allocations

A. At the elementary and middle school level, there is a single point of entry for visitors at each building and visitors to the school must be buzzed into the building, sign in and receive an identification badge issued by a safety greeter. Staff in the building all wear district-produced identification badges which must be worn at all times. Staff is trained to report to the main office any person they observe who is not wearing a badge.

B. At the high school level, there is a single point of entry for visitors, which is staffed during normal school hours by one of several staff members or safety personnel assigned to the High School. Visitors to the school must be buzzed into the building, sign in and receive an identification badge issued by a safety greeter. Staff in the building all wear district-produced identification badges, which must be worn at all times. In addition, safety personnel are assigned to areas throughout the building.

Hiring

The interviewing and hiring of safety personnel follows the district's practices for hiring of new staff. All new staff employed by the District must be fingerprinted in order to be employed.

Duties and Training

Greeters

- buildings are staffed during regular school hours
- primarily responsible for enforcement of the visitor protocols
- perform perimeter patrols
- detection of hazards
- deter and report unlawful activity
- provide escorts for parents and students when needed

[54] 155.17(c)(1)(xvii) a description of the duties of hall monitors and any other school safety personnel, the training required of all personnel acting in a school security capacity, and the hiring and screening process for all personnel acting in a school security capacity;

- members of building-level emergency response planning teams

Secondary School Monitors

- staffed at select elementary, both middle schools and high school
- actively monitor the building and support the staff with student safety and traffic
- provide student supervision
- check that school procedures are being adhered to
- guide the arrival and dismissal processes

School Security Monitors

- perform perimeter patrols
- staffed during regular school hours at the high school as well as for special events in the evening and on weekends
- enforce our visitor policy as well as actively monitor the building and support the staff with student safety and traffic

Required training includes:

- School violence prevention and intervention training
- Site-specific training including review of all manuals (e.g., school district policies, Code of Conduct, District-wide School Safety Plan, School Handbook, etc).
- Right-to-know training
- Blood borne pathogen training

Section III Response

Notification and Activation - Internal and External Communications

Internal

After receiving the information from the Incident Commander at the scene, an email will be sent from the Superintendent's office to all administrators and administrative offices alerting them to the nature and status of any incident in the district. The mass communication system may be used to provide information as deemed appropriate by the Incident Commander. Portable radios will also be used when possible.

External

Anyone with knowledge of an emergency event is encouraged to immediately call 911.

The District's mass communication system will be used to provide information to parents/guardians and emergency contacts. The District website may also be used to provide updated information throughout an incident as deemed appropriate by the Incident Commander. Schools may also use their websites, groups, and hotlines for announcements or updates as directed by the Incident Commander.

When an emergency requires notification of parents and students, the Superintendent or his designee will provide updated information to parents and students through the emergency notification system. Additional information may also be found on the District's website:
https://www.onteora.k12.ny.us/about

During an emergency, all contact with the media will be handled either by the Superintendent or their designee. The media and public will be informed and updated as soon as practicable on all developments in statements released by the Superintendent or their designee. Students, staff and parents should refer all questions and requests for information to the Superintendent in order to assure the release of factual and current information. The Superintendent may refer such requests to the Public Information Officer for response.

By definition, emergency events are unforeseen and unpredictable. The safety of students and staff is the primary focus of all activities surrounding an emergency event. Every effort will be made to contact parents and the general public once the situation has stabilized.

Situational Responses

Multi-Hazard Response

In the event of an emergency, a Command Center will be set up at a safe location in collaboration with emergency responders. Each building has specific plans for dealing with a wide range of hazards.

Specific response procedures are sensitive in nature and therefore are contained within each confidential building-level emergency response plan.

In each emergency, the building's administrator will contact the District office for assistance. The District office will provide support as appropriate and deemed necessary by the Incident Commander on the scene (i.e. sending additional mental health resources). The Superintendent or their designee will be the sole contact person for releasing information to the media and for communicating the status of the emergency with other District schools, out-of-district schools, private schools, and outside agencies.[55]

Response Protocols

Written information on emergency response procedures is disseminated to parents, age-appropriate students and staff via email by October 1st annually. This non-sensitive information may also be found on the district website.[56]

School Cancellation

- The Superintendent or their designee will monitor any situation that may warrant a school cancellation and will make the determination to do so.
- The Public Information Officer will activate use of the District's mass communication system.
- The Public Information Officer will contact local media, post the information on the website and social media sites utilized by the District.

Early Dismissal

- The Superintendent or their designee will monitor any situation that may warrant an early dismissal and will make the determination to do so.
- The Operations Chief will designate people to arrange transportation for students.
- The Public Information Officer will activate use of the District's mass communication system.
- The Public Information Officer will contact local media, post the information on the website and social media sites utilized by the District.
- The Liaison Officer will notify each of the building principals.

Evacuation (Evacuate)

- The Superintendent or their designee will determine the level of the threat.
- The Operations Chief will contact the transportation supervisor to arrange transportation. They will also arrange for student-parent reunification.
- The Safety Officer will clear all evacuation routes and sites prior to evacuation
- Principal(s) will evacuate all staff and students to prearranged evacuation sites as outlined in building plans. They will report to the superintendent or their designee any missing staff or students.

[55] 155.17(c)(1)(xviii) in the case of a school district, except in a school district in a city having more than one million inhabitants, a system for informing all educational agencies within such school district of a disaster;
[56] 155.17(g)Each public school superintendent and each chief school administrator of an educational agency other than a public school shall take action to provide written information, by October 1st of each school year, to all students and staff about emergency procedures.

Shelter-in-Place/Shelter Sites (internal and external)

- The Superintendent or their designee will determine the level of the threat and communicate with building principal(s) who are affected by the emergency.
- Principal(s) will move all staff and students to pre-arranged shelter-in-place/shelter sites as outlined in building plans. They will report any missing staff or students.
- The Logistics Chief will make appropriate arrangements for human needs in the event of a long-term situation.

Protocols for Responding to Bomb Threats, Hostage-takings, Intruders, Abduction, and Other Emergency Situations[57]

The District has procedures and provides training for emergencies. Specific response steps are confidential and contained within each Building-level Emergency Response Plan. Emergencies include but are not limited to the following situations.

- Abduction/Kidnapping
- Armed Intruders / Active Shooters
- Bomb Threats
- Cyber Security Annex
- Early or Alternate Emergency Dismissal
- Earthquakes
- Explosions
- Fires
- Hazardous Material Incident
- Homeland Security Threats
- Hostage Situations
- Infectious Disease
- Missing Child/Elopement
- Severe Weather
- Student-Made Threats
- Suicidal Students
- Suspicious Package Protocol
- Suspicious Persons
- Swatting

[57] 155.17(c)(1)(xv) the identification of appropriate responses to emergencies, including protocols for responding to bomb threats, hostage-takings, intrusions and kidnappings;

Responses to Implied or Direct Threats of Violence[58]

1. Students are required to inform school staff about any direct or indirect threat of violence or actual act of violence to themselves, others or school property.

2. Staff members are required to immediately inform the Principal or their designee of any direct or implied threat of violence or actual act of violence by students, teachers, or other school personnel including bus drivers and monitors as well as visitors to the school, including threats by students against themselves, which shall include suicide. The Principal or their designee decides whether to utilize the building's trained clinician(s) in an effort to de-escalate or defuse the situation.

3. The district disseminates educational material, including but not limited to emails and formal brochure, encouraging parents and visitors to tell school staff about any direct or implied threat of violence or actual acts of violence by students, teachers, other school personnel and visitors to the school, including threats by students against themselves.

4. After considering the specificity/generality of the threat or severity of the violent act, the Principal or their designee will determine whether to immediately contact the Superintendent of Schools or the Assistant Superintendent to advise them of the threat, obtain assistance to determine the severity of the threat or report the violent act. The Principal will have the discretion to report minor incidents to the Superintendent verbally and/or in memorandum form after the situation has been resolved.

5. Each building has the availability of a Threat Assessment Team. This is a multi-disciplinary team that uses a nationally recognized evidence-based model to evaluate threats and implement the necessary mitigation steps to help prevent a threat from escalation to an act of violence.

6. The building administrator will investigate reported threats of violence and will make the determination of disciplinary measures consistent with the District's Code of Conduct.

[58] 155.17(c)(1)(i)policies and procedures for responding to implied or direct threats of violence by students, teachers, other school personnel including bus drivers and monitors, and visitors to the school, including threats by students against themselves, which for this subdivision shall include suicide;

Responses to Acts of Violence[59]

1. The Principal or their designee will determine whether to contact law enforcement personnel. **Threats or actions placing students, staff and others in imminent danger require an immediate LOCKDOWN protocol followed by a call to the police and the District Superintendent (if safe to do so)**. Violent offenses defined in the S.A.V.E. regulations will also require the involvement of the police.

2. The Principal, and/or their designee then determine the appropriateness of directing the Building-level Emergency Response Team to be activated.

3. The Building-level Emergency Response Planning Team consisting of trained staff and school personnel may assist with an Evacuation (Evacuate), Secure Lockout, Shelter-in-Place/Shelter, Hold-in-Place/Hold, or Early Dismissal and will follow the appropriate protocol (see appendices for further information). The Incident Command System (ICS) under the National Incident Management System (NIMS) should be followed as closely as possible to ensure good coordination between the building-level teams, District leadership, and responding agencies.

4. If the threat of violence or danger is imminent, a Lockdown may be utilized. A Lockdown is time sensitive and therefore may be requested by any school staff member based on the incident and timely need for the Lockdown. During the Lockdown, all school staff, students, and visitors (including all Building-level Emergency Response Planning Team members) are required to Lockdown in the nearest lockable space and await further instruction, or in some situations, evacuate the campus.

5. Procedures for contacting parents, guardians and persons in parental relation to students in the event of a violent incident or early dismissal or emergency closure are detailed in each building-level emergency plan. The use of the District's mass communication system is typically utilized.[60]

6. Aggressively dangerous and violent students, teachers, other school personnel, bus drivers and monitors, or visitors shall be managed as outlined by the procedures detailed in the district Code of Conduct.

7. The building administrator will investigate reported threats of violence and will make the determination of disciplinary measures consistent with the District's Code of Conduct.

8. School administrators must keep records of serious threats and acts of violence and report them annually to the state.

9. Prompt contact with appropriate law enforcement officials is essential in the event of a violent incident. These relationships have been established by participation of local response officials on Building-Level Emergency Response Planning Teams. These individuals and appropriate means of contact are documented in each Building-Level Emergency Response Plan.[61]

10. The district has a zero-tolerance policy for acts of school violence.

[59] 155.17(c)(1)(ii) policies and procedures for responding to acts of violence by students, teachers, other school personnel including bus drivers and monitors and visitors to the school, including consideration of zero-tolerance policies for school violence;
[60] 155.17(1)(ix) policies and procedures for contacting parents, guardians or persons in parental relation to the students of the district in the event of a violent incident or an early dismissal or emergency school closure
[61] 155.17(c)(1)(iv) policies and procedure for contacting the appropriate law enforcement officials in the event of a violent incident;

Protocols For a State Disaster Emergency Involving a Communicable Disease

The following procedures provide a general overview of the District's response to a State Disaster Emergency and may require modification during an actual event based on a number of factors. The District will follow current guidance from the County Department of Health, State Department of Health and the State Education Department related to masking, distancing, quarantines, and other health-related requirements.

Background

In September 2020, Governor Cuomo signed legislation that requires all New York State public employers to adopt a plan for operations in the event of a declared state disaster emergency involving a communicable disease. The new legislation will constitute New York State Labor Law Section 27-c, and serve as a response to the effects of the sudden onset of the COVID-19 pandemic in the Spring of 2020. In addition to 27-C, the following section was added to 2801-a of the Education Law that required additions to the District Plan.

Education Law - 2801-a (m) - protocols for responding to a declared state disaster emergency involving a communicable disease that are substantially consistent with the provisions of section twenty-seven-c of the labor law.

Protocols

1. In the event of a state-ordered reduction of the District's in-person workforce, the following is a list of **essential** employees.

Essential Position	Description	
Information Technology	Director Technicians	This group is needed to maintain the internet capability including remote learning and working from home.
Custodial and Maintenance	Director Asst. Director Senior Custodians Custodians Maintenance Mechanics Grounds	This group is needed to maintain the cleanliness and continued functioning of the building & grounds.
Administration	Superintendent & Asst. Superintendents	Required to ensure continuity of the response efforts.
Building Administration &	Building Administrators &	Required to ensure continuity of the

Clerical Support	Confidential Secretaries, Senior Typists, Typists & Monitors	response efforts.
Faculty and Staff	Teacher/Related Service Provider	Should it become necessary to meet a student's needs under IDEA and/or Section 504 regulation (FAPE), teachers/related service providers may be deemed essential on an as-needed basis.
Security	Security Coordinator & Security Assistants	To ensure the safety/security of the campuses.
Transportation	Director of Transportation, Support Staff & Transportation Contractor	To transport food to students who receive home meals and/or to transport students in the event they are attending in person instruction
Food Service	Food Service Director & Food Service Workers	To prepare and distribute meals to students.
Health Services	Director of Health Services and staff as deemed necessary	To assist with testing requirements, reporting and contract tracing.
Business Operations	Accounting, Payroll, Accounts Payroll, Purchasing	Where necessary to ensure the continued operation of the District.

2. In the event of a state-ordered reduction of the District's in-person workforce the District will provide the opportunity for all **non-essential** employees the capability to telecommute including, but not limited to, facilitating or requesting the procurement, distribution, downloading, and installation of any needed devices or technology, including software, data, office laptops or phones, and the transferring of office phone lines to work or personal cell phones as practicable or applicable to the workplace. Onteora Central School District Staff will be guided on this as per the **Building Level Emergency Plans**, specifically the **Continuity of Operations and Continuity of Instruction** sections.

3. To the extent possible the District will stagger work shifts of essential employees in order to reduce overcrowding on public transportation systems and at worksites. Staff and students typically walk or drive via personal vehicle to campus. In an effort to reduce overcrowding on public transportation:

    - Class schedules, if scheduled to be on site, will be staggered to a morning and afternoon cohort
    - Staff will arrive on campus prior to students at staggered times/work shift or/and staggered assigned days of work
    - If no students are in school staff will continue to have their work shift or assigned days of work staggered.
    - Most employees will be permitted to work remotely.
    - Visitors will not be permitted on campus.

4. A quantity of personal protective equipment (PPE), sufficient to provide to all essential employees, will be procured, stored, and managed as follows:

    - Facilities will maintain inventory of PPE as recommended by the NYS Education Department guidelines, and continually restock same as needed.
    - Storage of personal protective equipment will be on campus and comply with the manufacturer's storage recommendations for each item.
    - The equipment will be stored and readily available to any person in need of it.

5. In the event an employee is exposed to a known case of a communicable disease that is the subject of a state disaster emergency involving a communicable disease, exhibits symptoms of such disease, or tests positive for such disease, and in order to prevent the spread or contraction of such disease in the workplace the District has a set protocol to be followed for the exposure as well as the disinfecting of the affected work area(s). The District's **Building Level Emergency Plan** contains an **Infectious Disease Annex,** which details:

    - The disinfecting of any area known or suspected to be infected with the communicable disease as well as any common area surface and shared equipment such employee may have touched
    - Available leave options, for the affected employee(s), in the event of an employee's need to receive testing, treatment, isolation, or quarantine

    Note: Such protocol does not involve any action that would violate any existing federal, state, or local law, including sick leave or health information privacy.

6. All essential employees will have their hours and work locations documented, including off-site visits, by:
    - All entrances will be locked with guard staff posted.

- All employees will use their access cards for entrance which documents their arrival on the premises.
- Payroll, attendance, and time cards will further document an employee's presence on campus.
- No other visitors will be allowed on site.

Such protocol shall be designed only to aid in the tracking of the disease and to identify the population of exposed employees in order to facilitate the provision of any benefits which may be available to certain employees on that basis.

7. If emergency housing is needed to further contain the spread of the communicable disease, the Onteora Central School District will lodge an essential employee at a local hotel bearing the full cost of the stay.

If there is a declared state disaster emergency involving a communicable disease that involves the Onteora Central School District, all staff, essential and non-essential, will be contacted, and they will be guided by the aforementioned protocols.

8. **OTHER:** Any other requirements determined by the Department of Health such as contact tracing, testing, physical distancing, hygiene, disinfecting, drill modifications, or mask-wearing.

Identification of District Resources Which May Be Available for Use During an Emergency[62]

District resources are available in each building and stored in a central location. Each building will designate a Command Post. The list, which is not meant to be inclusive, requires the following items:

- Copy of District-Wide School Safety Plan
- Building-level Emergency Plan
- Quick reference Emergency Management Procedures
- List of emergency telephone numbers
- Building floor plans
- Telephones
- Radio communications
- Weather radio
- Flashlights
- Photocopier
- Computer
- Student rosters
- List of individuals with special needs and specific evacuation plans
- Telephone numbers for parents/guardians Information about emergency needs (e.g. students/staff that require medications, vehicular transportation issues, etc.)

[62] 155.17(c)(1)(vii) except in a school district in a city having a population of more than one million inhabitants, the identification of district resources which may be available for use during an emergency;

- School and staff census information

Coordination and School District Resources and Manpower During Emergencies[63]

The District will, as appropriate, utilize all available manpower during an emergency. Within each building, schools may use the Staff All Call response protocol, that quickly summons all available staff members to a staging area for assignments. Coordination of available employees is typically performed by the Principal or their designee. Specific job duties will be assigned based on the type of emergency and in compliance with the appropriate district and building emergency response procedure. Additional district resources may be requested by any building administrator or designee as needed. The Superintendent or their designee will call in all available maintenance and custodial staff to provide support during an emergency as needed. Assistance from outside government agencies may also be requested. A specific list of available resources may be found in Appendix 4 of this plan.

Participating in Unified Command under ICS Principles

Assignment of Responsibilities

A chain of command consistent with the National Interagency Incident Management System (NIMS)/Incident Command System (ICS) will be used in response to an emergency. Members of the School, Emergency Response Team, will be part of this system. In the event of an emergency, the response team will adopt NIMS/ICS principles based on the size, scope, and character of the emergency.

1. All administrators and Building-level Emergency Response Planning Teams members shall complete the incident command training level one.

2. All District Emergency Response Team members shall complete incident command training level one and level two.

ICS Positions

The number of ICS positions filled will be dependent upon the scope of the incident.

- **Incident Commander** – Responsible for the direction of the building response in a building-level emergency (Building Administrator/designee).
- **Public Information Officer** – Compiles and releases information to the news media.
- **Safety Officer** – Monitors the response to prevent injuries from occurring to both those involved in the incident and those trying to resolve it.

[63] 155.17(c)(1)(viii) except in a school district in a city having a population of more than one million inhabitants, a description of procedures to coordinate the use of school district resources and manpower during emergencies, including identification of the officials authorized to make decisions and of the staff members assigned to provide assistance during emergencies;

- **Liaison** – Represents the District by working with responding agencies (law enforcement, fire department, EMS, utilities, etc.) and other school districts that may be involved in the incident.

- **Incident Log** – Keeps a written log of all incident events and updates appropriate command post personnel on significant developments.

- **Operations** – responsible for directing the implementation of action plans and strategies for incident resolution.

- **Logistics** – Responsible for providing all resources (personnel, equipment, facilities and services) required for incident resolution.

- **Planning/Intelligence** – Responsible for collecting, evaluating, and disseminating the information needed to measure the size, scope and seriousness of an incident and to plan a response.

- **Administration/Finance** – Responsible for all cost and financial matters related to the incident.

Emergency Remote Instruction

Overview

The District may offer remote instruction days to students in the event-of-an-emergency condition, including, but not limited to, extraordinary adverse weather conditions, impairment of heating facilities, insufficiency of water supply, shortage of fuel, destruction of a school building, or a communicable disease outbreak.

When making decisions about remote instruction, the District will consult with students**,** parents, teachers, administrators, community members, and other stakeholders as appropriate. When implementing remote instruction, the District will ensure that it is complying with applicable teaching and learning requirements.

Definitions

A. "Asynchronous instruction" means instruction where students engage in learning without the direct presence (remote or in-person) of a teacher.
B. "Non-digital and/or audio-based instruction" means instruction accessed synchronously and/or asynchronously through paper-based materials where the student to teacher interaction occurs via telephone or other audio platforms.
C. **"**Remote instruction" means instruction provided by an appropriately certified teacher who is not in the same in-person physical location as the student(s) receiving the instruction, where there is regular and substantive daily interaction between the student and teacher.
    1. Remote instruction will encompass synchronous instruction provided through digital

video- based technology and may also include asynchronous instruction intended to complement synchronous instruction. Digital video-based technology includes online technology and videoconferencing technology.

2. Remote instruction may encompass non-digital and audio-based asynchronous and/or synchronous instruction where this instruction is more appropriate for a student's educational needs.

D. "Synchronous instruction" means instruction where students engage in learning in the direct presence (remote or in-person) of a teacher in real time.

Formats and Methods of Remote Instruction

Remote instruction may be delivered through a variety of formats and methods. Determinations about how to best deliver remote instruction will take into account a variety of factors including, but not limited to, the number of students involved, the subject matter, the students' grade levels, and technological resources of both the District and students. Consideration will also be given to whether accommodations need to be made for students with disabilities or English language learners. Each school's Building-level Emergency Response Plan will contain this confidential information in the Continuity of Instruction Plan (COIP) section.

Instructional Options

The District may engage students in synchronous and asynchronous learning on days of remote instruction under emergency conditions with an expectation that asynchronous instruction is supplementary to synchronous instruction. When remote instruction by digital technology is unavailable, appropriate special accommodations for students will be made to aid their learning.

Computer and Connectivity Access for Students

The District will ensure that students have the necessary equipment at home to participate in remote instruction.[64] No later than June 30th of each school year, the Superintendent will report to the Commissioner of Education the results of the survey on student access to computing devices and access to Internet connectivity on a form and format prescribed by the Commissioner.[65] The information received from the survey will aid in the development/updates to the detailed Continuity of Instruction Plan in each school's Building-level Emergency Response Plan.

Minimum Instructional Hours

Remote instruction provided on days when the District would have otherwise closed due to an emergency condition may be counted toward the annual hourly requirement for the purpose of state aid. The Superintendent will certify to the New York State Education Department, on a form prescribed by the Commissioner, that an emergency condition existed on a previously scheduled school day and that the District was in session and provided remote instruction on that day and indicate how many instructional hours were provided on that day and certify that remote instruction was provided in accordance with the District's emergency remote instruction plan.

Remote Instruction Support

[64] 155.17(xxi)(a) ensure computing devices will be made available to students

[65] 155.17(f)(2) Beginning in the 2022-2023 school year, each chief executive officer shall report to the Commissioner, no later than June 30 of each school year, on a form and format prescribed by the Commissioner, the results of the survey on student access to computing devices and access to internet connectivity

As necessary, the District will provide instruction on using remote instruction technology and IT support for students, teachers, and families. The District will also work to ensure that teachers and administrators are provided with professional development opportunities related to designing an effective remote instruction experience.

Compliance with District Policies, Procedures, and the Code of Conduct

Teachers and students are required to comply with any and all applicable District policies, procedures, and other related documents as they normally would for in-person instruction. Examples include, but are not limited to, the District's policies and procedures on non-discrimination and anti- harassment, acceptable use, and copyright. Students will also be required to abide by the rules contained within the Code of Conduct at all times while engaged in remote instruction. Violations of the Code of Conduct and/or engaging in prohibited conduct may result in disciplinary action as warranted.

Privacy and Security of Student and Teacher Data

The District will take measures to protect the personally identifiable information of students and teachers from unauthorized disclosure or access when using remote instruction technologies in compliance with law, regulation, and District policy. Examples of these measures include, but are not limited to, minimizing the amount of data shared to only that which is necessary, de-identifying data, and using encryption or an equivalent technical control that renders personally identifiable information unusable, unreadable, or indecipherable to unauthorized persons when transmitted electronically.

Section IV Communication with Others

Obtaining assistance during emergencies from emergency service organizations and local government agencies[66]

1. The district continues to work closely with local police, fire, EMS, and governmental agencies to obtain assistance during emergencies. Representatives helped in the development of this plan, have assisted in emergency drills, and provided technical assistance. Providers have given approval to the district to rely on local personnel, resources, and facilities in emergency situations.

2. The district maintains an updated list of local, county, and state agencies and personnel to contact to obtain assistance. The superintendent or their designee will initiate the contact when needed.

Obtaining advice and assistance from local government officials, including the county or city officials responsible for implementation of article 2-B of the Executive Law[67]

1. The district maintains an updated list of local and county emergency organizations, agencies, and government officials responsible for implementation of Article 2-B of the Executive Law. The superintendent and their designee will initiate the contact when needed.

2. The key officials in local government that can help to develop plans and assist in emergency situations as listed in emergency situations are listed in Appendix 4. Key government agencies are listed below:

    1. Olive Police Department
    2. Shandaken Police Department
    3. Woodstock Police Department
    4. Olive Fire Department Company #5
    5. New York State Police (Troop F)
    6. Ulster County OEM
    7. Ulster County Sheriff's Office
    8. Town of Shandaken Ambulance Service
    9. Red Cross
    10. Town of Olive First Aid
    11. Woodstock Ambulance Department

[66] 155.17(c)(1)(v) except in a school district in a city having a population of more than one million inhabitants, a description of the arrangements for obtaining assistance during emergencies from emergency services organizations and local governmental agencies;
[67] 155.17(c)(1)(vii) except in a school district in a city having a population of more than one million inhabitants, the procedures for obtaining advice and assistance from local government officials, including the county or city officials responsible for implementation of article 2-B of the Executive Law;

Contacting Parents, Guardians or Persons in Parental Relation to the Students of the District in the Event of a Violent Incident or an Early Dismissal[68]

In the event of violent incidents or crises, or an early dismissal of students, every effort will be made to notify parents. As soon as practical, the Superintendent or their designee shall activate the emergency notification system that will provide relevant information. Parental notification procedures for a student involved in disciplinary situations shall be consistent with the Code of Conduct and New York State law, and shall be presented clearly and concisely to staff and students each year.

When a student is involved in any violent situation, or an implied or direct threat of violence by such student against themselves, including suicide, parent or guardian shall be contacted as soon as practicable.[69] Administration shall utilize school mental health resources when necessary.

It is the responsibility of all parents and guardians to ensure that emergency contact information for students is always up-to-date and complete.

[68] 155.17(c)(1)(ix) policies and procedures for contacting parents, guardians or persons in parental relation to the students of the district in the event of a violent incident or an early dismissal or emergency school closure;

[69] 155.17(c)(1)(x) policies and procedures for contacting parents, guardians or persons in parental relation to an individual student of the district in the event of an implied or direct threat of violence by such student against themselves, which for the purposes of this subdivision shall include suicide;

Section V Recovery

Continuity of Operations

This district maintains continuity of operations at both the district and building level to ensure that essential functions continue during an emergency and its immediate aftermath. Essential functions include business services (payroll and purchasing), communication (internal and external), computer and systems support, facilities maintenance, safety and security, and continuity of instruction. Specific continuity plans are contained within each Building-level Emergency Response Plan.

Continuity of Instruction

The District offers a suite of online instructional tools that can be used to support remote instruction and communication. General instructional tools for communicating with students include online services including:

- Google Drive with shared folders
- GSuite (Docs, Sheets, Slides, Forms, Classroom, Sites)
- Gmail
- Schoolwires
- Seesaw
- Schoology

Detailed grade-specific remote instructional procedures are contained within each building-level emergency plan.

Note: The local public Library online resources are available remotely and can be accessed by students who have a library card.

District Support for Buildings

When the Chief Emergency Officer is notified that an emergency exists, he/she will respond accordingly.

Members of the District Safety Team will assist as needed either at their respective Building Command Posts or by responding where directed by the Incident Commander(s). The District Safety Team will assign such other personnel as deemed necessary to meet the needs of the situation.

The District Safety Team members will remain at their assigned posts until the Incident Commander(s) has determined that the emergency is over, or it is unsafe, or no longer necessary to remain, or need to relocate.

Should the incident involve a single building, at the discretion of the District Safety Team leader in consultation with that building's administrators and Building-level Emergency Response Planning Team, other school buildings may be called to support the Building-level Emergency Response Planning Team in that building.

Should the incident involve multiple buildings, at the discretion of the District Safety Team leader, in consultation with building administrators, additional mental health support from the County Crisis Team and local area hospitals may be solicited to support the Emergency Response Teams in the affected building(s).

In any case, a "debriefing", or post-incident analysis, will be facilitated by the District Safety Team. This process will include a review of the actual incident, the Team's response to the incident, and post-traumatic incident debriefing.

District clinicians (or, mental health professionals from outside agencies if they have been involved) will provide ongoing as-needed support to the Team members, and will monitor post-traumatic stress symptoms in team members. As appropriate, team members may be provided with a referral to EAP and/or with information regarding private mental health providers in the area.

Principal(s) are expected to consult with the District Public Information Officer in composing letters to parents following any emergency. The District's Public Information Officer will assist in sending mass communication messages to affected groups. The District's Liaison Officer will communicate with outside agencies, such as the County Health Department, to provide necessary services following any emergency.

Disaster Mental Health Services

The District Liaison Officer will communicate with outside agencies, such as the County Health Department, to provide necessary mental health services following any emergency. District mental health providers may be temporarily reassigned to assist in the recovery process.

Appendix 1 - Listing of School Buildings

District Office

4166 State Route 28
Boiceville, NY 12412
Phone: 845-657-6383

Woodstock Elementary

8 West Hurley Rd.
Woodstock, NY 12498
Phone: 845-679-2316

Bennett Elementary

4166 State Route 28
Boiceville, NY 12412
Phone: 845-657-2354

Middle School

4166 State Route 28
Boiceville, NY 12412
Phone: 845-657-2373

High School

4166 State Route 28
Boiceville, NY 12412
Phone: 845-657-2373

Appendix 2 – Building-level Emergency Response Plans

Due to the sensitive safety and security information contained in each Building-level Emergency Response Plan, these plans are confidential and not available for public dissemination. Copies of plans are maintained at each school building and the District office.

Appendix 3 – Memoranda of Understanding

Any applicable Memoranda of Understanding relevant to implementation of the District-wide and Building-level Emergency Response Plans are on file in the district office.

Appendix 4 – District Resources – Contact Information

TITLE	NAME	OFFICE PHONE
Superintendent of Schools	Victoria McLaren	845-657-8851
Asst. Superintendent, Business/Emergency Coordinator	Monica LaClair	845-657-8499
Asst. Superintendent, Pupil Personnel Services	Amanda Allison	845-657-3320
Asst. Superintendent, Curriculum and Instruction	Stephanie Laffin	845-657-8851
Transportation Supervisor	Nicole Sommer	845-657-2537
Bus Dispatch Office – Head Bus Driver	Raymond Clinton	845-657-2537
Head Bus Driver	Alexandria Weir	845-657-2537
District Clerk	Amanda Gates	845-657-6383
Public Information	Victoria McLaren	845-657-8851
Director of Facilities	Kyle Harjes	845-657-6384
Athletic Director	Jonnah O'Donnell	845-657-2373 Ext. 2113
Cafeteria Services	Christine Downs	845-657-2373 Ext. 2181
Olive Town Supervisor	Jim Sofranko	845-657-8118
Olive Fire Department Company #5	Chris Winne	845-657-3311
Ambulance - Empress EMS		
Ulster County		
County Executive	Jen Metzger	845-340-3800
Emergency Management	Michael J Madison	845-943-5927
Public Safety Commissioner	Diane K. Beitl	845-340-3410
County Health Dept.	Eve Walter	845-340-3045
Red Cross Emergency Services	845-471-0200	

Appendix 5 – Section 155.17 Regulation Compliance Reference

- 155.17(b)(14) District-wide school safety team means a district-wide team appointed by the board of education, the chancellor in the case of New York City, or other governing board. The district-wide team shall include, but not be limited to, representatives of the school board, teacher, administrator, parent organizations, school safety personnel, and other school personnel including bus drivers and monitors. At the discretion of the board of education, or the chancellor in the case of the City of New York, a student may be allowed to participate on the safety team, provided however, that no portion of a confidential building-level emergency response plan shall be shared with such student nor shall such student be present where details of a confidential building-level emergency response plan or confidential portions of a district-wide emergency response strategy are discussed.
- 155.17(c)(1)(i) policies and procedures for responding to implied or direct threats of violence by students, teachers, other school personnel including bus drivers and monitors, and visitors to the school, including threats by students against themselves, which for this subdivision shall include suicide;
- 155.17(c)(1)(ii) policies and procedures for responding to acts of violence by students, teachers, other school personnel and visitors to the school, including consideration of zero-tolerance policies for school violence;
- 155.17(c)(1)(iii) appropriate prevention and intervention strategies, such as: (a) collaborative arrangements with State and local law enforcement officials, designed to ensure that school safety officers and other security personnel are adequately trained, including being trained to de-escalate potentially violent situations, and are effectively and fairly recruited; (b) nonviolent conflict resolution training programs; (c) peer mediation programs and youth courts; and (d) extended day and other school safety programs;
- 155.17(c)(1)(iv) policies and procedures for contacting the appropriate law enforcement officials in the event of a violent incident;
- 155.17(c)(1)(v) except in a school district in a city having a population of more than one million inhabitants, a description of the arrangements for obtaining assistance during emergencies from emergency services organizations and local governmental agencies;
- 155.17(c)(1)(vi) except in a school district in a city having a population of more than one million inhabitants, the procedures for obtaining advice and assistance from local government officials, including the county or city officials responsible for implementation of article 2-B of the Executive Law;
- 155.17(c)(1)(viii) except in a school district in a city having a population of more than one million inhabitants, a description of procedures to coordinate the use of school district resources and manpower during emergencies, including identification of the officials authorized to make decisions and of the staff members assigned to provide assistance during emergencies;
- 155.17(c)(1)(ix) policies and procedures for contacting parents, guardians or persons in parental relation to the students of the district in the event of a violent incident or an early dismissal;
- 155.17(c)(1)(x) policies and procedures for contacting parents, guardians or persons in parental relation to an individual student of the district in the event of an implied or direct threat of violence by such student against themselves, which for the purposes of this subdivision shall include suicide;

- 155.17(c)(1)(xi) policies and procedures relating to school building security, including, where appropriate: (a) the use of school safety or security officers and/or school resource officers. Beginning with the 2019-20 school year, and every school year thereafter, every school shall define the areas of responsibility of school personnel, security personnel and law enforcement in response to student misconduct that violates the code of conduct. A school district or charter school that employs, contracts with, or otherwise retains law enforcement or public or private security personnel, including school resource officers, shall establish a written contract or memorandum of understanding that is developed with stakeholder input, including, but not limited to, parents, students, school administrators, teachers, collective bargaining units, parent and student organizations and community members, as well as probation officers, prosecutors, defense counsels and courts that are familiar with school discipline. Such written contract or memorandum of understanding shall define the relationship between a school district or charter school, school personnel, students, visitors, law enforcement, and public or private security personnel. Such contract or memorandum of understanding shall be consistent with the code of conduct, define law enforcement or security personnel's roles, responsibilities and involvement within a school and clearly delegate the role of school discipline to the school administration. Such written contract or memorandum of understanding shall be incorporated into and published as part of the district safety plan; and (b) security devices or procedures. District-wide school safety teams shall consider, as part of their review of the comprehensive district-wide safety plan, the installation of a panic alarm system;
- 155.17(c)(1)(xii) policies and procedures for the dissemination of informative materials regarding the early detection of potentially violent behaviors, including but not limited to the identification of family, community, and environmental factors to teachers, administrators, school personnel including bus drivers and monitors, parents or other persons in parental relation to students of the school district or board, students and other persons deemed appropriate to receive such information;
- 155.17(c)(1)(xiii) policies and procedures for annual multi-hazard school safety training for staff and students, provided that the district must certify to the commissioner that all staff have undergone annual training by September 15, 2016 and each subsequent September 15th thereafter on the building-level emergency response plan which must include components on violence prevention and mental health, provided further that new employees hired after the start of the school year shall receive such training within 30 days of hire or as part of the district's existing new hire training program, whichever is sooner;
- 155.17(c)(1)(xiv) procedures for review and the conduct of drills, [and other exercises to test components of the emergency response plan, including the use of] tabletop exercises, and information about emergency procedures and drills, including information about procedures and timeframes for notification of parents or persons in parental relation regarding drills and other emergency response training(s) that include students. At their discretion, schools and districts may participate in full-scale exercises in coordination with local and county emergency responders and preparedness officials;
- 155.17(c)(1)(xv) the identification of appropriate responses to emergencies, including protocols for responding to bomb threats, hostage-takings, intrusions and kidnappings;
- 155.17(c)(1)(xvi) strategies for improving communication among students and between students and staff and reporting of potentially violent incidents, such as the establishment of youth- run programs, peer mediation, conflict resolution, creating a forum or designating a

mentor for students concerned with bullying or violence and establishing anonymous reporting mechanisms for school violence;

- 155.17(c)(1)(xvii) a description of the duties of hall monitors and any other school safety personnel, the training required of all personnel acting in a school security capacity, and the hiring and screening process for all personnel acting in a school security capacity;
- 155.17(c)(1)(xviii) in the case of a school district, except in a school district in a city having more than one million inhabitants, a system for informing all educational agencies within such school district of a disaster or emergency school closure;
- 155.17(c)(1)(xix) the designation of the superintendent, or superintendent's designee, as the district chief emergency officer whose duties shall include, but not be limited to: (a) coordination of the communication between school staff, law enforcement, and other first responders; (b) lead the efforts of the district-wide school safety team in the completion and yearly update of the district-wide school safety plan and the coordination of the district-wide plan with the building-level emergency response plans; (c) ensure staff understanding of the district–wide school safety plan; (d) ensure the completion and yearly update of building-level emergency response plans for each school building; (e) assist in the selection of security related technology and development of procedures for the use of such technology; (f) coordinate appropriate safety, security, and emergency training for district and school staff, including required training in the districtwide school safety plan and building-level emergency response plan(s) (g) ensure the conduct of required evacuation and lock-down drills in a trauma informed, developmentally, and age-appropriate manner that does not include props, actors, simulations, or other tactics intended to mimic a school shooting or other act of violence or emergency in all district buildings as required by section 807 of the Education Law; and (h) ensure the completion and yearly update of building-level emergency response plans by the dates designated by the commissioner.
- 155.17(h)(1)(3) One Emergency Dismissal drill shall be conducted to test emergency response procedures that require early dismissal, at a time not to occur more than 15 minutes earlier than the normal dismissal time.
- 155.17(c)(1)(xx) ensure the development of protocols for responding to a declared state disaster emergency involving a communicable disease that are substantially consistent with the provisions of section 27-c of the Labor Law; and
- 155.17(c)(1)(xii) beginning with the 2023-2024 school year and every school year thereafter, an emergency remote instruction plan. For purposes of this subparagraph remote instruction shall have the same meaning as defined in section 100.1(u) of this Chapter. Emergency remote instruction plans shall include: (a) policies and procedures to ensure computing devices will be made available to students or other means by which students will participate in synchronous instruction and policies and procedures to ensure students receiving remote instruction under emergency conditions will access internet connectivity. Each chief executive officer of each educational agency located within a public school district shall survey students and parents and persons in parental relation to such students to obtain information on student access to computing devices and access to internet connectivity to inform the emergency remote instruction plan; (b) expectations for school staff as to the proportion of time spent in synchronous and asynchronous instruction of students on days of remote instruction under emergency conditions with an expectation that asynchronous instruction is supplementary to synchronous instruction; (c) a description of how instruction will occur for those students for whom remote instruction by digital technology is not available or appropriate; (d) a description

of how special education and related services will be provided to students with disabilities, as defined in section 200.1(zz) of this Chapter, and preschool students with disabilities, as defined in section 200.1(mm) of this Chapter, as applicable, in accordance with their individualized education programs to ensure the continued provision of a free appropriate public education; and (e) for school districts that receive foundation aid, the estimated number of instructional hours the school district intends to claim for State aid purposes for each day spent in remote instruction due to emergency conditions pursuant to section 175.5 of this Chapter.

Agenda- Budget Vote and Special Meeting at the MS/HS- May 20 2025 Minutes

Tuesday, May 20, 2025 at 6:00 PM

MS/HS Cafeteria

1. Meeting Opening

1.01 Call to Order 6:00

1.02 Tobacco Policy Statement

We have a Tobacco policy in place, there is no smoking within 100 feet of school building

1.03 Pledge of Allegiance

1.04 Roll Call

Present: Trustee Knutsen, Trustee Jerome, Trustee Mitchell-Marell, Trustee Goodrich, Trustee Hemingway Lynch, Trustee Reimondo, Trustee Bishop

2. Proposed Executive Session

2.01 Enter Executive Session

Motion to enter into Executive Session to discuss ONTEA negotiations, the confidential staff agreement, to discuss the employment of a particular employee, and to meet with legal counsel (duration 60 min)

Moved by: Sarah Hemingway Lynch

Seconded by: Eric Knutsen

Draft

Yea Cindy Bishop, Meghann Reimondo, Sarah Hemingway Lynch, Emily Mitchell-Marell, Clark Goodrich, Caroline Jerome, and Eric Knutsen

Motion Carries 7-0

2.02 Exit Executive Session

Motion to exit executive session and return to public session

Moved by: Meghann Reimondo
Seconded by: Emily Mitchell-Marell

Yea Cindy Bishop, Meghann Reimondo, Sarah Hemingway Lynch, Emily Mitchell-Marell, Clark Goodrich, Caroline Jerome, and Eric Knutsen

Motion Carries 7-0

3. Acceptance of Minutes

3.01 Acceptance of Minutes

Agenda- Workshop Meeting and Budget Hearing- May 6, 2025 - Minutes - Html

The Board of Education hereby accepts the minutes of the May 6, 2025 meeting

Moved by: Clark Goodrich
Seconded by: Caroline Jerome

Yea Cindy Bishop, Meghann Reimondo, Sarah Hemingway Lynch, Emily Mitchell-Marell, Clark Goodrich, Caroline Jerome, and Eric Knutsen

Motion Carries 7-0

4. Superintendent District News

Draft

4.01 The Superintendent will report District News

Board Member Recognition

I'm proud to share that four of our Trustees have received recognition from the NYS School Boards Association. The Board Achievement Awards are to acknowledge school board members who strive to continually expand their governance knowledge and skills. There are four levels of achievement that are reached by accumulating points by participating in NYSSBA training, workshops, events, and activities, as well as for taking on board-related roles such as Board officers or NYSSBA's Advocacy Liaison. Trustee Knutsen and Trustee Hemingway-Lynch both received the Board Achievement Award. Trustee Reimondo received the Board Achievement Award and the Board Excellence Award. Trustee Bishop received the Board Mastery Award, which includes a complimentary training voucher. This Board has been dedicated to its role on the Board as a governing body, and I'm honored to be working with such an inspiring group.

Anxious Generation Book Community Read

As has been discussed at the Board table previously, we intend to facilitate a community book read of the book The Anxious Generation. We will be gathering to distribute copies of the book on June 9th. We will sharing a sign up form, which will be a Google Doc for community members to use to participate. Everyone is welcome, but those families with children who are approaching the age of ten are enthusiastically encouraged to consider joining. More information will follow.

Phoenicia School Update

Today, Town Supervisor Peter DiSclafani let us know feels that the Town cannot move forward on the Phoenicia School purchase/ lease for the use of a municipal facility. The Board feels other uses may be more appropriate. They intend to explore other options and opportunities related to this campus, joining with the Ulster County Executive's Office for public housing combined with a community space element.

Draft

Supervisor DiSclafani expressed appreciation for the District's patience with Town and asked for a few more months to investigate the best uses for this facility.

School Events

We have a whirlwind of school events coming up in the next six weeks. The Middle School concert was last week and if it was any indication, all of the upcoming school performances will be outstanding. Please consider attending any and all events that you can to support our students and recognize their many accomplishments.

Memorial Day Break

Our students will be off starting on Thursday of this week, and will return on Wednesday of next week. This is due to our unused emergency days and we hope that this trend continues since we have one less emergency closing day in our calendar for next year.

Superintendent McLaren expressed gratitude to community members for their ongoing engagement. She acknowledged and appreciated those who reached out to communicate, seek clarification, and ask questions — including those who continued to do so as recently as this morning.

5. Discussion and Possible Action

5.01 Discuss NYSSBA Resolution Kit (duration 20 min)

resolution-kit-04022025.pdf

5.02 Review and Discussion of New Trustee Onboarding Process (duration 20 min)

NYSBBA new-school-board-member-handbook-rev2-04242025.pdf

Current Onteora CSD Board Member Handbook.pdf

5.03 SuperEval- Annual Superintendent and Board Self

Draft

Evaluations

6. Acknowledge Public Be Heard Comments

6.01 The Board will acknowledge the public be heard comments from the last meeting

Jenny Jared

Rory Smith

Faedra Dagirmanjian

7. Consent Agenda

7.01 Approve Consent Agenda

The Board hereby approves item numbers 7.02 - 7.09

Moved by: Meghann Reimondo
Seconded by: Caroline Jerome

Yea Cindy Bishop, Meghann Reimondo, Sarah Hemingway Lynch, Emily Mitchell-Marell, Clark Goodrich, Caroline Jerome, and Eric Knutsen

Motion Carries 7-0

7.02 Approve Volunteers

The Board of Education hereby approves the following volunteers for Woodstock Elementary School listed below:

Best, Jessica

Houghton, Holles

Lehrer, Amanda

Jones, Jessica

Maikowski, Alex

Carried

7.03 Approve Cooperative Bidding with BOCES

WHEREAS it is the desire of the participating school districts

Draft

of the Board of Cooperative Educational Services, Ulster County, adopting this resolution to jointly request bids for certain commodities to be determined by the Superintendent of this school district from time to time for the 2025-26 school year,
NOW, therefore, be it
RESOLVED that the Onteora Central School District hereby agrees to participate with other school districts of the Board of Cooperative Educational Services, Ulster County, New York, in the joint bidding of commodities to be requested by the school district Purchasing Agent and approved by the Superintendent; and be it further
RESOLVED that the specifications as prepared by a Committee of participating school districts and presented to this Board of Education will be used and that this Board, if it desires to purchase these commodities agrees to purchase said commodities at the lowest bid price recommended by the Committee of the joint school districts; provided, however, that each participating Board of Education in exercising its legal responsibilities, has the right to reject and/or modify the recommendation of the Committee in the awarding of the bid; and be it further
RESOLVED that the invitation to bid will be advertised by BOCES in the Kingston Daily Freeman, the Middletown Times Herald Record and the Poughkeepsie Journal in accordance with the provisions of Section 103 of the General Municipal Law.

Carried

Cooperative Bidding Program with BOCES 25-26.pdf

7.04 Personnel Agenda

The Board of Education hereby approves the Personnel agenda as attached

Carried

5-20-25 personnel agenda.pdf

7.05 Memorandum of Agreement - OCSD, ONTEA, and OTA

DRAFT

The Board of Education, upon the recommendation of the Superintendent of Schools, hereby approves the attached Memorandum of Agreement between the Onteora Central School District, the Onteora Non-Teaching Employees' Association, and the Onteora Teachers' Association regarding employees chaperoning and transporting students during the Belleayre Bash.

Carried

MOA with ONTEA and OTA.pdf

7.06 Budget Transfer

The Superintendent recommends the transfer of funds from Building Repair to Profession service for back up well design proposal.

Transfer Amount $60,307.68 From Budget Code A1621.466-17
Description Building Repair To Budget Code A1621.449-17
Description Professional Service

Carried

Well memo.pdf

7.07 Financial Report

The Board reviewed and hereby accepts the Financial Report fom April 2025

Carried

Financial report.pdf

7.08 Warrants

The Board Education has reviewed and hereby accepts Warrants Schedule 9

Carried

Pages from Warrants.pdf

7.09 Schedule U- The Committee on Special Education (CSE) and Committee on Pre-School Special Education (CPSE)

Draft

Recommendations

The Board hereby approves the Instruction - Schedule U-The Committee on Special Education (CSE) and Committee on Pre-School Special Education (CPSE) Recommendations, Schedule U, #5/25 Confidential, as reviewed by Trustee Bishop

Yea Cindy Bishop, Meghann Reimondo, Sarah Hemingway Lynch, Emily Mitchell-Marell, Clark Goodrich, Caroline Jerome, and Eric Knutsen

Motion Carries 7-0

Pages from Schedule U 52025 (002).pdf

8. Contracts and Independent Contractor Retainers

8.01 Approve all Contracts and Independent Contractor Retainers

The Board hereby approves item numbers 8.02 - 8.08

Moved by: Caroline Jerome
Seconded by: Meghann Reimondo

Yea Cindy Bishop, Meghann Reimondo, Sarah Hemingway Lynch, Emily Mitchell-Marell, Clark Goodrich, Caroline Jerome, and Eric Knutsen

Motion Carries 7-0

8.02 ICR- Joseph DeCaro, Impartial Hearing Officer

BE IT HEREBY RESOLVED on recommendation by the Superintendent of Schools that the Board of Education of the Onteora Central School District approve the Independent Contractor Retainer between the Onteora Central School District and Joseph DeCaro retained as Impartial Hearing Officer for Superintendent Hearings effective July 1, 2025 to June 30, 2026 at a rate of $550.00 per hearing and authorizes the Superintendent to sign such an agreement.

Draft

Carried

J. DeCaro- ICR redacted.pdf

8.03 ICR- Management Advisory Group

BE IT HEREBY RESOLVED on recommendation by the Superintendent of Schools that the Board of Education of the Onteora Central School District approve the Independent Contractor Retainer between the Onteora Central School District and Management Advisory Group Business Operations, Inc. (MAG) retained as Payroll Assistance/Training effective 7/1/2025 – 6/30/2026 at a rate of $125 per hour for remote support to a maximum of $5,000.00/year with no fringe benefits or deductions and authorizes the Superintendent to sign such an agreement.

Carried

Onteora PR Support 25-26.pdf

8.04 Health and Welfare Services for Saugerties Central School District

BE IT RESOLVED, that the Board of Education of the Saugerties Central School District establishes the rate of $1,071.46 per pupil for the school year 2024-2025 for Health Services provided for Onteora resident pupils attending nonpublic schools in the Saugerties Central School District.

BE IT FURTHER RESOLVED, that the Board President and Superintendent of Schools be authorized to sign contracts for health services for the 2024-2025 school year.

Carried

Saugerties Central School District H&W Contract for BOE Approval 5.20.2025.pdf

8.05 Olympic Regional Development Authority Agreement

BE IT HEREBY RESOLVED on recommendation by the Superintendent of Schools that the Board of Education of the Onteora Central School District approve the Agreement between the Onteora Central School District and New York

State Olympic Regional Development Authority " Olympic Authority" for the Graduation Celebration to Belleayre Mountain on June 26, 2025 from 10:00 pm to 8:00 am on June 27, 2025 and pay all necessary fees.

Carried

BelleayreBash.LicenseAgreement.pdf

8.06 SEQRA Type II- Elevator Upgrade and Ceiling Repairs

WHEREAS, the Board of Education of the Onteora Central School District (the "Board") seeks to undertake a capital project involving improvements at the following school sites: Onteora Jr/Sr High School (the "Project");

WHEREAS, the Project includes the following:

1. Onteora Jr/Sr High School:
    a. Elevator upgrades.
    b. Plaster ceiling repairs and abatement.

WHEREAS, the Project is subject to classification under the State Environmental Quality Review Act ("SEQRA"); and

WHEREAS, pursuant to 6 NYCRR §617.5(c)(10) of the SEQRA regulations, the routine activities of educational institutions, including expansion of existing facilities by less than 10,000 square feet of gross floor area, are classified as Type II actions; and

WHEREAS, pursuant to 6 NYCRR §617.5(c)(2) of the SEQRA regulations, the replacement, rehabilitation or reconstruction of a structure or facility, in kind, on the same site, including upgrading buildings to meet building, energy, or fire codes within the thresholds in section 617.4 of SEQRA, are classified as Type II actions; and

WHEREAS, pursuant to 6 NYCRR §617.5(c)(1), maintenance or repair involving no substantial changes in an existing facility or structure is a Type II action; and

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THEREFORE, BE IT RESOLVED, that upon the recommendation of the Superintendent of Schools and the District's architects, CPL Architecture – Engineering – Planning, the Board hereby determines that the project is a Type II action which, by definition, does not have a significant impact on the environment and which requires no further review pursuant to 6 NYCRR §617.5(c)(1) of the SEQRA regulations; and

BE IT FURTHER RESOLVED, that the Board shall hereby forward an official copy of this resolution together with any required request for approval of the Project to the New York State Education Department

Carried

8.07 All Points Licensed Behavior Analysts

BE IT HEREBY RESOLVED on recommendation by the Superintendent of Schools that the Board of Education of the Onteora Central School District approve the Contract between the Onteora Central School District and All Points Licensed Behavior Analysts effective July 1, 2025 to June 30, 2026 at a maximum rate of $84,000.00 and authorizes the Superintendent to sign such an agreement.

Carried

Onteora Budget Proposal 2025 - 2026 3.12.2025.pdf

8.08 LearnWell

BE IT HEREBY RESOLVED on recommendation by the Superintendent of Schools that the Board of Education of the Onteora Central School District approve the Independent Contractor Retainer between the Onteora Central School District and EI US, LLC dba LearnWell as a provider of educational tutoring services in a hospital or behavioral health center setting effective July 1, 20215o June 30, 2026 at a rate of $75.20 per hour for up to 15 hours per week and authorizes the Superintendent to sign such an agreement.

Draft

Carried

25-26 LearnWell Contract
Onteora_Central_School_District.pdf

9. Policies

9.01 First Reading of Policy 5710 Transportation Program
5710 Transportation Program.pdf

9.02 First Reading of Policy 5720 Scheduling and Routing
5720 Scheduling and Routing.pdf

9.03 First Reading of Policy 5721 Late Bus Runs
5721 Late Bus Runs.pdf

9.04 First Reading of Policy 5730 Transportation of Students
5730 Transportation of Students.pdf

9.05 First Reading of Policy 5961 Alcohol and Drug Testing of Drivers
5961 Alcohol and Drugs of Drivers.pdf

9.06 Policies 5740 Use of Buses by Community Groups, 5750 School Bus Safety Program, 5751 Video Cameras on School Buses, and 5760 Qualifications of Bus Drivers have been reviewed and are ok as is
5740 Use of Buses by Community Groups.pdf 5750 School Bus Safety Program.pdf 5751 Video Camera on School Buses.pdf 5760 Qualifications of Bus Drivers-reviewed.pdf

The Board of Education hereby accepts polices 5740, 5750, 5751, and 5760 as reviewed.

Moved by: Meghann Reimondo
Seconded by: Emily Mitchell-Marell

Yea Cindy Bishop, Meghann Reimondo, Sarah

Draft

Hemingway Lynch, Emily Mitchell-Marell, Clark Goodrich, Caroline Jerome, and Eric Knutsen

Motion Carries 7-0

10. Break

10.01 The Board will take a break until the votes are in

11. Canvass Votes

11.01 Declaration of Votes Cast Proposition 1

The Board of Education hereby certifies the votes cast for Proposition 1: 2025-2026 Budget: $63,588,660.00 Yes 1936 No 655

Moved by: Caroline Jerome
Seconded by: Clark Goodrich

Yea Cindy Bishop, Meghann Reimondo, Sarah Hemingway Lynch, Clark Goodrich, Caroline Jerome, and Eric Knutsen

Motion Carries 6-0

11.02 Declaration of Votes Cast Proposition 2

The Board of Education hereby certifies the votes cast for Proposition 2: Bond Proposition for Capital Improvement Project Yes 1164 No 1398

Moved by: Caroline Jerome
Seconded by: Eric Knutsen

Yea Cindy Bishop, Meghann Reimondo, Sarah Hemingway Lynch, Clark Goodrich, Caroline Jerome, and Eric Knutsen

Motion Carries 6-0

11.03 Board Seats - Declaration of Votes Cast

Draft

The Board hereby certifies the votes cast for the two (2) Board Seats

Moved by: Meghann Reimondo
Seconded by: Sarah Hemingway Lynch

Yea Cindy Bishop, Meghann Reimondo, Sarah Hemingway Lynch, Clark Goodrich, Caroline Jerome, and Eric Knutsen

Motion Carries 6-0

Two Vacancies: Two Positions: July 1, 2025 to June 30, 2028
Declaration of Votes Cast:
Daniel Aliberte - 1115
Jenny Jared - 1369
Rory Smith - 1264
Write in Candidate: Michael Hochman - 679

12. Adjournment

12.01 Adjourn the Meeting. Next meeting is June 3, 2025 at the Middle/High School.
The meeting is adjourned at 11:10 pm

Moved by: Clark Goodrich
Seconded by: Meghann Reimondo

Yea Cindy Bishop, Meghann Reimondo, Sarah Hemingway Lynch, Clark Goodrich, Caroline Jerome, and Eric Knutsen

Motion Carries 6-0

_____
CAO

Draft

Mayor

Draft

NEW SCHOOL BOARD MEMBER HANDBOOK

A Guide to Surviving Your First Year



New York State School Boards Association

New York State School Boards Association

NEW SCHOOL BOARD MEMBER HANDBOOK

A Guide to Surviving Your First Year

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INTRODUCTION

The *New School Board Member Handbook*: *A Guide to Surviving Your First Year* provides new school board members with many of the basics of school board service. It answers questions that new board members commonly ask when they begin school board service. It's written in a question-and-answer format for quick reading and includes a glossary of common education terms that new board members will find helpful. Please note that throughout this text the terms "president" and "vice president" refer to the officers of a school board.

The *New School Board Member Handbook* draws on the deep well of knowledge and expertise of the New York State School Boards Association (NYSSBA). It includes references to NYSSBA's premier handbook, *School Law* 40th Edition, as well as the varied programs and services NYSSBA offers members.

We hope you'll find the *New School Board Member Handbook* a helpful reference as you begin your school board service. If you need NYSSBA for assistance at any time during your term, please contact us at 800-342-3360 or 518-783-0200, or visit our website at nyssba.org.

1.1. I've been elected. What now?

Congratulations! You've joined the ranks of more than 5,000 locally elected officials in New York dedicated to helping their communities' students succeed and ultimately become productive citizens. As a trustee, you have three roles:

- An individual school board member.
- A member of a board made up of fellow members.
- A member of the district governance team composed of school board members and the superintendent.

As a school board member, you serve as a representative of your community and a leader of your district. You are a steward for the education of the district's children and its financial resources as well as an advocate for all students, public education and an educated public.

1:2. What are some of the powers and duties of the board?

New York Education Law defines a school board's general powers and duties. In broad terms, the responsibility of a school board involves overseeing the district's operations including student education, transportation, personnel and the district's properties. Chapter 6 provides more information on this.

1:3. What exactly does a school board do?

School boards are in a unique leadership position to oversee the affairs of the school district and help establish the conditions for districtwide success. A school board:

- Collaboratively develops the district's shared vision, values and strategic goals to guide student achievement and district success.
- Creates, adopts and revises policies that govern the operations of schools and the district.
- Hires and annually evaluates the performance of the superintendent, ensuring strong district leadership and alignment with district goals.
- Oversees the financial management and operations of the district including, but not limited to, approving the budget and monitoring financial reports to ensure responsible use of tax dollars and district resources.
- Promotes student achievement by supporting programs, curriculum and initiatives that enhance student learning and equitable outcomes.
- Supports equity and inclusion by ensuring all students have access to high-quality education, resources and opportunities regardless of background or ability.
- Monitors student performance data, reports and feedback to achieve the goal of enhancing student achievement and closing achievement gaps between subgroups of students.
- Engages the community by fostering open communication and establishing partnerships with families, local organizations and community members.
- Maintains school facilities by overseeing the maintenance, safety and improvement of school buildings and their infrastructure.
- Adopts curriculum and approves textbooks that align with the State's learning standards.

Effective school board members understand that it is not their job to run the district but to ensure the district runs effectively and efficiently. In other words, the board oversees the education of students and is responsible for school district operations but does not directly run the district's day-to-day operations.

1:4. Now that I'm a board member, what does my community expect of me?

As a new board member, you will be responsible for making decisions on issues that affect the students, district, staff and community. You will be asked to vote publicly on matters that you may be unfamiliar with. As with every new job, you need to take the time to learn about the position, district matters and issues impacting public education – all while carrying out your duties. Some of the activities and responsibilities expected of you are:

- attending board meetings and participating on committees.
- attending school functions.
- keeping yourself informed about issues.
- pursuing professional development opportunities for yourself.

- collaborating with your fellow board members and the superintendent.

School board service requires a significant amount of time, but it is time well spent when you consider that you are helping to shape the future of the children in your community.

School board members are publicly elected officials who are expected to carry out their responsibilities with a high degree of professional decorum and ethical behavior. As leaders of the district, school board members should use their service as an opportunity to model proper civility and the basic tenets of democracy for their students and community.

1:5. I'm overwhelmed. How do I learn my job?

With help. Within your first year in office, you will be required to complete two mandatory training courses. New York State law requires newly elected school district and BOCES board members to complete a six-hour course on fiscal oversight and a course on school board governance designed to orient new members to the powers, functions and duties of boards of education.[1] To help you satisfy the mandatory training requirement, NYSSBA offers the New School Board Member Academy at regional in-person workshops, as a live, virtual training or as a self-paced, online program. The training includes two courses, Essentials of School Board Governance and Fiscal Oversight Fundamentals. Through these two courses, you will fulfill all required state training while learning board roles and responsibilities, the importance of governance and your fiscal duties.

Even if you haven't yet been sworn in, your superintendent or district clerk can register you as a board member-elect for these and other NYSSBA leadership development trainings through our website, nyssba.org. A full listing of workshops can be found under "Training and Events." Most importantly, don't hesitate to ask questions. Nobody expects you to have all the answers, and most boards and superintendents welcome the opportunity to get you up to speed.

1:6. How much time can I expect to spend on school board responsibilities?

The time you spend on your school board responsibilities will likely vary by time of year. It depends on how many meetings are scheduled, which committees you serve on and what issues are going on in the district. For example, if the district is in the midst of a building project, hiring a superintendent or conducting negotiations with employee bargaining units, board meetings may last longer than usual. In addition to board meetings, most board members spend at least six hours a week on board service.[2]

1:7. How do the school board's responsibilities differ from the superintendent's?

The school board is the district's board of directors and is responsible for hiring and evaluating the superintendent, establishing the direction of the district by developing a shared vision and goals, setting policy, and adopting a budget for voter approval. The superintendent, the district's chief executive officer, works for the school board and translates policy into action. Consistent with the goals established by the school board, the superintendent and staff make the day-to-day decisions that affect the operation of the school district, deployment of resources, assignment of staff and documentation of results.

1:8. Are school boards required to have officers? What are their duties?

A school board is required by law to elect a president and may, at its discretion, elect a vice president.[3]

Board presidents are responsible for leading and facilitating effective, efficient meetings. In this leadership position, they play a pivotal role in planning, organizing and motivating the board. They preside over meetings by managing the agenda, maintaining order and announcing decisions. Board presidents also promote deliberations and civil discourse by ensuring all members have an equal voice at the table. Additionally, they serve as the primary spokesperson for the board's collective voice and work to build board unity and positive relations among members and the superintendent. Board presidents may be conferred further duties/authority through board resolutions or policy.

The vice president often works closely with the president and superintendent and will preside at board meetings when the president is not present. The vice president exercises the duties of the president in case of that officer's absence or disability. If the office of president becomes vacant, the vice president acts as president until a new president is elected.[4]

1:9. Where, or to whom, do I go to for information?

The board president is a great source of information and can answer your questions on protocols or operating procedures,

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[1] See Educ. Law § 2102-a.

[2] Fact Finders, Inc. NYSSBA Survey of Members, 2015.

[3] Educ. Law § 1701.

[4] *Id.*

as well as issues facing the board. The superintendent and other board members are also good resources. NYSSBA is also an excellent source of information and has staff specialists ready to answer your questions or provide guidance. Visit NYSSBA's website (nyssba.org) for in-depth information on board training, school policy and legal and legislative issues.

1:10. How do I translate all the educational jargon I hear at each board meeting?

Educational terms, abbreviations and acronyms can often be confusing. A glossary of common education terms can be found at the end of this handbook. For jargon or acronyms that are not included, consider asking your superintendent or other board members.

1:11. What is the board's role when there are problems with an employee?

The only employee who answers directly to the school board is the superintendent. Accordingly, if there are concerns about an employee's performance, the board should raise these concerns with the superintendent in executive session. It is the superintendent's responsibility to handle these issues. Be cautious not to cross the line into micromanaging the work or performance of employees. It's the superintendent's job to lead and manage the employees in the district.

If there is a problem with the superintendent, the board needs to address the problem through the annual performance evaluation or through informal feedback via the president. Depending on the circumstance, the board may also want to consult with legal counsel.

2:1. Is it all right to contact the superintendent?

You need to establish a productive working relationship with your superintendent. If you have questions, it is better to discuss them before the board meeting rather than surprise the superintendent at a public meeting. If there are pressing questions or concerns related to negative feelings or issues stemming from the community, the superintendent will appreciate knowing about them in advance in order to come prepared to address them at the meeting. It is appropriate to call the superintendent, set up a meeting to discuss questions or even email simple questions or requests.

2:2. If I disagree with board members or the superintendent, what is the best way to let them know what I think?

Always treat your fellow board members, superintendent and other administrators with respect but don't be afraid to disagree on an issue. Listen and consider other perspectives and opinions with an open mind. Engaging in a professional discussion about an issue that reflects two or more views often results in a better decision than if everyone agrees with the first solution offered. Remember to debate the issue, not the person. Demeaning comments or angry discussions do not facilitate effective decision-making.

2:3. How do I approach my superintendent or board if I have a suggestion for a change?

If your suggestion needs to be discussed and voted on by the entire board, it should be added to an upcoming board agenda. Review your district policy or board operations manual on agenda-setting to understand how to do this. Contact the superintendent or the president to discuss your idea and request it be put on the meeting agenda for discussion or referred to the appropriate committee.

2:4. Is it all right to talk to district administrators and staff?

In addition to the superintendent, you will come in contact with district employees, including administrators, teachers and other staff members. There is nothing wrong with having a casual conversation with district staff, but individual board members do not have the authority to give directives, interview staff or take action on their own.[1] Keep in mind that complaints should follow board policy and the chain of command. For example, teachers report to principals; principals report to the superintendent; the superintendent reports to the board.

If you have a request for information, you should ask the superintendent unless he or she indicates otherwise.

2:5. Can I talk to board members outside of board meetings?

Yes. The state's Open Meetings Law generally permits you to converse with your fellow board members outside of board meetings. As with the superintendent, you should try to establish productive relations with each of the other board members. Talking with them in social situations or at school sporting events, for example, will give you an opportunity to learn about them outside of the school board. Be careful that you do not discuss any school board matters if you have a quorum – a simple majority (more than half) of the total number of members on your board. This would constitute a meeting in violation of the Open Meetings Law. It is also important to remember that informal chats with another member of the board do not substitute for deliberation of issues in a properly convened board meeting where the public can observe such discussions.

2:6. What information is considered confidential, and what is an "executive session"?

The commissioner of education has stated that "confidential" encompasses "information that is meant to be kept secret."[2] Most employee personnel issues and information contained in student educational records are considered confidential.[3] Also, the information discussed in a closed board meeting, more commonly known as an executive session, is confidential.[4] A board may call an executive session only on the following subjects:

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[1] Gen. Constr. Law § 41; Educ Law §§ 1606(1), 1710, 1804(1), 1805, 1903(1), 2502(1), 2503(1), 2554(1); *Downey v. Onteora CSD*, 2009 WL 2259086 (N.D.N.Y. July 29, 2009); *Coughlan v. Cowan*, 21 Misc.2d 667 (Sup. Ct. Suffolk Cnty. 1959); *Appeal of Silano*, 33 Ed Dept Rep 20 (1993), *petition dismissed, Silano v. Sobol* (Supt. Ct. Albany Cnty. Jan. 10, 1994); *Matter of Bruno*, 4 Ed Dept Rep 14 (1964).

[2] *Appeal of Rivers*, 60 Ed Dept Rep, Dec. No. 17,989 (2021); *Application of the Bd. of Educ. of the City Sch. Dist. of the City of Buffalo, 57* Ed Dep Rep, Dec. No. 17,147 (2017), *aff'd, Paladino v. Bd. of Educ. for the City of Buffalo Pub. Sch. Dist.*,183 A.D.3d 1043 (3d Dep't 2020).

[3] See 20 USC § 1232-g; 34 CFR Part 99; Educ. Law § 2-d; Pub. Off. Law §§ 87 (2)(b), 89(2), (3).

[4] *Application of the Bd. of Educ. of the City Sch. Dist. of the City of Buffalo, 57* Ed Dept Rep, Dec. No. 17,147 (2017), *aff'd, Paladino v. Bd. of Educ. for the City of Buffalo Pub.* Sch. Dist., 183 A.D.3d 1043 (3d Dep't 2020); *Application of Nett and Raby*, 45 Ed Dept Rep 259 (2005).

- Matters that would imperil public safety if disclosed.
- Any matter that may disclose the identity of a law enforcement agent or informer.
- Information relating to current or future investigation or prosecution of a criminal offense that would imperil effective law enforcement if disclosed.
- Discussions involving proposed, pending or current litigation.
- Collective bargaining pursuant to Article 14 of the Civil Service Law.
- The medical, financial, credit or employment history of a particular person or corporation, or matters leading to the appointment, employment, promotion, demotion, discipline, suspension, dismissal or removal of a particular person or corporation.
- The preparation, grading or administration of exams.
- The proposed acquisition, sale or lease of real property or the proposed acquisition, sale or exchange of securities, but only when their value would be substantially affected by publicity.[5]

2:7. What can I say, or not say, to parents and friends about school issues?

School board business that is discussed in executive session or relates to confidential matters (such as employee personnel or student discipline issues) should never be discussed with anyone other than another board member, the superintendent or the school district's attorney. In contrast, "information available to the general public" is not considered confidential.[6]

A good rule of thumb is to discuss only items that have been made public at a school board meeting. Adhering to this rule goes a long way in maintaining trust with the superintendent and the other board members and protecting the privacy of students and staff.

2:8. I have children in school. How can I talk with their teachers now that I am on the school board?

This is a tricky area. No matter what you say about "speaking as a parent, not a board member," it is difficult for some teachers to separate your role on the school board from your role as a parent. It's not surprising that some teachers may be somewhat intimidated by your role as a board member. Some board members have indicated that their spouses, the child's other parent or another family member frequently take the lead in speaking to their children's teachers.

Make sure you are not using your position as a school board member to secure special treatment for your child. Your child should be treated the same as other students and be subject to the same rules and requirements. If there are issues you wish to discuss with a teacher, you should follow the normal procedures for contacting your child's teacher to discuss them.

Keep in mind you do not relinquish your parental rights now that you are a school board member. You are always a parent first and a board member second.

2:9. As a board member, may I visit the schools?

You have the same right as a parent or community member to visit the schools in your district, so long as you follow whatever policy and procedures your district has for visitors. As a school board member, you may also visit the schools in an official capacity, only with the board's authority, for specific purposes such as building inspections.[7]

As a school board member, you should use school visits to build good working relations with building principals and staff, to celebrate the positive accomplishments of the schools and to show your pride as a member of the board. Look for opportunities to visit when a school is hosting a special event or recognition program for students and staff. When attending an event, the best practice is to notify the superintendent and/or principal in advance of your visit.

2:10. How do I respond to a community member who questions the school board's decisions?

It is normal to hear questions about the board's decisions. You will at times find yourself dealing with controversial, complex issues, and the board's final decision may be unpopular. Explain the thought process that went into the decision and why the board arrived at the conclusion it did, even if you personally disagreed. Be sure to answer honestly and without negative emotion. Constructive dialogue that respects the board's decisions helps foster trust and the integrity of the decision-making process. One of your roles as a school board member is to be an advocate for the district. Being asked about board decisions provides an opportunity

[5] Pub. Off. Law § 105.

[6] *Application of Doe*, 61 Ed Dept Rep, Dec. No. 18,052 (2021).

[7] *Appeal of Silano*, 33 Ed Dept Rep 20 (1993), *petition dismissed, Silano v. Sobol* (Supt. Ct. Albany Cnty. Jan. 10, 1994); *Matter of Bruno*, 4 Ed Dept Rep 14 (1964).

to promote the positive activities that are occurring in your schools while at the same time responding to community questions.

2:11. How do I respond to questions from the media?

Your board has probably already adopted, at least informally, a policy for responding to the media. Particularly on sensitive issues, a single spokesperson – usually the president – may be designated to speak on behalf of the board. If members of the media are waiting to do an interview following a board meeting, then it is appropriate to refer the question to the president or the superintendent.

If an individual board member decides to speak to the media, it is important for that person to state that their comments represent their personal opinion and not that of the district or the board as a whole.[8] Members are allowed to share how they voted on a particular issue but should vocalize support for the board's decision when in the minority. If you are contacted by a local reporter and you're not prepared or don't have the relevant information, don't say, "No comment." Instead, tell the reporter you'll get an answer and follow up. Ask what the reporter's deadline is and then promptly follow through.

In all situations, be honest – never lie! Communicate clearly and directly in short, quotable sentences that stay on message. Be sure to answer the question that was asked. Support board decisions and present both the board and district in a positive light. Don't feel compelled to offer more information than needed to answer the question. Be friendly and warm. If you are on camera, remember that body language is as important as what you say.

2:12. How should I respond to parental complaints?

First, be familiar with your board policy on public complaints as well as the district's organizational chart. The best way to respond to parental complaints is to be a good listener. This allows you to ask questions to understand the situation better. Be careful parents do not interpret your questions or comments as a guarantee that you will help solve their issues or of future board action. Once a parent has shared a complaint, provide guidance on how to get it addressed through the proper channels, perhaps by referring to the public complaint policy or organizational chart (chain of command). It is safe to say that most of the complaints you will hear are administrative in nature and not policy issues. As such, they don't belong on the board's table.

It is not your responsibility, nor do you have the authority, to solve each parent's problem. Listen to their concerns but direct them to the appropriate staff member or the next person in the chain of command. Avoid getting involved, as it may compromise your impartiality if the issue rises to the level of an appeal to the board.

Allow the superintendent and staff the opportunity to address complaints without micromanaging the situation. If a parent's concerns remain unresolved, they may follow up with you; however, be sure to direct them to the next person in the chain of command. For serious concerns brought to a board member's attention, the complaint should be immediately shared with the superintendent so they may investigate it appropriately.

2:13. Can I use email, text messages or social media to communicate with my board colleagues?

It depends. School board members may use email and other methods to communicate with each other, but cannot use them to discuss board business as a way of circumventing the Open Meetings Law.

You should be particularly careful to avoid sequential emails, texts or social media conversations that result in a collective decision. While you may email or "direct message" another board member with a question, it is not appropriate to engage in contemporaneous (i.e., simultaneous) online discussions with a majority of the board.[9] Email, text messages and social media communications that preclude the community from hearing the board debate important issues are problematic. The intent of the Open Meetings Law is to allow the public to "observe the performance of public officials and attend and listen to the deliberations and decisions that go into the making of public policy."[10]

Be forewarned, emails and text messages related to the business of the school board are considered records under the Freedom of Information Law (FOIL), even if you use a personal email account or cell phone.[11] Under FOIL's provisions the content of a requested record determines whether it must

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[8] See *Appeal of Wallace*, 46 Ed Dept Rep 347 (2007); see also *Appeal of Koehler*, 52 Ed Dept Rep, Dec. No. 16,373 (2012).

[9] NYS Department of State, Committee on Open Government, OML-AO-5205 (Nov. 18, 2011); OML-AO-4534 (Dec. 14, 2007).

[10] Pub. Off. Law § 100.

[11] Pub. Off. Law § 87; NYS Department of State, Committee on Open Government, FOIL-AO-19673 (June 15, 2018); FOIL-AO-19429 (May 3, 2016); FOIL-AO-18052 (Nov. 24, 2010); FOIL-AO-16969 (Jan. 30, 2008).

be released. Records retention laws and rules of discovery also apply to any email account utilized for board business.[12] If the school district asks board members to use a school email for board business, it is helpful to do so in order to comply with those laws and rules.

School board members should be cautious and use best judgment when using social media. For elected officials, social media posts can be publicly scrutinized, even when privacy settings are set to 'friends only.' Posts that are insensitive, controversial or intended to be a joke can damage the reputation of a board member. Additionally, always present your personal opinions as such, and not official positions of the board. To build and maintain trust with the board and community in which you serve, use social media wisely to reflect yourself and your district in a positive light.

[12] See Arts and Cult. Aff. Law §§ 57.19, 57.25; 8 NYCRR § 185.15, Appendix L, Records Retention and Disposition Schedule LGS-1.

3:1. What should I expect at my first board meeting?

If you have never participated in a board meeting, you may be overwhelmed at first. There are basic rules of parliamentary procedure that should be followed, but each board operates in its own way. There will be a meeting agenda and protocol.

Talk with the president before attending your first meeting to ask basic questions such as:

- Where should I sit?
- How is the agenda set up?
- How long do the meetings usually last?
- When should I speak?

Ask for an orientation if you haven't yet had one. You should also receive your board packet containing the agenda and any supporting information several days before the meeting. Be sure you go through the material carefully and take the time to call the superintendent or president to ask questions about anything you don't understand. Become familiar with your board policies as well, as that can provide further information on procedures and other items.

Remember, this is a meeting of the board of education in public, not a public meeting. Staff and community members are invited to observe and may comment if a public comment period is established. But this is your board's opportunity to conduct business. As such, the board should remain in control of the meeting at all times.

3:2. Where should I sit?

Many boards have their rooms set up in a consistent configuration for board meetings, with name plates for each person at the table. Some boards have assigned seats that do not change from meeting to meeting. Other boards mix the seats up each time. And others do not have name tags or assigned seats. To feel comfortable prior to attending your first meeting, contact the president and ask if there are any "traditions or protocols" that you should know about in advance of the meeting.

3:3. What is considered an acceptable dress code at board meetings?

Your board decides how formal or informal the meeting should be. Dressing appropriately for a business meeting is a good rule of thumb, as board meetings are business meetings. Remember that the public and media may attend as well. Your dress should reflect the professional approach that your school board takes in overseeing the operations of the district.

3:4. How does being on TV affect board members?

Any time you are video recorded or are in the public eye, it is normal to feel more self-conscious and nervous. Some boards broadcast live, stream online or video record their meetings for later broadcast on a video sharing service like YouTube or a local cable access station. Naturally, the first time you participate in a recorded board meeting you may find that you are less articulate and forget some of what you want to say. After you attend a few meetings, you should become comfortable and may even forget you are being video recorded. Periodically reviewing a video to see how the board is presenting itself is a good idea. Board members are often surprised by their unconscious body language, which may or may not accurately communicate their feelings.

3:5. How professionally must a board meeting be run? What is considered too lax or too formal?

All board meetings need to follow some set of "rules of order," often based on parliamentary procedure. The method that your board selects should be identified in policy. Some boards elect to follow Robert's Rules of Order. Other boards may specifically elect not to follow Robert's Rules but prefer a basic version of parliamentary procedure. Your school board can be as relaxed or as formal as it chooses, as long as policy identifies the method you will employ, and this method does not violate the Open Meetings Law.

All school boards must adhere to New York State law even where it differs from Robert's Rules. For example, under Robert's Rules of Order, action can be taken by a majority of those present or voting. Under state law, an action can be taken only with a vote by the majority of the entire board, regardless of vacancies or absences.[1]

[1] Educ. Law §§ 1606, 1710, 1804(1), 1903(1), 2502(1), 2503(1), 2554(1); Gen. Constr. Law § 41.

3:6. How often does my board meet, and are there consequences if I don't attend?

Education Law requires city school district boards to meet at least monthly and all other school boards to meet at least quarterly.[2] Most boards, however, meet once or twice a month. Consistent attendance at board meetings is required. If a board member fails to attend three consecutive meetings without a valid excuse, the board may declare the seat vacant.[3] Most boards are required to hold an annual organizational meeting in July to elect and appoint officers for the coming year.[4] Individual board members can also call a special meeting to address a particular item.[5]

3:7. What are the legal requirements for school board meetings?

School boards must meet in compliance with the Open Meetings Law and make public records available as defined by the Freedom of Information Law. The Open Meetings Law requires that all school board meetings, including most committee meetings, be open to the public.[6] Proper notice must be given to announce regularly scheduled and special meetings.[7] Minutes of the meetings must be taken and include specific information required by law.[8]

3:8. What is the Open Meetings Law?

The basic intent of the state Open Meetings Law is to strengthen the right of all New York State citizens to know what goes on in government by requiring public bodies to conduct nearly all business at open meetings. For more information about the Open Meetings Law, see *School Law,* 40th Edition, Chapter 14.

3:9. How can a board have good exploratory discussions given the restrictions of the Open Meetings Law?

The Open Meetings Law does not preclude good exploratory discussions. You may find it awkward to talk about some topics openly, but the board is obligated to conduct all discussions in open session except during the limited situations that permit executive sessions.[9] All board votes must be conducted in public at an official meeting of the board, with the exception of voting on disciplinary charges against a tenured teacher or administrator.[10]

3:10. Can board members meet socially or as a group at training conferences without violating the Open Meetings Law?

Yes. Social gatherings and conferences, including retreats, are not considered school board meetings, even if a quorum is present, so long as the board members in attendance do not discuss school business or arrive at decisions about an issue.

3:11. What role does the superintendent play at school board meetings?

The superintendent is a key person at all school board meetings. Generally, the superintendent and board president collaboratively plan the meeting agenda (check your board policy). The superintendent, in conjunction with staff, makes certain the meeting room is set up as required and all tools that are needed are available. This includes audio or visual technology for presentations or recording equipment, an easel, a microphone, etc. The president introduces each item on the agenda. However, for discussion or action items, the superintendent or a designee is often asked to explain the issue. The superintendent's opinion or recommendation should be solicited before a vote is taken.

3:12. How do I get assigned to a board committee?

The president is typically responsible for assigning board members to committees if your board uses them. If you have an interest in a particular committee, let the president know prior to identifying committee assignments. This is usually done at or shortly after the organizational meeting in July.

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[2] Educ. Law §§ 1708(1), 1804(1), 2504(3), 2563(2), 2590-b(1)(b), 2590-e(14).

[3] Educ. Law §§ 2109, 2502(8), 2553(8), 2590-b(8)(g), 2590-c(6)(a); *Appeal of Butler,* 58 Ed Dep Rep, Dec. No. 17,544 (2018); *Appeal of McQuaid Kaplan,* 50 Ed Dept Rep, Dec. No. 16,113 (2010).

[4] Educ. Law §§ 1707, 1804(1), 1904, 2502(9-a)(o), 2504(1); but see Educ. Law §§ 2553(9)(f), 2553 (10)(o), 2563(1) for different timeframes in large city districts.

[5] Educ. Law §§ 1606(3), 1710; *Appeal of Campbell,* 50 Ed Dept Rep, Dec. No. 16,246 (2011); *Application of Bean,* 42 Ed Dept Rep 171 (2002); *Matter of Felicio,* 19 Ed Dept Rep 414 (1980), *petition dismissed sub nom. Arthus v. Ambach* (Sup. Ct. Albany Cnty. Apr. 18, 1980).

[6] Pub. Off. Law § 103.

[7] Pub. Off. Law § 104.

[8] Pub. Off. Law §§ 87(3)(a), 103-a(2)(e),106(1).

[9] Pub. Off. Law § 105.

[10] Educ. Law §§ 1708(3), 3020-a(2); 8 NYCRR § 82-3.3(c); *Sanna v. Lindenhurst Bd. of Educ.,* 85 A.D.2d 157 (2d Dep't), *aff'd,* 58 N.Y.2d 626 (1982); *United Teachers of Northport v. Northport UFSD,* 50 A.D.2d 897 (2d Dep't 1975); *Formal Opn. of Counsel No. 239,* 16 Ed Dept Rep 457 (1976).

3:13. Who is responsible for setting the agenda?

The superintendent and board president are responsible for setting the agenda according to most board policies. In some districts, the vice president also participates in the pre-agenda meeting. This enables the vice president to be ready for the board meeting, suggest topics to be covered and be prepared to act as president if needed. It is helpful to familiarize yourself with the policy on agenda-setting in your district.

3:14. How can I get my issues onto the board agenda?

The best way to get an item onto the board agenda is to follow your board policy and protocols – usually by contacting the president. In some districts, it can be done by contacting either the president or superintendent prior to the agenda-setting meeting. If you have an issue that comes up after the agenda has been distributed, you may still be able to have it added to the agenda the night of the meeting, depending on your district's policies. If a decision is not needed immediately, it is better to have the topic added to the agenda for a subsequent meeting, giving your colleagues sufficient time to prepare for discussion.

3:15. Does public comment pertain only to agenda items?

Although school board meetings must be open to the public, there is no requirement that the public be allowed to speak. This decision is left up to the individual board. If the board decides to allow public comment, as most do, it may set rules that restrict topics and the duration of each presentation. For more information on public comment periods, please see *School Law,* 40th Edition, 14:34-14:38.

3:16. What if a member of the public complains at a board meeting?

The grocery store isn't the only place board members might hear complaints. If an individual raises a complaint during a board-established public comment period, it is best to listen and allow the board president to respond. The president can indicate the board will take the issue under advisement or refer the individual as appropriate. The individual may be referred to the public complaint policy or the relevant person to handle the complaint, i.e. the superintendent or other staff member.

The board president should be in control of the meeting at all times and ensure the speaker's comments adhere to the board's policy on public comment. Individual board members should refrain from engaging in back-and-forth dialogue or debate with the speaker during the meeting. Members should also be cognizant of their body language to avoid sending unintended messages to the speaker or audience.

3:17. What is a consent agenda?

A consent agenda is an item listed on the regular agenda that groups routine items under one agenda heading. Routine items (such as paying bills, approving minutes of the last meeting, approving the agenda, etc.) can thus be approved by a single unified motion and vote of the board. The purpose of the consent agenda is to expedite business and streamline the meeting. There is no discussion of items on a consent agenda. If clarification of an item is necessary, you can request that the item be removed from the consent agenda and considered by the board as a separate motion.

3:18. May I ask questions during the board meeting?

Absolutely! By now you should have taken time to review the materials in your board packet and asked for any clarifications from the superintendent or president prior to the meeting. As the discussion of an item ensues, other questions may occur to you that you have not previously asked.

3:19. How may I ask questions at a board meeting and still adhere to the "no surprises" rule?

If your question may blindside someone due to its controversial or sensitive nature, extend professional courtesy by notifying the superintendent and/or board president before the meeting. This allows them to prepare a response or determine how to best address the issue. During board discussions or presentations, it is appropriate to ask probing, thought-provoking or clarifying questions to better understand the topic or cast an informed vote. However, board members should refrain from asking questions in public related to executive session items due to confidentiality issues.

For questions requiring additional data or information, board members should follow their procedures and submit the request in advance of the meeting, giving the superintendent adequate time to gather the necessary details and share them with the full board. Remember, board members are not entitled to any and all information and should avoid making excessive or unreasonable requests that would divert district staff from their responsibilities.[11]

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[11] See generally, 8 NYCRR Part 84; *Buffalo Teachers Fed. v. Buffalo Bd. of Educ.*, 157 A.D.2d 1027 (4thDep't 1990); *Matter of Bruno*, 4 Ed Dept Rep 14 (1968).

3:20. How is voting done at a board meeting?

All votes taken at a school board meeting are a matter of public record and must be recorded in the minutes. Secret ballots are not permitted.[12] The vote must be taken in such a way that a person attending the meeting or reading the minutes can see how each board member voted.[13] This can be done by roll call vote, show of hands or any other method by which each board member's vote is made known to the public.

3:21. Do most school boards vote in a rotating order or consistent order, or does it not matter?

The manner in which your meeting is run is determined by your school board. How you vote – in a rotating order or the same order each time – doesn't matter. A rotating order allows for a different member of the board to be the first and last to vote. State law simply requires that the public be able to determine how each board member voted.[14]

3:22. When does the board president vote?

The president votes each time a vote is called. Some people think that the president votes only to break a tie, as the chair generally does under Robert's Rules of Order. This is not true. The president is expected to vote as a member of the board, in whatever sequence the board is following. Whether the vote is rotated each time or each member votes in the same sequence, the president votes in the same way as the other board members.

3:23. May a school board member vote by proxy, telephone, mail or email at regular or special board meetings?

No, it is not permissible for a board member to vote by proxy, telephone, mail or email. The Open Meetings Law requires that a board member be present physically or through the use of videoconferencing in order to lawfully cast a vote.[15]

3:24. May I abstain from a vote?

Yes. Understand, however, that while an abstention means neither a "yes" or "no" vote, it can have the effect of a "no" vote in that it makes it more difficult for the proponents of a motion to win a needed majority. The commissioner of education has ruled that board members cannot abstain from voting simply because they have philosophical problems with what they are being asked to vote upon, such as teacher tenure.[16]

3:25. What if I disagree with a board decision?

If you don't agree with a decision that the board has made, you may express your position during the meeting. However, even if you disagree with the final outcome of a vote, principles of good governance dictate you should support the board's final decision. The time to disagree is during the discussion and through your vote, which is public record. If you are asked about the decision, explain why the board voted the way that it did. You may say why and how you voted; however, you should do it in a way that does not undermine the board's majority decision. As long as your comments remain factual and are not critical of the board's action, you are showing support for the decision. You should also direct questions to the board's spokesperson, usually the board president.

3:26. May a board president offer motions?

Normally the president calls for the motions on agenda items. The president is a member of the board with the same voting rights, no more and no less. Although it is permissible for the president to offer a motion, it is preferable for other members of the board to offer and second a motion.

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[12] Pub. Off. Law § 87(3)(a); *Smithson v. Ilion Housing Auth.*, 130 A.D.2d 965 (4th Dep't 1988), *aff'd*, 72 N.Y.2d 1034 (1988).

[13] Pub. Off. Law §§ 87(3)(e), 106.

[14] *Id.*

[15] Pub. Off. Law §§ 102-104; *Town of Eastchester v. NYS Bd. of Real Prop. Servs*, 23 A.D.3d 484 (2d Dep't 2005); *City of White Plains v. NYS Office of Real Prop. Servcs.*,18 A.D.3d 549 (2d Dep't 2005); NYS Department of State, Committee on Open Government OML-AO-5575 (Mar. 6, 2018); OML-AO-5420 (Sept. 4, 2014).

[16] *Appeal of Craft*, 36 Ed Dept Rep 314 (1997).

4:1. Should I ask for a mentor?

Many boards have a designated person who mentors new board members. Serving as mentor may be a defined responsibility for one of the officers, such as the vice president, or it may be a rotating position. A mentor will orient new board members prior to their first board meeting. The mentor will also check in with new board members periodically during the year to explain key activities, such as the processes for evaluating the superintendent or developing the budget. If you find your board does not have a person designated as mentor, you might suggest it, particularly if you prefer working this way.

4:2. When are issues serious enough to bring to the board?

You are the link between the school district and the community. You should be aware of issues confronting public education and those that could become an issue in your district. You must also filter what you bring to the board for consideration to be sure it truly requires board attention. If you are hearing concerns from community members, you might want to ask other board members whether they are hearing the same concerns. An issue or activity that is counter to board policy should be brought to the attention of the president or the superintendent. When in doubt, feel free to discuss concerns with the superintendent and the president. They can help decide if the board needs to be proactive about a particular issue.

4:3. What is the committee structure, function and role?

School boards operate in various ways. Some boards operate as a committee of the whole where all issues or activities are addressed by the entire board together. Members of boards that choose this method of operation generally receive the same information at the same time and have the authority to deliberate on each issue. Other boards function with a well-defined committee structure where board members serve on several committees and the committees first address issues or activities before making recommendations to the full board.

Generally, board members are appointed to standing committees by the president and serve one-year terms. Ad hoc committees or task forces can also be established to deal with a one-time issue, and their length of term is often less than one year. Inviting staff and community members to serve on a task force allows them to offer their insights and/or special expertise on a particular issue.

The committee structure works best when the board fully trusts all the board members and is willing to consider the recommendation(s) of this smaller subset of the board. Committees comprised of less than a quorum of the board are advisory such that the full board may choose to accept a recommendation in full, in part or not at all. This does not mean the full board cannot ask questions prior to voting on a motion at a board meeting; in fact, all members need to become informed in order to vote responsibly. Rehashing the entire work of the committee, though, defeats the committee's purpose. Boards that use a committee structure believe it saves time and allows each board member to delve more deeply into fewer areas. Some boards find they are able to deal with more issues with this approach and each board meeting is more reasonable in length. Some committees may be required by law, such as the audit committee.[1] Other possible standing committees not required by law but frequently used in districts include: policy, finance, curriculum, buildings and grounds and personnel.

Keep in mind that committees or task forces report to the board, not to the community or media. They should not take on a life of their own.

One last point to be aware of is that committees can be subject to the Open Meetings Law requirements even when there is less than a quorum of board members on the committee.[2] See *School Law,* 40th Edition,14:24, for further clarification.

4:4. How can I survive the politics?

Don't think of it as surviving politics. Instead, view it as cultivating relationships. You are now part of the largest body of elected officials in the state. School governance is founded on the belief that a group of diverse people representing various viewpoints in their district can make better decisions than any one person alone could. It is this diversity that serves as the strength of the school board.

It is best to be open-minded about the opinions of your fellow board members. Your goal should not be to convert them to your point of view. Rather, learn and explore the

[1] Educ. Law § 2116-c; 8 NYCRR § 170.12(d).

[2] Pub. Off. Law § 102; see also NYS Department of State, Committee on Open Government, OML-AO-5068 (Mar. 18, 2011); OML-AO-4158 (Mar. 15, 2006).

issue before the board, listen to all views to build consensus, and collaboratively determine the best solution by working together. You want the students to be the "winners" – not one board member or another.

4:5. How can I best work with the team?

You may be joining a board with members who have been together for a number of years. As the "new kid on the block," it will take you time to become part of the team. Talk with your new colleagues. Respect their expertise. Listen and observe. Ask questions. Do your homework. Make recommendations. It will likely take time and experience before you fully acclimate to your position on the board.

4:6. What should a board do when it is not working well as a team?

Trust, open communication and ethical conduct are critical to the effective functioning of any governance team. If you believe issues are impacting your board's performance, consider proposing a workshop or retreat. This setting allows the board to review and refine its operating procedures and protocols while addressing any interpersonal issues that may hinder its ability to function as a team. Developing a board handbook or an operating procedures manual, along with a code of conduct, can enhance board operations by providing clarity and consistency. Many boards benefit from the assistance of an independent facilitator, who can offer an impartial perspective and help improve performance. NYSSBA's Custom Board Retreat service can support your board by tailoring the retreat to your board's needs.

4:7. How do school boards make decisions?

A school board can take action only during a legally convened meeting in which at least a quorum of members is present.[3] Therefore, it is important that board members do their 'homework' prior to the start of the meeting so they can participate responsibly and make informed decisions.

When making decisions, the board should seek the advice, where appropriate, of the district's administrators, teachers, employees, community members and experts such as the school district's legal counsel, financial advisor or auditor. Being informed and engaging in productive dialogue helps build trust and solidifies confidence in the decisions that are being made as well as with the leadership of the district.

4:8. What is the most important consideration when making a decision?

The primary consideration is the tangible impact the decision will have on your district's students. If you understand the facts, don't allow outside forces to mislead or misinform your opinion, use relevant data and keep the needs of all students in mind when making decisions, you will be more likely to make good decisions. Remember, your first responsibility is to every student in your district. Keeping this in mind will greatly assist you in making the right decisions despite the pressures that certain constituent groups may exert.

4:9. Is there any limitation on when and with whom school board members may discuss school business?

School board members will learn information that is confidential and should not be discussed outside of a board's closed session with friends and family.[4] This does not limit discussions among school board members at appropriate times in conformity with the Open Meetings Law. Board members should know they can discuss issues among each other that are before and within the jurisdiction of the board.

4:10. When I'm in the minority on the board, how can I influence the other board members to consider my point of view?

Genuinely listen to your colleagues. Don't interrupt. Wait to be recognized, then make your point, but don't deliver a monologue. Speak from fact, not emotion. Concisely identify the problem or the potential opportunity. Use facts to make the point that it is a districtwide problem or opportunity. State your recommendation and explain how it helps attain a district goal. Finally, be prepared to compromise.

4:11. Should the board of education set goals for itself each year?

Yes, it is a good idea for a board to have goals for the effectiveness and efficiency of board operations and evaluate them on a yearly basis. In this way, you have a scheduled forum for discussing the efficacy of your board and how to improve it. Performing a board self-evaluation is an effective way to identify areas of improvement and establish board goals.

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[3] Pub. Off. Law §§ 102(1), (2), 103; Gen. Constr. Law § 41.

[4] *Application of the Bd. of Educ. of the City Sch. Dist. of the City of Buffalo, 57* Ed Dept Rep, Dec. No. 17,147 (2017), *aff'd, Paladino v. Bd. of Educ. for the City of Buffalo Pub. Sch. Dist.*, 183 A.D.3d 1043 (3d Dep't 2020); *Application of Nett and Raby*, 45 Ed Dept Rep 259 (2005); see also questions 2:6-2:7.

4:12. Are there term limits for board members?

No, Education Law does not contain term limits for board service. Nor may a school board adopt term limits through a voter proposition.[5] The opportunity to make a change on the board occurs annually during the school board election when community members can choose to run for the board for seats whose terms are expiring. A board with both new and seasoned members can provide new thinking while maintaining institutional history. Similarly, limits cannot be placed on the president and vice president roles.

[5] *See Appeal of Bakal*, 9 Ed Dept Rep 134 (1970).

5:1. What is the role of the superintendent relative to the school board?

Think of the superintendent as the chief executive officer of the school district. He or she reports to the board of directors, the school board. The superintendent is the only employee who is employed directly by the board. All other administrators, teachers and staff are hired by the superintendent, pending board approval. While the school board is responsible for setting the vision and goals for the district, it is the superintendent who implements the policies to attain the goals the board sets. The school board tells the superintendent what it wants done; the superintendent determines the best way to do it. The superintendent is also the board's principal advisor – identifying operational needs and recommending policies for board action.

5:2. How do I communicate with the superintendent?

You should feel free to communicate in any way both you and the superintendent are comfortable with. Usually, the superintendent is more than willing to meet with you, discuss issues on the phone or respond by email. The key is not the method of communication but ensuring that you do communicate, especially when you have questions about agenda items for your board meetings.

5:3. When and how does the board evaluate the superintendent?

The commissioner's regulations require the board to evaluate the superintendent annually according to procedures developed by the board in consultation with the superintendent. Whatever procedure the board chooses to use, it must be filed in the district office by September 10 of each year.[1]

The superintendent's evaluation should be a comprehensive and objective review of performance during the preceding year. The evaluation should be based on a consensus of the board's assessment of the superintendent's performance relative to the stated objectives for the position. The board should also consult the superintendent's contract to determine if it includes provisions related to evaluation.

The superintendent should be provided with a written copy of the board's evaluation and should discuss it with the board in executive session.

5:4. As a new board member, how should I approach the superintendent about making a change without being overly aggressive?

You should feel free to contact the superintendent or board president to share your ideas and request that they either be added to the agenda or referred to the appropriate committee. However, it's best to avoid trying to rehash previous decisions of the board as it can lead to unnecessary conflict and erode trust. Instead, learn why the decision was made, but understand your responsibility is to help the district move forward.

When raising questions about how the board operates, approach the topic tactfully and ask thoughtful, inquisitive questions. This approach will not only help you better understand the culture and operations of the board but also increase the likelihood your suggestions will be well-received. If you have questions about district operations, take a moment to reflect on whether you might be overstepping into the superintendent's domain of managing the district. It is natural for board members to be curious about district operations, but it's not their role to 'fix' how it operates. New board members typically learn about district operations during their orientation. When additional questions arise, reach out to the superintendent with the intent of learning while trusting the superintendent and administrators to handle the day-to-day.

5:5. How do I gain the respect of the superintendent and other administrators?

As with any relationship, trust starts at a base level and is built or earned over time. Respect the superintendent and district administrators. They are the education experts. Seek their advice. Listen to what they have to say. Ask thoughtful questions. Be open, honest and direct. Take time to learn about the school environment and issues that may be unique to your district prior to making suggestions and trying to effect change.

[1] 8 NYCRR § 100.2(o)(1)(vi).

School Law Basics

6:1. What is the legal manner in which school boards make decisions?

School boards, acting in their corporate capacity, are required to transact their business in the same manner as the governing body of any corporation. Their acts are required to be authorized by resolutions or motions adopted or passed by a majority of the whole board.[1] Unless the board has taken official action to designate an individual member as the representative of the board for a particular purpose, an individual board member has no more authority than any other qualified voter of the district.[2]

6:2. What are the powers and duties of school boards?

Boards of education have no inherent powers and possess only those powers expressly delegated by statute or necessarily and reasonably implied therefrom.[3] The general powers and duties of school boards are outlined in Education Law, which assigns different powers and duties to different types of school districts, some of which are common to various types of districts and others of which are specific to a single type of district, for example, common, union free, central, small city and large city. See *School Law,* 40th Edition, Chapter 5.

6:3. What are the primary legal functions of school boards?

School boards adopt policies, consistent with state and federal law, which govern the affairs of their respective school districts.[4] Ultimately, school boards are responsible for educating the children of the school district. This responsibility can be broken down into a few general areas: [5]

Students

- adopting policies governing the admission, instruction, discipline and grading of the children residing in the district.

Employees

- selecting, hiring and evaluating a superintendent.
- employing, managing and disciplining professional and support staff, in accordance with statutory procedures and in cooperation with the superintendent.
- setting parameters for collective negotiations and approving the collective bargaining agreements governing the employment of staff agreed upon by the district's negotiators and various unions.

Overseeing school buildings, grounds and equipment

- providing the space where instruction occurs by purchasing, leasing, maintaining and insuring school buildings.
- providing the necessary equipment and supplies (e.g., computers, textbooks, desks).

General Management

- School boards must annually adopt and present to the voters a proposed budget for the next school year that includes estimated expenditures to carry out the activities described above.[6] See the School District Finance section below for further information.

6:4. May a school board member be removed from office?

Yes. A board member may be removed from office in one of two ways, either by the commissioner of education or the school board. A school board's authority to remove one of its members from office is separate and distinct from the commissioner of education's authority to remove a board member.[7]

A school board may remove any of its members for "official misconduct." Official misconduct occurs when a board member engages in an unauthorized exercise of power or intentionally fails to exercise power to the detriment

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[1] Gen. Constr. Law § 41.

[2] *Downey v. Onteora CSD*, 2009 WL 2259086 (N.D.N.Y. July 29, 2009); *Coughlan v. Cowan*, 21 Misc.2d 667 (Sup. Ct. Suffolk Cnty. 1959); *Appeal of Silano*, 33 Ed Dept Rep 20 (1993) *petition dismissed*, (Supt. Ct. Albany Cnty. Jan. 10, 1994); *Matter of Bruno*, 4 Ed Dept Rep 14 (1964).

[3] *Appeal of Woodarek*, 46 Ed Dept Rep 1 (2006); *petition dismissed sub nom Kelly Services, Inc. v. USNY*, (Sup. Ct. Albany Cnty. May 22, 2007); *Appeal of McKenna*, 42 Ed Dept Rep 54 (2002); *Appeal of Rosenkranz*, 37 Ed Dept Rep 330 (1998).

[4] See, e.g., Educ. Law §§ 1709(1), (2), 2503(2).

[5] See generally Educ. Law § 1709.

[6] Educ. Law §§ 1608, 1716, 2022, 2601-a.

[7] Educ. Law §§ 306, 1709(18).

of the district.[8] A board's decision to remove a school board member from office may be reviewed by the commissioner on appeal.[9]

In general, the commissioner of education may remove a school board member from office for the willful violation or neglect of duty or the willful disobedience of a law or a decision, order, or regulation of the commissioner or rule of the Board of Regents.[10] To be considered willful, a school board member's actions must have been "intentional and with a wrongful purpose" to disregard a lawful duty or violate a legal requirement.[11] Generally, a board member who acts in good faith on the advice of counsel will not be found to have acted with the requisite willfulness to warrant removal from office.[12]

The commissioner considers removal "a drastic remedy that should be taken only in extreme circumstances."[13] The commissioner has removed a board member for behavior that interfered with the board's ability to function. In one case a board member threatened and initiated a physical altercation with another board member during a board meeting. Such conduct breached the board member's "duty to engage in constructive discussion" on matters affecting the governance of the district.[14] For more information, see *School Law,* 40th Edition, 6:40-6:54.

Ethics and Conflicts of Interest

6:5. Must a school board adopt a code of ethics to govern the actions of the board and district employees?

Yes. The General Municipal Law requires all school boards to adopt a code of ethics for the guidance of its officers and employees that sets forth the standards of conduct reasonably expected of them.[15] For further information on the code of ethics see *School Law,* 40th Edition, 12:1-12:2.

6:6. What constitutes a conflict of interest on the part of school board members?

A conflict of interest exists when a school board member is in a position to benefit financially from a decision that members may make on behalf of the district. The state's General Municipal Law defines those situations and relationships that are, and are not, deemed to be a conflict of interest.[16] See *School Law,* 40th Edition, 12:6-12:13. For example, a board member is not deemed to have a prohibited conflict of interest on the basis of his or her spouse's employment with the district.[17]

Board members are required to publicly disclose in writing any interest they or their spouse may have, will have or later acquire based upon a contract or other agreement with the district.[18] For further information on making such disclosures see *School Law,* 40th Edition,12:8.

School District Finance

6:7. How is the school budget created?

The school board must ultimately approve the proposed school budget, but the school superintendent and school business official have a significant role in the preparation of the budget. Typically, the administration puts together a draft budget to frame the board's discussions. Changes are then made in accordance with the board's decisions.

In New York State there is no limit on school budget expenditures. However, there is a cap on the yearly growth of tax levies, commonly referred to as the property tax cap. The property tax cap limits the growth of a school district's tax levy to the lesser of 2 percent or the sum of one plus the inflation factor.[19] The allowable growth each year guides budget planning and influences a board's decisions on funding for budget priorities. See *School Law,* 40th Edition, Chapters 18-19 for further information.

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[8] Educ. Law § 1709(18).

[9] *Appeal of Johnson, 57* Ed Dept Rep, Dec. No. 17,263 (2017); *Appeal of Taber,* 42 Ed Dept Rep 251 (2003).

[10] Educ. Law §§ 306, 1706, 2559; *Application of Sailer,* 63 Ed Dept Rep, Dec. No. 18,362 (2023); *Application of Rickson,* 63 Ed Dept Rep, Dec. No. 18,347 (2023); *Application of E.S.,* 63 Ed Dept Rep, Dec. No. 18,302 (2023).

[11] *Application and Appeal of Moss III,* 58 Ed Dept Rep, Dec. No. 17,602 (2019); *Application of the Bd. of Educ. of the City Sch. Dist. of the City of Buffalo, 57* Ed Dept Rep, Dec. No. 17,147 (2017), *aff'd, Paladino v. Bd. of Educ. for the City of Buffalo Pub. Sch. Dist.,* 183 A.D.3d 1043 (3d Dep't 2020); *Appeal of Christiano,* 50 Ed Dept Rep, Dec. No. 16,217 (2011).

[12] *Application of Rickson,* 63 Ed Dept Rep, Dec. No. 18,347 (2023); *Application of McCray, 57* Ed Dept Rep, Dec. No. 17,307 (2018); *Application of Nett and Raby,* 45 Ed Dept Rep 259 (2005).

[13] *Application of Luciano, 55* Ed Dept Rep, Dec. No. 16,828 (2015); *Application of Powell,* 50 Ed Dept Rep, Dec. No. 16,216 (2011); *Application of Carbone,* 46 Ed Dept Rep 215 (2006).

[14] *Appeal of Kozak,* 34 Ed Dept Rep 501 (1995).

[15] Gen. Mun. Law § 806.

[16] See Gen. Mun. Law §§ 800-802.

[17] Gen. Mun. Law § 800(3).

[18] Gen. Mun. Law § 803(1), (2).

[19] Educ. Law § 2023-a(1), (2)(a).

6:8. What kind of information must be included in the proposed district budget?

School districts must present a detailed statement in plain, easy to understand language laying out the amount of money that will be required for the coming school year for school purposes. This statement must include both estimated revenues and expenditures.[20] The budget is required to be presented in three component parts: program, capital and administrative.[21]

The program component must include all program expenditures of the school district such as salaries and benefits of teachers, programs for students with disabilities, school library and audio-visual, health services, interscholastic athletics and school district transportation services.[22]

The capital component of the budget includes all expenditures for facilities such as construction, renovation, improvements and rehabilitation of school buildings. Expenditures for custodial salaries and benefits, supplies, utilities and maintenance and repair of school facilities are also capital expenditures.[23]

The administrative component of the budget includes expenditures for salaries and benefits for all school administrators, expenditures associated with school board operations as well as the office of the superintendent.[24]

6:9. How and when is the proposed school budget voted on by the public?

After the proposed school budget is adopted by the board, it is placed on the ballot as part of the annual school board election and budget vote on the third Tuesday in May. The budget must be approved by a simple majority of the voters, unless the school board puts up a budget that exceeds the property tax cap. In such cases, the budget must be approved by at least 60 percent of the voters.[25]

Note, budgets are not voted upon by the public in the Big 5 city school districts (New York, Buffalo, Rochester, Syracuse and Yonkers). Those school boards do not possess independent taxing authority. Instead, the school district budget is part of the overall budget for the city.

6:10. After a budget is adopted by the voters, how are school taxes collected?

In order to collect school taxes, the school board must pass a resolution approving the tax roll, which includes a list of all real property in the school district, its assessed value and the amount of taxes each property owner must pay.[26] Once approved, school taxes become a lien on the properties.[27] Thereafter, a majority of the school board must sign the tax warrant which directs and empowers the tax collector to collect taxes in accordance with the tax roll.[28]

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[20] Educ. Law §§ 1608(3), 1716(3), 2601-a(3); 8 NYCRR § 170.9.

[21] Educ. Law §§ 1608(4), 1716(4), 2601-a(3); 8 NYCRR § 170.8(a).

[22] Educ. Law §§ 1608(4), 1716(4), 2601-a(3); 8 NYCRR § 170.8(c).

[23] Educ. Law §§ 1608(4), 1716(4), 2601-a(3); 8 NYCRR § 170.8(d).

[24] Educ. Law §§ 1608(4), 1716(4), 2601-a(3); 8 NYCRR § 170.8(b).

[25] Educ. Law § 2023-a(6)(a), see *N.Y. State United Teachers v. State of N.Y.*, 46 Misc.3d 250 (Albany Cnty. 2014), *aff'd*, 140 A.D.3d 90 (3d Dep't 2016).

[26] Real Property Tax Law § 1306.

[27] Real Property Tax Law § 1312.

[28] Real Property Tax Law § 1318.

7:1. Is it important that I know every policy in the district's policy book?

Policies are the means by which a school board governs the school district; they guide its administration, staff, students, parents and the public, and they ensure accountability, consistency and fairness. While you can't expect to know every policy as you begin your board service, you'll find it helpful to read through the district policy manual at least once. A good starting point is to review your manual's Table of Contents. You'll also find that you become familiar with many policies as you go through the year.

7:2. How can I build my skills and knowledge to become a better board member?

First, take advantage of NYSSBA's training programs, including the New School Board Member Academy, the Annual Convention, regional workshops and webinars. You can find a schedule of NYSSBA's programs on the NYSSBA website at nyssba.org under "Training and Events." Local school boards associations also offer events. Second, read *On Board*, an award-winning newspaper, and other publications on school board service. Third, watch and listen to your colleagues.

7:3. Is board development mandatory?

Newly elected school board members are required to complete two kinds of mandatory training: new member orientation on the powers, functions and duties of boards of education and six hours of fiscal oversight training.[1] To satisfy the mandatory training requirement, NYSSBA offers the state-mandated training in person through the New School Board Member Academy, which is held regionally throughout the state. NYSSBA also offers the state mandated training as a live, virtual training or as a self-paced, online program.

7:4. Do I pay for professional development programs or does the district?

The district does. It is legal and appropriate for the district to pay for board members' attendance at conventions, conferences, workshops, webinars and other developmental events that enhance the board's knowledge and ability to do the district's business.[2] Payment must be authorized by a board resolution adopted prior to attendance, or the board may delegate authorization to an executive officer.[3] Because leaders are learners, it is prudent to include funds for board leadership training in the annual budget.

7:5. What services does NYSSBA offer?

NYSSBA provides advocacy, information, leadership development and custom services for member school boards to help students succeed. We advocate at local, state and federal levels – in government and in the courts. We provide information through *On Board*, *School Law*, a trusted resource for more than 70 years, other publications and our website nyssba.org. We offer a wide array of leadership development activities, including our Annual Convention and Education Expo, Leadership in Education Event, New School Board Member Academy, law conferences, regional workshops and seminars and webinars on a variety of topics. We deliver special programs and services, including custom board retreats, custom policy manuals, policy updates and e-policy. Visit our website, nyssba.org for an in-depth look at how we can help your school board.

7:6. How do I manage the volume of reading that I have as a school board member?

Becoming a school board member is similar to going back to school because there are many continuing education courses available and "homework" that will help prepare you for board meetings. You'll have to do a lot of reading to be fully prepared to discuss and vote on issues.

As every student learns, don't wait until the last minute to do your homework. If you find you don't have enough time to review materials prior to your board meetings, ask if it is possible to get materials earlier. You'll find as you become more experienced that the material becomes more manageable and easier to absorb.

7:7. Where can I get comparative information relative to other schools?

The State Education Department (SED) posts School District Report Cards online at http://data.nysed.gov. For more information, call NYSSBA at 800-342-3360.

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[1] See Educ. Law § 2102-a.

[2] Gen. Mun. Law § 77-b(2); See also *Matter of Cappa,* 18 Ed Dept Rep 373 (1978).

[3] Gen. Mun. Law § 77-b(2); see also Opn. St. Comp. No. 93-12, 27 Opn. St. Comp. 74 (No. 71-246 (1971)).

8:1. With whom in the community should the board connect?

As taxpayers, community members are both the district's "owners" and its "clients." They pay for the district's products and services. Keep in mind that people support what they help create. If the district's stakeholders don't help to create the district's vision, goals, standards, plans, budgets, etc., they may feel no investment in them.

Although your board may not be able to engage every single group and community member, you should identify and engage key internal and external stakeholders. These individuals and groups can help or hinder the district in achieving its vision and goals. Key internal stakeholders may include students, faculty, staff, administrators, volunteers, PTA/PTO, etc. Key external stakeholders may include parents, taxpayers, unions, public officials, business/civic/social/religious leaders and representatives of higher education as well as health, social and youth services organizations.

8:2. How should the board engage the community?

Engage key stakeholders by inviting and appointing them to participate in standing and ad hoc committees, advisory panels, focus groups, forums and surveys. Their input is important in helping to define a vision for the district, set its goals, plan strategically, align resources with goals and other actions offering them an opportunity to learn about public education and to influence governance decisions.

Your board can also engage community members by using a variety of means to inform them about the district and better understand their interests, priorities and concerns. Print and electronic media, district social media and face-to-face conversations all play important roles in this ongoing district campaign to inform and to be informed. While accentuating the positive, student successes and district progress, don't neglect the negative. Be the first to let your community know about potential challenges facing the district and what you are doing to prepare for them. Board members and the superintendent can be effective ambassadors for the district, especially by scheduling dialogues with a cross-section of your community, preferably in their neighborhoods.

Part of your community engagement strategy should also encourage all members of the community to visit their schools. Invite them to extracurricular activities and promote scheduled family days, tours and briefings. In public education, familiarity often breeds support.

All these actions and more should be in your district's community relations policy.

8:3. How do you bridge a gap between the community and the board?

Most gaps result from poor communication. Remember that communication is a team sport: both parties must have the opportunity to speak; both must actively listen. You should review your school board policy on community relations. If this policy does not exist, recommend the board develop one.

Check whether your policy provides a variety of methods for informing the community about the district. Does it use varied means of communication, print media, electronic media (perhaps the district website), social media and speaking engagements at community events? Does it provide various means for community members to inform the board and administration about their interests, priorities and concerns? Such means include opportunities to sit on district committees and advisory panels as well as participate in focus groups, polling and social media.

Does the policy seek to involve all elements of the community in district activities – e.g., encouraging volunteers, scheduling tours and briefings or inviting them to extracurricular events and special occasions? Transparency is key. If your district operates separately from the community, rifts will develop. When you bring the community into their schools and school information into the community, knowledge and trust will improve as the community senses that "your" schools are "their" schools and that their schools are in your good hands.

8:4. How can I make sure I represent community sentiment?

No community is a single, uniform entity. Every community is comprised of various subgroups. To represent your community, your first task is to identify the groups and subgroups that together compose your community. It's helpful to have a demographic and socioeconomic profile of community members served by your district. With it, you can check whether you really are aware of all community members and whether your data and analysis truly reflect the total community.

Although individual board members may not be able to speak with everyone in the community about all issues, the board as a whole should be able to solicit valid input from a sound cross-section of community members. Varied approaches can be used. Committees, panels and forums that include the public may prove valuable. Some boards find it useful to rotate their meetings among various locations in the community. A telephone hotline, dedicated email address or social media feed where citizens can leave comments and questions can also strengthen your district's relationship with the community. Of course, all board members should make opportunities to converse with people throughout the community about district education. Listening is key.

8:5. How does one encourage school board service?

Promoting school board service as a meaningful way to contribute to your community is an ongoing responsibility of school board members. Your actions, teamwork and enthusiasm for board service will influence people in your community to consider serving on the school board.

Attracting qualified and energetic candidates results from activities taking place year-round, not just at election time. By increasing community participation within the schools, you can identify community members willing to consider school board service. Invite individuals to join ad hoc committees, to volunteer in the classroom, or simply to attend various events at school to strengthen their involvement. In this way, potential candidates can become more aware of the challenges facing their schools and the successes you have enjoyed.

NYSSBA designed the New School Board Member Experience website, nyssba.org/nsbmx/ to provide a quick overview of school board service aimed at potential school board candidates.

8:6. How can boards increase public participation and support at meetings?

The first way to encourage public participation at meetings is to review how you treat the public when they come to your board meetings. A pleasant environment, a few social amenities and a procedure by which the public can address the board not only contribute to good decision-making but foster good public attitudes about those decisions. The cardinal rule in building support for public education is to invite input and treat the public with respect. District policies and procedures should make people feel that they are a welcome part of the board meeting and resulting decisions.

This glossary includes definitions of commonly used educational terms and acronyms. The majority of the terms are not discussed within this handbook but are provided here to familiarize new board members with their meanings.

Academic Intervention Services (AIS) – Services required of the school district to provide extra help to students who are not yet meeting the learning standards.

Accountability – Requiring school districts and states to ensure that schools meet their goals/standards.

Annual Professional Performance Review (APPR) – An annual evaluation of teachers and principals that school boards and Boards of Cooperative Educational Services (BOCES) must ensure is conducted in accordance with law and the commissioner's regulations. Each school board and BOCES must adopt an APPR plan to be filed in the district or BOCES office and made available for public review by September 10 of each year. APPR plans may be utilized through June 30, 2032.

Appropriation – An authorization from the board of education or voters to make expenditures and to incur monetary obligations for specific purposes.

Assessed valuation – The monetary worth of all property in the district as determined by the municipal assessor.

Average daily attendance – The aggregate days of attendance during a given reporting period divided by the number of days school is in session during that period.

Basic Education Data System (BEDS) – The State Education Department's system for collecting basic information on all the state's elementary and secondary schools.

Block grants – Federal or state funding distributed in a lump sum directly to states or localities to administer and direct programs.

Boards of Cooperative Educational Services (BOCES) – BOCES are formed by a voluntary cooperative association of school districts in a geographical area that band together to provide services, such as special education and vocational programs, to their component local school districts.

BOCES aid – State funds to reimburse a district for part of the cost of BOCES services.

Categorical aid – State or federal aid which is intended to finance or reimburse a specific category of expenses or to aid a particular target group of pupils.

Charter school – An "independent and autonomous public school" established under state charter school law, eligible for funding from both private and public local, state and federal monies.

Commissioner of Education – The chief executive officer of the Board of Regents and the State Education Department appointed by the Board of Regents to enforce laws and policies relating to the state education system.

Committee on Open Government (COOG) – A statutorily created committee that pursuant to law issues regulations and advisory opinions on the state's Open Meetings Law, Freedom of Information Law and Personal Privacy Protection Law.

Committee on Special Education/Committee on Preschool Special Education (CSE/CPSE) – The team(s) established by the board of education in each school district that are responsible for, among other things, identifying, evaluating and recommending appropriate education placements and services for students with disabilities.

Contingency budget – The budget adopted by the board of education after a proposed budget or budget revote is defeated. A contingency budget is subject to statutory spending restrictions.

Cooperative Service application (Co-Ser) – A BOCES request to the commissioner of education for approval to operate a service.

Core curriculum – The body of knowledge that all students are expected to learn.

Data-driven (or data-based) decision-making – Analyzing varied forms of data to identify educational strengths and/or weaknesses to plan for and implement improvements in student achievement as well as monitoring trends and using this information to make decisions about the effectiveness of continuation or changes in district practices, curriculum, programs, procedures and policies.

Demographic data – Information describing the students and citizens of a school district; usually includes characteristics such as race, age, gender, income, educational level and profession.

Dignity for All Students Act (DASA) – A state law which prohibits student harassment and bullying on the basis of certain protected characteristics.

Distance learning – A mode of delivering education and instruction via the internet without a student physically attending the class.

Elementary and Secondary Education Act (ESEA) – A comprehensive federal law adopted in 1965 establishing the conditions under which states and school districts can access federal funding for education.

Equalization rate – The percentage of full value at which taxable real property in a county, city, town or village is assessed as determined by the commissioner of taxation and finance.

Every Student Succeeds Act (ESSA) – The most recent federal reauthorization of the Elementary and Secondary Education Act (ESEA).

Executive session – A portion of the school board meeting that is not open to the public.

Family Educational Rights and Privacy Act (FERPA) – A federal law protecting the privacy of, and access to, student records.

Fiscal deficit – The amount by which total expenditures exceed total revenues for the fiscal year.

Foundation aid – A state aid formula which provides that the majority of school aid is distributed by a clear and predictable stream of funding.

Free Appropriate Public Education (FAPE) – A FAPE consists of special education and related services provided to an eligible child with a disability at public expense under public supervision and direction.

Freedom of Information Law (FOIL) – A state law that gives the public access to government records, as a way to foster increased understanding of and participation in government. The law provides procedures for requests and a list of the kinds of records that are exempted.

Governmental Accounting Standards Board (GASB) – GASB sets the accounting rules for all governmental entities, including school districts.

Inclusion – Educating students with disabilities as appropriate in a regular classroom setting along with students without disabilities.

Individuals with Disabilities Education Act (IDEA) – A federal law that affords students with disabilities the right to a free appropriate public education in the least restrictive environment.

Individualized Education Program (IEP) – A written statement outlining the plan for providing an educational program for a disabled student based on the unique needs of that student.

Least Restrictive Environment (LRE) – Refers to the setting in which disabled students are educated and the obligation to ensure, to the maximum extent appropriate, such students are not placed in separate schools or classes and participate in the regular educational environment.

New York State Learning Standards – The level of knowledge, skills and understanding that students should be able to demonstrate over time as a result of instruction or experience. There are two types of standards, according to the State Education Department: content standards (what children should know, understand and be able to do as a result of their schooling) and performance standards (acceptable levels of student achievement).

NYCRR (New York Codes, Rules and Regulations) – The compilation of all New York State regulations.

Open Meetings Law (OML) – A law that governs the conduct of board of education meetings. Part of New York's Sunshine Laws; see also Freedom of Information Law.

Parliamentary procedure – A system of organizing a meeting to ensure an orderly, democratic process; Robert's Rules of Order is most commonly used in New York.

Performance-based assessment – Tests which measure students' abilities to perform tasks and solve problems rather than choosing answers from a number of possibilities.

PILOT (Payment in Lieu of Taxes) – An agreed upon payment that is made in place of taxes by a property owner who would not otherwise be liable for taxes based upon the exempt status of the real property.

Public Employee Relations Board (PERB) – A state agency that administers and enforces the Taylor Law.

Standards-based Educator Evaluation and Professional Support Plans (STEPS) – A systematic evaluation of teachers and building principals based upon the New York Teaching and Leadership standards, respectively. Such plans must utilize multiple measures to review and support the professional learning of teachers and principals. These plans replace APPR plans and must be approved by the commissioner of education for utilization no later than the 2032-33 school year.

Student growth model – An accountability system that tracks student performance over time.

Taylor Law – The common name for the Public Employees Fair Employment Act, a part of the Civil Service Law, which is a comprehensive labor relations statute covering all public employees in New York State.

Tenure – Guaranteed job security, granted by state law to teachers after a period of satisfactory probationary service, which cannot be rescinded except for cause.

Title I – A federal aid program under the Elementary and Secondary Education Act to provide schools with a high percentage of low-income families with additional funds to improve academic achievement.

Triborough amendment – An amendment to the Taylor Law, part of the Civil Service Law, that requires the terms of an expired collective bargaining agreement to remain in effect until a new one is negotiated. Named after the 1972 Triborough Bridge and Tunnel Authority PERB decision.

Voucher – A way to allocate and distribute education money directly to parents to pay for their children's education in a public or private school.

Wicks Law – A section of the General Municipal Law that requires school districts to award separate contracts for plumbing, heating/air/ventilation and electrical work.

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4-25/040

Onteora Central School District

School Board Member Handbook



Revised 3/29/18 Updated 5/26/22

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WELCOME AND CONGRATULATIONS

Being elected to a local School Board is a great honor bestowed upon a citizen. The constituents in your district have entrusted you with the enormous responsibility of overseeing the education of their children. You have the opportunity to give back to your community, impact the quality of education in your district and strengthen our democracy and our nation by ensuring a quality public education for all students.

As a new school board member, you have much to learn about the roles and responsibilities of a board member. With the increasing demand for educational excellence and fiscal accountability, the responsibilities of school boards are far more numerous and of greater impact than at any previous time in history.

Overnight, the newly initiated are expected to become skilled interpreters of school law, expert personnel managers and vigilant overseers of taxpayer's money. What's more, they are expected to function with the other board members as part of a united team, despite differences in backgrounds, political philosophies, knowledge levels and expertise.

The information enclosed is intended to give you an overview of your roles and responsibilities as a board member and to assist you in acquiring the knowledge necessary to be a skilled and effective board member. We hope you will find the information to be valuable as you provide leadership for your community in fulfilling its vision and mission for quality education.

7 SIGNS OF EFFECTIVE SCHOOL BOARD MEMBERS

by Kathryn Blumsack and Terry McCabe

Congratulations! You're now a member of the Board of Education. If you're like most new board members, you've worked hard to reach this point. You've listened to your community, and come to understand its values and concerns. Above all, you've embraced the transformative power of a great board to improve public education. Local control of education through elected school boards is a deeply held American political tradition. School boards may be small and local, but they represent perhaps the most important daily civic commitment we as citizens make to our communities, our children, and our future.

As a new board member, you bring sharp questions, innovative ideas, and fresh energy. You'll look at established routines and policies with new eyes, you'll challenge old assumptions, and you'll have the opportunity to share your perspective with your fellow board members. At the same time, you'll learn how to make a positive difference in the work of the board, and how to contribute most effectively to lasting change. We want you to be the most effective possible advocate for your community's educational vision and values. To help you succeed, we're going to share with you the seven practices of highly effective boards.

1. Going solo's a no-no

You were elected to your board as an individual. You've got issues that are priorities for you. And you'll get a lot of individual attention early on from friends, school employees, and community members who want you to tackle particular problems. The early temptation will be to say "yes' and use your power to fix things.

Except you won't have any power to use -- not as an individual, at least. As a school board member, you have no individual legal authority to fix problems or decide issues. One of the wisest things you can do is to help others understand that you can only get your work done as part of a team. We're not saying you can't try to take the lead on a particular issue, or that you have to stay silent -- not at all. In fact, the more you communicate and share with your fellow board members, the more likely you'll be able to gain support for your priorities and ideas.

Look at the long term: Your success as a board member is inextricably tied to the success of your board. You will be judged by what it accomplishes, not by what you as an individual tried to accomplish. In all the years (decades!) we've worked with school boards, we've never heard anyone say something like, "That's a bad board -- except for Mary Smith."

What do boards work on together? Everything. Consider the three main areas of board responsibility: legislative, administrative, and judicial. The first area of responsibility, legislative, refers to policy making. Effective boards adopt policies that give direction to the superintendent and staff, enabling them to manage the district. The board should seek appropriate input in the development of policy, and after adoption should hold the superintendent and staff accountable for its implementation.

Administration is the second area of responsibility. It includes approving and monitoring the budget, approving and monitoring district contracts, and hiring and evaluating the superintendent and appropriate staff. The administration should present the draft budget based on the goals and objectives outlined by the school board. It is up to the board to ensure that goals and objectives are truly aligned with the spending outlined in the budget. As for contracts, many states give final

approval and responsibility for major contracts to the local board. It is important that you understand the bidding process and follow ethical guidelines in approving all contracts.

Finally, the board's judicial responsibility refers to hearing formal appeals sessions brought forward by staff, students, or parents. Naturally, these appeals require confidentiality, impartiality, and a full understanding of school law and regulations. The judicial function is sporadic, but handling appeals properly is critical to the effectiveness and fairness of a school board.

2. Respect the team

You were elected as an individual, but you'll work as part of a team. The best way to succeed as a board is to practice collaboration and respect. Because boards deal with extremely difficult and vexing issues -- from budgets to grievances and everything in between -- it's common for emotions to sometimes run high. Keep in mind that you're in this for the long haul, and the best way to succeed is to be part of a strong team. Boards whose members treat one another with respect tend to be the most effective. Those whose members give in to acrimony tend to get less done.

Collaboration and respect don't mean consensus. Boards vote, and majorities rule. (But remember: This year's majority could be next year's minority.) There is honor in casting a sincere vote, win or lose. But, after the vote, effective boards move forward together. When you're new, every challenge will be a first-time challenge. But you'll come to realize that boards confront major issues all the time, and that a long-term commitment to collegiality and respect is critical to effective board governance.

The impact of respect goes beyond the board. The board sets the tone for the entire school system. Staff, students, parents, and the community are watching carefully to see how the board functions. Effective boards don't only handle their own work well -- they establish a model of collegiality and collaboration that builds confidence across the community that everyone is working to do what's best for students.

3. Understand the difference between board and staff

Effective board members refrain from trying to perform management functions that are the responsibility of the superintendent and staff. As a board member, it is your responsibility (along with your fellow board members) to ensure that the schools operate well. But it is not your responsibility to run them. That's what the superintendent is for. Boards do have great power, but it can seem a strange kind of power to new members because it's not the power to order individuals to "do this" or "stop doing that." It's the power to establish goals and policies, and then the power to demand accountability for reaching those goals and executing those policies.

The fundamental reason to refrain from trying to perform management functions is so you can hold the system -- and above all, its leader, the superintendent -- accountable for results. Accountability is the key, and many recent educational reforms aim to clarify and strengthen accountability.

If the superintendent understands that he or she will be held accountable by the board to reach goals and execute policies, then the board has achieved a key part of its work. If board members muddy accountability by trying to involve themselves in management functions, then any individual "win" in a particular case has the larger effect of undermining overall system effectiveness.

Here's a common situation for a new board member: You've been approached by concerned

parents or community members about fixing an issue. If this happened during an election, you may have assured the concerned individuals you'd tackle this issue right away. You should listen to such concerns and questions, but rarely if ever will it be appropriate for you to directly contact a principal, a teacher, or a coach to try to solve the problem. That's one of the main ways board members unintentionally diminish their effectiveness.

Part of your job is to help educate the school community about your responsibilities, explain the chain of command (or "chain of accountability," as some board members call it), and direct concerned individuals to the appropriate staff person.
A useful guide for new board members is your school system's policy on how to handle concerns from members of the public, to ensure that every concern gets a fair hearing and timely resolution. And if a concern merits board consideration, you should bring it up with your fellow board members.

4. Share and defend your views, but listen to the views of others

Your board sets the standard for communication within the district. Do you want your district to be open to a thorough discussion, or are you more interested in your own point of view? School board members must have the ability to compromise. You won't "win" on every issue you care about. More importantly, sometimes you'll find that the information, perspectives, and ideas others have may change your mind, or lead to a new and even better collaborative idea.

In the charged and urgent arena of public education, expect to be flexible, even as you seek to honor your deepest values and commitments. There will be times when changes must be made, when tradition cannot be honored, or when pressure must be resisted. Sometimes, you'll measure the true success of a board not by agreement, but by respectful disagreement and spirited discussion followed by a difficult vote. And after a difficult vote, effective boards embrace the decision and move forward together.

5. Do your homework and ask tough questions

Members of effective boards come to meetings prepared to engage in discussions, ask questions, and seek clarification. A lot of background information is required to make policy and assess accountability. In meetings, asking sharp questions can help clarify issues not just for yourself, but for students, families, the community, and even school system employees. Here are some good questions to keep in mind:
What is the goal of this initiative?
How does it align with our vision, mission, and system goals?
How much will it cost? What data tells us it's important enough to merit the cost?
What data supports the notion that it will achieve the desired results?
Are staff ready to implement it? If not, what's our plan?
How does it fit with our existing activities? Does it conflict with anything we're already doing?
How will we evaluate the results?

Board members are not career education professionals. Sometimes this feels like a handicap because of all the jargon, technical language, and policy details that board members, especially new board members, may not know. But keep in mind that, in American public education, local board members are not expected to be experts. They are responsible for serving as a bridge between lifelong education professionals and local communities. To build the bridge, some board

members like to ask plain questions. Michael Harvey, a board member in Maryland's Kent County, likes to encourage clarity and simplicity by asking, "How would you explain this policy to a parent?"

6. Respect your oath

Local school board membership is a public office and a public trust. New members swear an oath to uphold laws pertaining to public education. An important aspect of the public trust is to maintain confidentiality when appropriate. Many issues considered by school boards must be handled in confidence, in executive or closed sessions. These commonly include personnel issues, legal matters, negotiations, land acquisition, and grievances. Your state education laws determine which items must be considered in executive session or in appeals hearings, and specify the process for entering and exiting such a session. Everything discussed is confidential, with the exception of the summary public report the board president makes after the executive or closed session. If an individual board member
divulges information from a closed or executive session, he or she may be held legally responsible. Significant costs and legal challenges may arise for the individual member, the board, and the entire school district.

Note that, while executive or closed sessions are permitted, most states require any action as a result of that executive session to be conducted in a public forum. Just as it is important to adhere to confidentiality for matters that should be confidential, it is important to ensure that no open-session topics are discussed, or actions taken, in executive or closed sessions. When in doubt, consult your board lawyer.

7. Keep learning

Effective board members participate in professional development and commit the time and energy necessary to be informed and effective leaders. You should understand your school system's vision, goals, and policies; its current successes, challenges, and opportunities; and the educational environment in your community.

Most importantly, you should know the aspirations and expectations of the students and parents. At the national level, American public education is undergoing major and rapid changes. Understanding and translating them for your community's schools will require steady, ongoing work.

Many resources are available to you in this new position. You need to know about your state statutes and the organizing documents for your district. Work closely with your board chair and your superintendent to better understand district and board responsibilities. Your state school board association is a great resource for information and professional development. There are additional resources available through NSBA (www.nsba.org) and this magazine (www.asbj.com).

OK, new board members. That's our advice. Congratulations again on your new job and new responsibilities. It'll be exhausting, challenging, and sometimes painful. But, with luck, you'll share the experience of many other school board members in the great American tradition: the most rewarding job you will ever have.

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Veteran school board members offer advice and a heads-up:

Becoming a school board member can be a daunting task. To help, we called upon the collective wisdom and experience of our Reader Panel and other subscribers to tell us what advice they found helpful when they joined their school boards. We also asked what they wish they'd known before becoming a school board member. If you want to add your own advice, email it to us at editor@asbj.com.

What is the best piece of advice you received as a new board member?
Get to know what your role is as a board member, develop yourself in many ways, set goals for yourself, be positive, know your limits, and above all listen. -- Jo Ann Beamer, board member, Ohio

Do not be in a hurry to do something. It takes time to develop governance skills. -- Jill Wynns, board member, California

I am only one of five voting members and not a power of one. -- Richard Asadoorian, board member, California

Read and learn your board policies and state law regarding school boards. -- Ginny Moe, board member, South Carolina

Remember, you were elected by citizens. Try to carry their voices and needs. – Cynthia Shabb, board member, North Dakota

When people present you with a problem, make sure you ask them whether they have already discussed the issue with the building level administrator, i.e., principal, before bringing it to you. If they have not, ask them to before you begin investigating. -- David Mauffray, board member, Mississippi

Once a decision is made you should support the decision. If you disagree, try to change the decision. -- James R Dykeman, Jr., board member, Massachusetts

If it is not good enough for my child, it is not good enough for any child. -- Bill Kress, board member, New York

Read your school state laws and codes and ask questions about anything you don't understand. -- Terisa Fitzpatrick, board member, Illinois.

As long as you are working in the best interest for the students, vote your conscience. – Mary Mathes, board member, Indiana

Read everything and to be prepared. -- Iris Lane, board member, Virginia

If you feel like you are overwhelmed, you are micromanaging. -- Jim Butt, board member, Pennsylvania

Be respectful of the opinions and positions of your fellow board members. -- Scott M. Johnson,

board member, New York

Your primary constituents are the students -- who do not vote. -- Charles Wilson, board member, Virginia

Change takes time. Start slow and build to fundamental change. -- Sheldon Wigdor, retired board member, California

Don't surprise your superintendent or the staff with questions at board meetings. Give them a heads up that you will be raising an issue so that they will be prepared to speak about it. -- Jeff Phillips, board member, North Carolina

Don't take things personally. -- Vanessa Hatcher, board member, Illinois

Recognize the difference between policy and procedure. -- Bill Culbertson, board member, Kentucky

Create alliances with each board member, learn what they care about and how to present ideas to each and every person to speak to their beliefs. -- Mary S. Cunningham, board member, Virginia

Vote based on facts and data, rather than getting caught up in the politics or trading votes. -- Kyle K. Walker, board member, Oregon

Be open to listen from all stakeholders before making up your mind. -- Raymond Eng, board member, New Jersey

Go to the state association certified training as soon as possible. -- Peggy Taylor, board member, Missouri

At Board meetings don't respond immediately to criticisms or complaints -- Kathleen Oxberry, board member, Pennsylvania

What do you wish you had known before becoming a school board member?

I wish I had known that the board meetings are not always where the suggestions are made or where the work gets accomplished. -- Cynthia Shabb, School board member, North Dakota How much time it would take (and how many nights I'd be away from my family). -- Stephanie Gunderson, board member, Pennsylvania

All of the acronyms. -- Steven Hermann, board member, Missouri

I didn't realize that so much was prescribed by law. -- Terry Reed, board member, Indiana

How demanding the job can be when there are "hot button" issues pending. -- Cheryl D. Mayes, board member, Tennessee

The thing that surprised me the most was the level of respect that I received after being elected. Even people I had known for years and always on first name basis immediately started referring to me as "Mr." -- Joseph M. (Mickey) Furcron, board member, Texas

I wish I had known right from the start that I need to evaluate all requests that come my way and respond appropriately. -- Kathy Korte, board member, New Mexico

Constituents expect you to be on call 24/7. -- Sann Knipple, board member, Illinois

Your first year is like drinking from a fire hose. The amount of reading materials and data you will be inundated with is unbelievable. -- Ronald Sommer, board member Vice-President, New York

That I would actually feel good about being a trustee. -- Michael Castellano, board member, N.Y.

The misinformation that the public and parents have about public schools and how they educate children. -- Elaine G. Davis, board member, Louisiana

I wish I would have known how best to communicate collaboratively as a board with the superintendent. -- Michelle Engel, board member, Indiana

How rewarding it feels when things are going well, and to know you have been a good shepherd for the district. -- Nick Hankes, board member, Illinois

I wish I had known more about district finances. Early on, I heard someone say, "Show me where you put your money and I will show you where your priorities are." That is so true! -- Kathryn Simpson, board member, Washington state

That changing a system is hard work, even in a small district. -- Kacie Neaby, board member, Washington state

As a board member, you personally will not make any difference, but as a team, you will. -- Linda Kessler, board member, Wyoming

I did not realize how much "business" was involved. Purchases, leases, budgets, etc. I thought the work I would be doing would be closer to the children. -- Bill Bradley, board member, Mississippi

I wish I had known how easily misunderstood board decisions may be in the community and how important it is to over-communicate. -- Julia K Beckman, board member, Illinois

I wish I'd had a thorough study of Robert's Rules of Order. -- Ginny Moe, board member, South Carolina

Legal Authority of School Boards

The origin of School Boards occurred when the colonial legislature of Massachusetts passed a law that gave people the power to establish schools. In the 17th century, Selectmen, the elected representatives of the people, appointed townspeople to a committee to oversee schools. This was the beginning of local control of schools by lay citizens. From this beginning, school boards evolved.

The official duties of School Boards have changed throughout history. One of the primary documents that governs the actions of the school district is the New York Education Laws. Onteora Policy # 1310 outlines the Powers and Duties of a School Board Member in accordance with Articles 35 and 37 of New York State Education Law.

The Board of Education operates as a corporate body. Individual school board members have no authority to act independently, and can't commit or bind the board by their individual actions. Powers and duties of the board must be exercised by the board as a whole.

For the Board of Education to take action, the action must be voted on at a public meeting by a majority vote of the members elected to and serving on the board and a proper record made of the vote. The meeting must be properly convened and comply with proper notice to the board (Revised School Code; bylaws) and proper notice to the public (Open Meetings Act).

The regulations that govern how the School Board operates are determined by the Department of Education, New York State Board of Education, the Commissioner of Education, and Onteora School Policies and bylaws. It's important that you are aware of the policies and by-laws that the School Board has established and follow them carefully in order to avoid any fines and lawsuits for violations.

How a Board Works

What is a Board of Education?

A Board of Education is an elected body created by the New York State Legislature based upon the State's constitutional obligation to operate a state-wide public school system. The school board is the employing agent for the District, formulates policies, approves the curriculum, builds the school budget, places expenditure and bonding requests before the voters and maintains the school buildings. Board members are elected at-large to overlapping three-year terms of office. An action by the Board carries the same weight as a local law passed by any other local governmental unit.

How is the Board organized?

There are seven Board members. The President and Vice-President of the Board are elected by Board Members for one year terms at the annual organizational meeting in July. The President conducts the meetings, acts as spokesperson for the Board, and performs various other legal functions. The Vice-President conducts the meeting in the absence of the President.

What is the role of the Superintendent?

The Superintendent of Schools is the Board's principal advisor and as its chief executive officer the Superintendent is responsible for the execution of the Board's policies and the operation of the school district.

Are meetings open to the public?

Yes, however, the Board occasionally holds executive (closed) sessions. Under New York's Sunshine Law, the Board may call an executive session for the following purposes: personnel matters, negotiations, sale or purchase of property, matters involving litigation or matters required to be kept confidential by federal law or state statutes. At all other times an action of the Board must be taken in public session.

When and where are meetings held?

The Board of Education decides each July when and where meetings will be held. At this time Board meetings are held every other Tuesday with a snow date of Thursday. The meetings normally start at 6:00 p.m. and are held in various schools throughout the district. Please check the Onteora website for more information. Special meetings are generally held at the District office.

What happens at Board meetings?

The School Board meets to establish or amend policies and act upon the recommendations of the Superintendent. These recommendations can include personnel matters, building maintenance, curriculum and program matters as well as a review of the financial status of the District. Copies of the agenda are available on Board Docs and/or at the meeting.

Do citizens have a chance to speak at Board meetings?

Any person may address the Board at each meeting during Public Be Heard. The time for each public comment will be limited to 3 minutes per person. Individuals addressing the Board will be

asked to state their name and affiliated organization, if any, which they represent.

Will the Board provide an immediate answer to questions or concerns voiced at Board meetings?

No. Issues usually are more complex than that. The Board needs sufficient time to study all aspects and to hear others who have ideas on the issue. The Board will act as promptly as possible.

POWERS AND DUTIES OF THE BOARD

Policy 1310 By-Laws

The Board of Education shall have powers and duties as set forth in New York State Education Law, principally Articles 35 and 37, and other applicable Federal and State laws and regulations. In general, the Board shall have in all respects the superintendence, management and control of the educational affairs of the District and shall have all the powers necessary to exercise these powers expressly granted to it by the laws of New York State and the Commissioner of Education.

Duties and responsibilities of the Board of Education include, but are not limited to, the following:

a) Perform all duties and exercise all powers granted to it by the rules of the Board of Regents and the regulations of the Commissioner of Education.

b) Prescribe regulations and by-laws necessary for the effective conduct of all proceedings which include general management, operation, control of and discipline in the schools, and all other educational, social or recreational activities, and other interests under its charge or direction.

c) Establish and maintain such free schools for children and adults as the Board shall deem necessary to meet the demands of the District.

d) May maintain public libraries, and shall establish and equip playgrounds and recreation centers on District property.

e) Authorize the general courses of study which shall be given in the schools and shall approve the content of such courses before they become operative.

f) Determine where each pupil will attend, determine textbooks to be used, and regulate the admission and grade placement of pupils.

g) Create, maintain or abolish such positions and divisions as in its judgment may be necessary for the proper and efficient administration and management of its schools.

h) Prescribe rules and regulations for the care, control and safekeeping of all school property.

i) Provide all equipment, books, furniture, and supplies for the proper and efficient management of all schools.

j) In its discretion, conduct, authorize and maintain extra classroom activities. Prescribe rules and regulations to govern moneys received or derived from carrying on extra classroom activities.

k) Provide transportation, home teaching or special classes for students with disabilities and delinquent children in accordance with law and regulation, irrespective of the school they legally attend.

l) Call special elections when deemed necessary and give public notice of special or annual elections.

m) Appoint a School District Clerk who shall also be clerk of the Board of Education, and a School District Treasurer.

n) Visit the physical plant once a year and report at the next regular meeting of the Board of Education on the conditions thereof.

o) Visit each school in session and report at the next regular meeting of the Board of Education on the educational program.

Policy 2210
Education Law Sections 1604, 1709 and 1804
NOTE: Refer also to Policy #6540 Defense and Indemnification of Board Members and Employees

POLICY MAKING

Good business practice and, in many instances, the law itself require the Board to adopt written policies governing the operations of the schools and to make these policies easily accessible to school employees, parents and the general public.

Because policy-making is central to the board's governance and oversight responsibilities, it is imperative that adopted policy be clearly written, up-to-date and legally viable.

The Board and staff have specific roles in policy development, adoption, implementation, review and evaluation.

- Policy Development is a cooperative effort involving the Board the staff and the community.
- Policy adoption is the responsibility of the Board.
- Policy implementation is the responsibility of the Superintendent and staff
- Policy review and evaluation is the responsibility of the Board based on information received from the staff, community and other resources.

The policy-making process should result in policy that (1) reflects the board's intent and articulates a definite course of action, (2) delegates key responsibilities, and (3) declares desired outcomes.

Written Board policy fosters stability and continuity, establishes a legal record - and a legal basis - for many Board actions, forms the core of the District's written communication system and provides a framework for the Superintendent and staff to confidently assign duties and execute those assignments.

18 TENETS OF THE EFFECTIVE BOARD-ADMINISTRATIVE MANAGEMENT TEAM

Board Members Should

1. Recognize their function as being legislative and judicial, and respect the executive function of the superintendent.

2. Attend all board meetings and assure that the board does not meet in the absence of the superintendent except to discuss the superintendent's terms of employment.

3. Recognize that authority to act rests with the entire board or a legally constituted quorum of the board and that business may be transacted only in official meetings; refrain from making commitments to individuals/ organizations as one member of the board.

4. Support the superintendent as the executor of board policies.

5. Listen courteously to parents with questions, comments, and complaints, referring them to an appropriate member of the school staff in accordance with school policies.

6. Refer personal request and criticism by school staff directly to the superintendent in accordance with school policies.

7. Keep the superintendent and fellow members of the board advised of community reaction to school policies.

8. Submit items to be placed on the board meeting agenda according to locally adopted policy giving the superintendent sufficient time to assemble pertinent information.

9. Encourage and support the superintendent to consult with the staff and. community to seek opinions and recommendations for board consideration.

10. Require that meetings of the board be conducted on the basis of a planned agenda prepared by the superintendent in accordance with board policies and be made available to board members together with pertinent information prior to the board meetings.

11. Develop a clear set of policies re: such items as size of school, assigned responsibilities, budget preparation and format, staffing, admission policies, use of school property, public relations, etc.

Superintendents Should

1. Recognize his/her function as being executive and respect the legislative and judicial functions of the board.

2. Attend all board meetings except when the superintendent's terms of employment are under discussion.

3. Interpret official actions of the board to school employees and community groups in a faithful, accurate, and objective manner and not make any commitments to individuals or organizations outside the context of adopted school policy.

4. Faithfully and objectively administer the policies of the school as adopted by the board.

5. Establish a program of school-community relations leading to open two-way communications between the district and all parties.

6. Provide written grievance procedures for school staff and assure an effective means of communication among staff, board, and superintendent.

7. Keep the board continuously, adequately, and objectively informed concerning the school program, curriculum and problems. - current and anticipated.

8. Accept items to be placed on the board meeting agenda according to locally adopted policy, and gather pertinent information relative to the items on the agenda to be presented to the board.

9. Formulate with members of the school staff, board, and community, recommendations to be made to the board.

10. Prepare for all board meetings, in cooperation with appropriate board officers, and distribute agenda and supporting materials to board members in ample time prior to board meetings.

11. Carry out board policies and be held accountable for them. Assist the board in maintaining focus on policy matters and recommend and evaluate policy at all times.

18 TENETS OF THE EFFECTIVE BOARD-ADMINISTRATIVE MANAGEMENT TEAM (cont'd)

Board Members Should	**Superintendents Should**
12 Require that the administrative rules and regulations be in harmony with school policy.	12. Present to the board for its advice, counsel, and approval, administrative rules and regulations implementing the policies of the board.
13. Delegate full executive responsibility to the superintendent for establishing and operating a total school program of acceptable standards.	13. Accept full executive responsibility for establishing and operating a total school program of acceptable standards.
14Assume responsibility for adopting fiscal policies that will allow the superintendent to operate a total school program of acceptable standards.	14. Assume responsibility for presenting to the board responsible and detailed fiscal plans, both current and future, to assure the smooth operation of an acceptable total school program.
15. Adopt policies that will allow the superintendent and the designated staff to keep abreast of contemporary developments in education through conference attendance, in-service workshops and consultant services	15. Advise the board of programs designed to keep the superintendent and staff members abreast of contemporary developments in education.
16. Adhere to the guidelines in the superintendent's contract prior to the end of his/her contract about whether or not that contract is to be renewed.	16. Provide appropriate notice prior to the end of a contract whether or not he/she is planning to renew contract obligations.
17. Assure that the superintendent has the opportunity to meet with the boar din any final determination of his/her termination of services.	17. Provide the board with an adequate explanation if deciding not to renew the contract.
18. Act on the selection, promotion, demotion or dismissal of professional school personnel only after submission of a recommendation by the superintendent.	18. Present to the board recommendations for selection, promotion, demotion or dismissal of professional school personnel only after ascertaining that each person recommended for selection or promotion is the best qualified, in all ways, for the position.

ESSENTIAL ATTRIBUTES OF AN EFFECTIVE BOARD MEMBER

Even the most experienced board members never stop learning the technical details of the job. Being effective requires more than knowing the details of the tenure law or how to interpret the budget. Being a successful board member begins with a genuine commitment to striving for high quality public education that supports the full development of all children. Certain skills and attributes are consistently present in effective board of education members. Here are some steps to consider:

Be prepared to participate responsibly. Do your homework, come prepared to work, remember that sometimes the work is to listen; agree and disagree as your values dictate, and accept that the group decision is legitimate even if it's not your personal choice. It's not acceptable to have opinions and not express them.

Focus on serving all children. Ensure every deliberation, decision and action reflects the best interests of every student you serve. No child is more important than another.

Remember that your identity is with the community, not the staff. It's easy to identify with staff as you probably will have more discussions with them about issues. But you must remember that your job is to serve in trust for the community.

Represent the community, not a single constituency. You will understand and/or identify with certain constituencies (parents, neighborhoods or communities, special ed, etc.), but you MUST remember that being a board member means serving in trust for the entire community. There's no way seven people can provide a spokesperson for every constituency or legitimate interest, so in a moral sense you must stand for them all. You can be FROM a constituency, but you must not let yourself REPRESENT it.

Be responsible for group behavior and productivity. You are responsible for not only yourself but the group. If the group doesn't do its job, meddles in administration, or breaks its own rules, you personally share that responsibility.

Honor divergent opinions without being intimidated by them. You are obligated to express your honest opinions on issues, and so are each of the other board members. Encourage your colleagues to speak their opinions and listen to them carefully and respectfully. But don't allow yourself to be intimidated by louder or more insistent board members.

Use your special expertise to inform your colleagues' wisdom. If you have special expertise (law, accounting, construction, etc.) remember that you're NOT personally responsible for decisions relating to that area. Use your expertise to help inform your colleagues (i.e., help them understand what fiscal health looks like v. fiscal jeopardy) but don't assume sole responsibility for those decisions. Also remember that you're not on the board to help the staff or even advise them with your special expertise. Your job as a board member is to govern. If you wish to offer your help as an expert, make sure that all parties know you are acting as a volunteer, not a board member, and remember that asking for or accepting your help is a staff prerogative, not yours.

Be aware of the community and staff's perceptions of the board. If the board is perceived as being unethical, dishonest, secretive or self-serving, whether justified or not, that will become reality for the community and staff. Consider how stakeholders might interpret your behaviors and decisions then act accordingly.

Think upward and outward more than downward and inward. There is a great temptation to focus on what goes on with management and staff instead of what difference the district should make in the larger world. This requires ignoring the minutia or details in order to examine, question and define the big picture. The latter is a daunting and awesome task, but it's board work - governance!

Don't tolerate putting off the big issues forever. As daunting and awesome as the big decisions are, they are the board's to make. (What are our core values and beliefs about education in our community? Based on those where do we put our resources?) If you don't, you're abdicating your authority. Your inaction is a decision of sorts and if you don't make it, someone else will by default.

Support the board's final choice. No matter which way you voted, you are obligated to support the board in its decision. This doesn't mean you have to pretend to agree with it. You may maintain the integrity of your dissent. What you support is the legitimacy of the choice even though you don't agree. For example, you will support without reservation that the superintendent must follow the formal board decision, not your personal preference.

Don't mistake form for substance. Don't confuse having financial reports for having sound finances or having a public relations committee for having good public relations. Beware of the trap of having procedures rather than substance.

Don't expect agendas to be built on your interests. The board's agenda shouldn't be a laundry list of individual members' interests but a plan for taking care of the governance of the district. Being a community trustee is very different from seeing the organization as your personal possession. The board job must be designed to insure that the right of the entire community is faithfully served in the determination of what the district should accomplish.

Squelch your individual points of view during monitoring. Your own values count when the board is creating policies. But when you monitor the performance of the superintendent or the success of programs, etc., you must refer to the criteria the corporate board decided, not what your opinion was about those criteria. And as you review the criteria, your monitoring shouldn't be based on whether things were done the way you would have done them, but whether they were a reasonable interpretation of the board's policy.

Obsess about ends. Keep the conversation focused on values, mission, vision and goals (Who gets which benefits for how much?). Talk with other board members, staff and the public about these matters first and foremost.

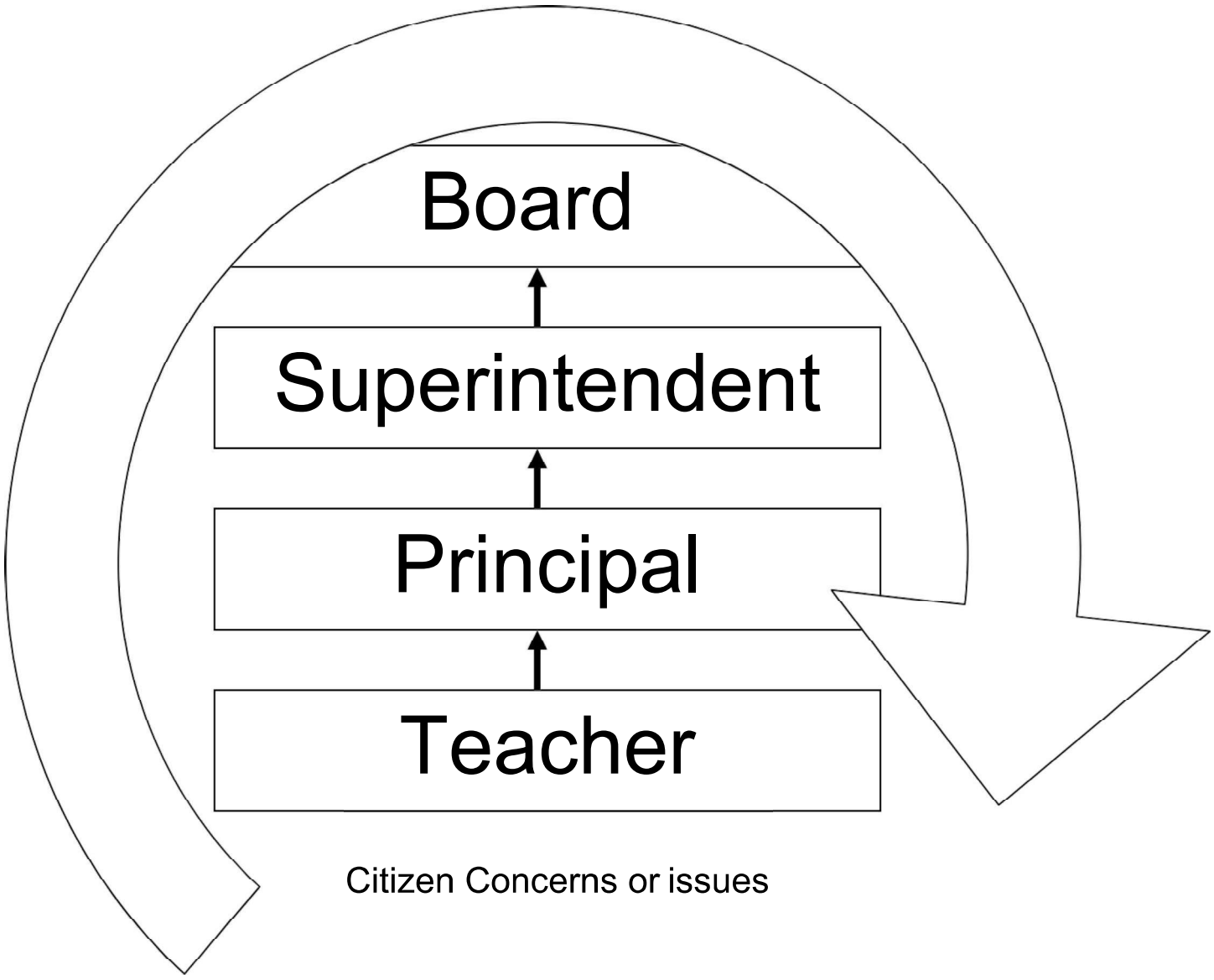
Continuously ask of yourself and the board, "Is this board work?" The deliberations of the board must add value. They must deal with fundamental, long-term issues that require the wisdom and decision-making of a diverse group of seven people who look at the whole - not just at pieces or the issue du jour.

Michigan Association of School Boards, A School Board Member's Resource Guide: First Year Orientation

WHAT IS THE CHAIN OF COMMAND?

The chain of command is to be used by board members and administrators to direct parents who call about concerns they have within the district. The best way to respond to parental complaints is to be a good listener, ask questions for better understanding and then redirect and guide the parent to the original source where the problem occurred. For example, if something happened in the classroom, then they should be referred back to the teacher for resolution. It's only when the issue can't be resolved at that level that the concern should move up the chain of command. The board of education should be the very last recourse for complaints.

It's reasonable to assume that most complaints that follow this chain of command can be resolved by school personnel before it ever reaches the board level.



Source: The School Board Member's Manual, The Essential Guide for Effective Service Jeff Straton

ADDRESSING PARENT QUESTIONS

Who Should a Parent Call if They Have a Question?

Students:

	Academics/ Classroom Procedures/ Discipline	**Athletics**	**Cafeteria**	**Special Education**
1st Contact	Teacher	Coach	Director of Food Services	Teacher
2nd Contact	Asst. Principal or Principal	Athletic Director	Principal	Principal
3rd Contact	Assistant Superintendent for Curriculum & Instruction	Assistant Superintendent for Curriculum & Instruction	Assistant Superintendent for Business	PPS Director
4th Contact	Superintendent	Superintendent	Superintendent	Assistant Superintendent for Curriculum & Instruction
5th Contact				Superintendent

Other:

	BOE Policies	**Building Use/Facilities**	**BOE Policies**	**Transportation**	**Taxes**
1st Contact	Principal	Principal	Principal	Principal	Tax Collector
2nd Contact	District Clerk	Assistant Superintendent for Business	District Clerk	Director of Transportation	Assistant Superintendent for Business
3rd Contact	Superintendent	Superintendent	Superintendent	Assistant Superintendent for Business	Superintendent
4th Contact				Superintendent	

ORIENTING NEW BOARD MEMBERS
Policy 2110

The election or appointment to the office of Board of Education carries great responsibilities to the community and children of the Onteora School District, along with the expectation of confidentiality. The Board of Education believes that participation in a program of orientation is helpful to any trustee elected to the Board of Education for a first term. Therefore, the following program of orientation shall be available:

a) Each newly elected or appointed Board of Education trustee shall be provided an opportunity to attend an orientation meeting with the President of the Board of Education and the Superintendent to tour the District buildings and discuss the following:

1. Refer to policy 2350, which is mandatory for new Board of Education trustees as of July 2011
2. Organization of the Board and District.
3. Board of Education Handbook

b) Each newly elected or appointed Board of Education trustee shall be invited to attend Board meetings prior to the commencement of their term. The District Clerk shall direct the newly elected Trustees to on-line. material pertinent to meetings and shall explain its use.

c) Each newly elected or appointed Board of Education Trustee shall be assigned a mentor from the sitting Board

d) Each newly elected or appointed Board of Education trustee elected or appointed to a first term shall be provided a portfolio of information prepared by the Superintendent. The portfolio shall contain, but not be limited to a copy of the following documents:

1. Board of Education Member Handbook
2. Board of Education website link (https://www.onteora.k12.ny.us/board-of-education) Includes goals, committees of the board, Board norms, minutes, etc.
3. Access to School Law book by NYSSBA (most recent edition). (This book is at Central)
4. Superintendent's and Assistant Superintendent for Curriculum & Instruction's current contract with the Board of Education https://www.onteora.k12.ny.us/about/agreements
5. All negotiated agreements with the Superintendent and Board of Education. https://www.onteora.k12.ny.us/about/agreements
6. Technology Plan. https://www.onteora.k12.ny.us/about/district-plans
7. Budget. https://resources.finalsite.net/images/v1549896539/onteorak12nyus/luvnr2szno2dhjg03kxo/2018-2019ApprovedBudget.pdf
8. Audit Committee Charter. https://www.onteora.k12.ny.us/board-of-education/committees-of-the-board
9. Board Docs Access.
10. Professional Development Plan. https://www.onteora.k12.ny.us/about/district-plans

Reference: OCSD Policy 2350 Board Member Training

Adopted: 11/23/21

NOTE: These link are available and updated in page 32

State-Mandated Training

Members of the Board of Education elected or appointed for a term beginning on or after July 1, 2005, shall, within the first year of their term, complete a minimum of six hours of training on the fiscal oversight, accountability and fiduciary responsibilities of a school board member.

Additionally, Board members elected or appointed for a first term beginning on or after July 1, 2011, shall, within the first year of his or her term, complete a training course to acquaint him or her with the powers, functions and duties of boards of education, as well as the powers and duties of other governing and administrative authorities affecting public education.

These mandatory trainings may be taken together as a single course or separately.

Each member shall demonstrate compliance with these requirements by filing with the District Clerk a certificate of completion of such course issued by the provider. Actual and necessary expenses incurred in complying with this requirement shall be a charge against the school district.

Every Board member will complete at least one training per year which addresses topics pertinent to serving successfully as Board members, in their roles as fiscal stewards, policymakers, and governance leaders. In years where Board members complete the state-mandated training, they are not required to take additional training under this paragraph. Such training can take the form of in-person conferences, online webinars or classes, facilitated retreats, or other format approved by the Board. The Board shall determine participation in training by majority vote. The Board shall include in the annual budget sufficient funds for at least one training per Board member per year.

The Board President and Board Vice President, when newly-elected, will complete at least one training on the duties, roles and responsibilities of school board officers. Such training can take the form of in-person conferences, online webinars or classes, facilitated retreats, or other format approved by the Board. The Board shall determine participation in training by majority vote. The Board shall include in the annual budget sufficient funds for at least one such training per newly-elected Board officer.

Cross-ref: 2110, Orienting New Board Members
2320 Attendance by Board Members at Conferences, Conventions, and Workshops
6161, Expense Reimbursement

Ref: Education Law §2102-a

Adoption date: 11/23/21

BOARD COMMUNITY COMMUNICATIONS
Policy 2130

The Board of Education encourages transparent engagement and communication with the school community.

One of the most direct ways to communicate with the Board as a whole is during the Public Be Heard portion of the Board's public meetings (see Policy #1512)

The Board can be reached as a whole via email at onteoraboe@onteora.k12.ny.us.
While members of the Board may receive individual communications from the public, individual trustees cannot make decisions for, or represent positions of the Board as a whole, unless they have previously been publicly determined.

The Board directs the District Clerk to receive and review physical letters sent as correspondence to the Board. Anonymous letters will be reviewed and filed by the District Clerk, except as may be required pursuant to law or Board policy when correspondence pertains to: whistleblower complaints, retaliatory behavior, sexual harassment, allegations of fraud, health and safety issues, and legal issues.

The Board may also call upon the Board Communications Committee, if appropriate, to assist with community communications, in concert with the Administration.

#1512 Public Be Heard: Regular Board Meetings/Workshop Sessions
#5572 Allegations of Fraud
#5573 "Whistle-Blower" Protection Policy
#3421 Sexual Harassment

Adopted: 12/8/20

Board of Education is a body corporate (§1701 Education Law).
Concept of Quorum (§41 General Construction Law)-A quorum is a majority (more than one-half) of the total number of members on the Board of Education (e.g., for a five- member board, three members would constitute a quorum; six or seven member board, four members). A quorum must be present in order to convene a Board meeting and a quorum vote is required in order to take action (e.g., by resolution).
Exceptions: Supermajority voting requirements: discontinuing a designated textbook within five years of adoption requires a three-quarters (3/4) vote of the Board of Education; if a relative, by blood or marriage, of a Board member is employed in a teaching position or appointed to tenure, a two-thirds (2/3) vote of the Board of Education is required; standardization on a particular type of equipment or supplies must be determined to be in the best interests of the District by a two-thirds (2/3) vote of the Board of Education; a vote to place a proposition before the voters for an object or purpose for which bonds may be issued requires a three-fifths (3/5) vote of the Board of Education.

Individual Board members have no inherent powers by reason of holding office without power to individually authorize action or to direct personnel
EXAMPLES: *Matter of Balen*, 40 Ed. Dept. Rep. 479 (2001) - Board member removed for directing supervisor to give overtime work to employees. *Appeal of Wallace*, 46 Ed. Dept. Rep. 347, Dec. No. 15,529 (Feb. 14, 2007) Involved the right of board members to express an opinion on the school budget and other propositions. In Wallace, the board president wrote a letter to the editor of a newspaper explaining a voter proposition seeking approval for a building project. The by-line of the letter identified the writer as a member of the board. According to the commissioner, that by-line gave the impression that the board president was speaking in his official capacity. The commissioner cautioned board members who wish to express their personal opinions about issues before the voters to ensure that they clearly distinguish their personal views from those of the board they represent. Therefore, when writing a letter in support of an issue before the voters, school board members must be sure to explicitly state that the letter expresses their personal views.

Duty of Confidentiality regarding lawful presentation of confidential matters in executive session or Board packet materials (§805-a General Municipal Law, Application of Nett & Raby, 45 Ed. Dept. Rep. 259 [2005]).
The Commissioner placed all Board members on notice that breach of confidentiality regarding a matter that legitimately may be discussed in executive session could result in the Board member ' s removal from the Board. Unlike the definition of confidentiality previously announced by the Committee on Open Government in its advisory opinion letters, the Commissioner will hold Board members accountable for maintaining as confidential information intended to be kept secret that is a proper subject for executive session (see Appendix "B"), a broader definition than those matters made confidential by statute. The Commissioner opined that only a quorum vote of the Board can act to relinquish the protection afforded to lawful speech exchanges in executive session: "In the course of their duties, school board members are required to discuss and debate difficult and sensitive issues, including matters involving employee discipline, collective bargaining tactics and litigation strategies. The law specifically recognizes the delicacy of these matters by permitting them to be discussed in private (see Public Officers Law § l 05). The purpose of this exception to the open meetings rule is to enable public officers to deliberate freely and speak frankly in ways they might not if these discussions were held in full public view."

Several months before issuing the Nett & Raby Decision, the Commissioner in Appeal of Hoefer, 45 Ed. Dept. Rep. 66 (2005) upheld the removal of a board member for violating that district's Ethics Policy and for disclosing the district's salary proposal for collective bargaining.

Many modern School District Codes of Ethics extend the confidentiality restriction to matters included in the Board packet that would qualify under the executive session confidentiality test. There is every reason to believe that the Commissioner would uphold the removal of a board member who discloses opinions and recommendations from the Superintendent (who under law has the right to address all matters that come before the Board) that involve matters which may be confidentially discussed in executive session. Such Codes of Ethics cite such violations as actionable official misconduct.

A deliberative process privilege has been recognized under law applicable to New York school districts and may extend to certain confidential documents issued by the Superintendent to the Board in the meeting packet addressing executive session matters. This privilege extends to documents that are pre-decisional in nature and that are related to the decision making process of matters determined within the context of the executive session. The privilege does not, however, extend to previously found facts (E.B. v. New York City Bd. of Educ., 2005 U.S. Dist. Lexis 35898 [EDNY.

2005]). The deliberative process privilege, also known as the executive privilege, "is premised upon the assumption that 'effective and efficient governmental decision making requires a free flow of ideas among governmental officials and that inhibitions will result if officials know that their communications may be revealed to outsiders'" (New York City v. Dinkins, 807 F. Supp. 955, 957 [SDNY 1992] citing In Re Franklin Nat'! Bank Sec. Litig., 478 F. Supp. 580-581 [EDNY 1979]; see, also Bobkoski v. Board of Educ. of Cary Consolidated School District, 141 F.R.D. 88 [EDNY 1992]). Documents of this nature are exempt from disclosure under the Freedom of Information Law as intra-agency memoranda that precede final board determinative action.

As the Commissioner stated in Nett & Raby: "A Board member who chooses to divulge information that the board as a collective body properly decided to discuss in confidence...effectively thwarted the will of the majority and invalidated its action as a corporate body. Such conduct is contrary to the basic principles of school board governance."

Board as a policy making body
Statutory Sources
§1709(1) Education Law - By-Laws and Rules
§1709(2) Education Law - Order and Discipline
§1709(13), (16) & (33) Education Law- Governance Provisions

Distinguishing By-Laws and Policies
By-Laws - rules for the functioning of the Board, its committees and public meetings.
Policies - same effect as local laws and ordinances, expressing how the District operates in relationship to its students, educational programs, personnel administration, business functions and facilities use.

District-wide Code of Conduct (Section 2801, Education Law; 8 NYCRR §100.2[1][2]) - Students, Staff, Parents, Invitees, Public Code of Ethics for Board Members, Officers and Employees (Section 806[l][a], General Municipal Law) - Provides standards of conduct for officers and employees regarding: conflicts of interest and incompatible offices conduct expressly required or prohibited by statute other conduct not expressly prohibited by statute that the Board of Education may seek to regulate Guidance Documents Family and Medical Leave Act

The Role of Policy
Informs the public of District rules , philosophy and culture. Informs students , staff and community members of rights, privileges and restrictions Responds to legal mandates Establishes commitment and benchmarks for accountability May limit liability Assures consistency in governance Implications of Poor Policies and Failure to Implement Policy Procedural and Substantive Due Process concerns Equal Protection claims.

Challenges regarding the rational basis for policy or use of least restrictive means when fundamental constitutional rights are implicated.

Elements of Good Policy
Legality
Clarity
Expresses your philosophy
Brevity, to the extent practicable
Coordinated with implementing regulations and exhibits, where applicable
Training available to new and veteran Board members
New York State School Boards Association, National School Boards Association, County School Boards Associations.

Training required of new Board members
Fiscal Training (Section I 70.12[l][A] and [BJ of the Commissioner's Regulations) :
All Board members elected or appointed for a term beginning on or after July 1, 2005 must, within the first year of their term, complete six hours of training on financial oversight, accountability and fiduciary responsibilities of a board member. The training may be in one session or several sessions and must be given by SED, the Office of the State Comptroller or a provider approved by the Commissioner of Education. The curriculum must be approved by the Commissioner of Education in consultation with the State Comptroller.

Upon completion of the training, a certificate will be issued to each board member, whose responsibility it will be to file the certificate with the school district clerk. Once trained, there is no requirement to be trained again. Separate training is not required for service on a BOCES Board or Central High School District Board.
School Board Governance Training
All Board members elected or appointed to the Board and taking office for the first time on or after July 1, 2011 must complete within the first year of their term, training intended to acquaint new Board members with the powers, functions

and duties of Boards of Education, as well as the powers and duties of other governing and administrative authorities affecting public education (e.g., SED, Board of Regents), with consideration to the Board's role in educating students, encouraging the attainment of higher student achievement and ensuring students have the opportunity to achieve an education that prepares them to succeed in college or a career. The curriculum must be approved by SEO.

Upon completion of the training, a certificate will be issued to the board member, who must file it with the school district clerk.

Implementing the Fiscal Accountability Laws and Regulations
The Audit Committee
The Internal Audit Function
Claims Auditor Accountability

Procedure for Requesting Employee Personnel Records
Part 84 of the Commissioner's Regulations provides the procedure to be used when a Board member wishes to review employee personnel records, as follows:

Any Board member may request that the Superintendent of Schools bring personnel records of a designated employee or employees to any open meeting of the Board.

The Board may determine whether to convene an executive session for the purpose of conducting an examination of those records. The Board member must articulate a rationale consistent with the reasons specified in the Regulations (e.g., to assist them in fulfilling their legal responsibilities in making decisions in employee personnel matters such as appointments, assignments, promotions, demotions, remuneration, discipline or to aid in the development and implementation of personnel policies).

After the review in executive session, the records are returned to the Superintendent of Schools.
In Appeal of Meyer and Pavalow, 46 Ed. Dept. Rep. 43 (2006) (Dec. No. 15,436), the Commissioner determined that an individual Board member does not have "unfettered access to personnel records" and a statement merely that the purpose for review is to enable the Board to carry out its legal responsibilities under the Education Law is insufficient to comply with the open meetings law.

Board responsibilities Under Taylor law
The collectively negotiated agreement is between the Superintendent of Schools and the employee organization (union). The Board must appropriate the funds for the collectively negotiated agreement or for other expenditures negotiated (such as in a supplemental memorandum of agreement).
Board approval is not required where there is a change that does not result in the expenditure of school district funds.

Statutory Indemnification and Insurance for Leaders Liability and Employees (Errors and Omissions)
§3023 Education Law - negligence (applies to employees and volunteers - not Board members)
§3811 Education Law - volitional acts (applies to Board members)
§3028 Ed Law - criminal defense for excessive use of force (not usually a Board member issue)
§18 Public Officers Law - requires affirmative resolution adoption (covers current and former Board members) and is supplemental to the Education Law coverage.

What to do when Board member is individually named as a defendant
Send letter immediately (e.g., within 5 days) to District Clerk, including name of litigation, asking for a defense and indemnification by the District pursuant to the statutory provisions and attach a copy of the litigation papers.

Board Member Immunity Status
State Law - Qualified Immunity (so long as remarks are not malicious or in reckless disregard of the truth) - speech not directly necessary for carrying out official duties (but the District may still be held liable for monetary damages). Case dismissed after depositions on motion for summary judgment.
CAVEAT: Creating liability for the School District based upon Respondent Superior Theory even if the case is dismissed against individual Board members .
Federal Law - usually §1983 Federal Civil Rights Litigation
Defenses: Absolute Immunity for legislative acts and quasi-judicial acts. Qualified Good Faith Immunity so long as action doesn't violate clearly established federal constitutional or statutory law.
Example: Not giving a long-term suspension hearing to a student being disciplined 31 years after the United States Supreme Court decided the case of Goss v. Lopez, 419 U.S. 565 (1975).
CAVEAT: Punitive damages may be assessed for flagrant violations of clearly established federal constitutional or statutory law. New York State public policy does not allow public or insurance company indemnification of such assessments against individuals - not to be fearful - just be aware when taking action to do so on an informed basis with legal advice.

Fiduciary Duties
Board members are deemed to be fiduciaries of the School District and must execute their offices in a manner that does not constitute gross negligence.
Statutory indemnification does not apply to Board members and former Board members who are sued by their Board of Education for a breach of fiduciary duties.
[NOTE: The statute of limitations has been determined by the courts to be six years.]

Recent Legal Developments
New Probationary Term and Tenure Conferral Law:
Effective July 1, 2015 when the Board of Education appoints certified administrators, teachers and teaching assistants to full-time vacant positions, the standard probationary term will be four (4) years instead of three (3) years.
Jarema Act Credit: For teachers only the four (4) year probationary term will be reduced to two (2) years, only if the appointment to probation is immediately preceded by two (2) years of regular full-time substitute service in the same tenure area as the previous substitute service AND the teacher must have received Annual Professional Performance Review (APPR) ratings pursuant to §3012-c and/or §3012-d of the Education Law for each of the two (2) years of full-time regular substitute service. (NOTE: Unlike the previous law, it appears that no Jarema Act Credit may be granted for one, two or three semesters of such substitute service - only two consecutive years of the same.)
Prior Tenure: For teachers only the four (4) year probationary term will be reduced to three (3) years if the teacher produces evidence that he or she received tenure in the same school district, another school district or BOCES AND that he or she was evaluated pursuant to §3012-c and/or §3012-d of the Ed Law in the final school year of employment in the school district in which he or she was last employed.
Grant of Tenure: For classroom teachers and building principals, in order to be granted tenure, the classroom teacher or building principal must have received composite or overall APPR ratings under §3012-c and/or §3012-d of the Education Law of either Effective or Highly Effective in at least three of the four preceding years. If the classroom teacher or building principal receives an Ineffective composite or overall rating in the final year of the probationary period, he or she will not be eligible for tenure at that time.
Appointment Resolutions: Every resolution making a pedagogical probationary appointment must include:

- Name of appointee
- The tenure area or areas of appointment
- Date of commencement of probationary appointment and the expiration date (e.g., September 1, 2015-August 31, 2019)
- The certification status of the appointee (e.g., internship, initial, provisional, permanent certificate) and the area or areas of certification.
- The resolutions must also include in the body of the resolution or by reference to a footnote, the following language:
- In order to be eligible for tenure, a classroom teacher (or building principal) must receive composite or overall annual professional performance review ratings pursuant to Education Law Section 3012-c and/or 3012-d of either effective or highly effective in at least three (3) of the four (4) preceding years. Further, if the probationer receives an ineffective composite in the final year of the probationary period he or she shall not be eligible for tenure at that time, in which case the Board of Education, in its discretion, may extend the probationary term for an additional year.

THE OPEN MEETINGS LAW

The Open Meetings Law (Section 100 et seq. of the New York State Public Officers Law ["POL"]) defines how school boards, their sub-committees and other legally mandated committees must notice their meetings. Failure to follow its requisites could result in the annulment of Board action, paying the legal fees of a petitioner who brings suit and the undermining of the public's confidence in the governance team. While there have been several authoritative court decisions interpreting the provisions of the Open Meetings Law, much of the legal analysis relied upon for determining compliance has come from the Committee on Open Government in the form of advisory opinion letters issued by its executive director.

MEETINGS

Meetings of a "Public Body" are subject to the Open Meetings Law notice and conduct requirements.

Board of Education Meetings
Board of Education Committees and Subcommittees
Shared Decision Making Committees
Audit Committee
AIDS Advisory Committee
Title I ESEA Committee
Any other committee required by law, but not advisory committees (e.g. facilities planning or educational planning committees) established at the discretion of the Board. (See POL§ I 02[2]).

When the Board conducts business.

Defined as voting and/or deliberating about school district business (POL § 102[1]):
A "Retreat" is not a meeting for the purposes of the law if it is limited to team building and communication skills (OML-A0-2733) or interpersonal relationships among Board Members (OML-A0-2764).
Briefing on financial status is not an appropriate topic for a Retreat and must be done at an open meeting (OML-A0-3709).
Action or voting via telephone conference call, emails or a series of telephone calls constitutes an unlawful meeting (OML-A0-3732, 3787).

Holding an "e-Meeting" in a chat room with notice to the public constitutes an unlawful meeting (OML-A0-3928).
While video-conferencing may be used for conducting an open meeting as per §102(1), emailing is not a lawful means to conduct business (OML-A0-3257).

How and When Notice of Meetings Must Be Given.

Meetings Scheduled at least one week in advance must be noticed for at least 72 hours before the meeting (POL§ 104[1]).
Meetings called for less than a week in advance must be noticed as soon as is practicable (POL§ 104[2]).

Media Notice must be given as well as posting in one or more designated public locations, such as the public library, post office, town or village hall, school kiosk (POL§§ 104 [1] & [2]).

If videoconferencing is to be used the meeting notice must identify all locations where participants will be located and the public must be given access to each location (POL§ 104[4]).

Notice must be placed on the School District website (POL§ 104[5]).

Public Access to Information to be Discussed Publicly at Board Meetings - Two requirements were added to the Open Meetings Law in 2012 for the stated purpose to enhance the public's ability to meaningfully observe the proceedings of public bodies.

Upon request, any document subject to disclosure under the Freedom of Information Law (FOIL), as well as any resolution, rule , regulation, policy or policy amendment scheduled to be discussed at an open meeting, must be made available, to the extent practicable, prior to or at the meeting.

Documents scheduled to be discussed at an open board meeting must be posted on the school district's website, to the extent practicable, prior to the meeting at which they will be discussed.

The new provision does not expand the scope of documents that are available to the public. Documents exempt from disclosure under FOIL, such as intra-agency or inter-agency materials that consist of advice, opinion, recommendation or suggestion, do not have to be released prior to meetings or at all.

Documents that may be properly discussed in executive session also need not be disclosed.
The phrase "to the extent practicable" was intended to give school districts flexibility. In its Guidance, the Committee on Open Government notes that the extent, manner and timing of disclosure must be based on a "reasonable and practicable" evaluation of the facts and circumstances.
Example: If a record scheduled to be discussed at a board meeting does not become available until an hour before the meeting , it is unlikely that it would be a violation of the new law if the district did not post the record on its website prior to the meeting.

Individual Board member communications and briefings.
Individual Board members may confer by telephone or electronic mail, but calls/ electronic communications among Board members that result in a decision would violate the law (OML-A0-2256). A conference call among a quorum of board members or a series of phone calls would, likewise, be in violation (OML-A0- 3732).
Board members, in less than quorum groups, may receive a briefing from administration regarding the tentative budget before its public presentation (OML- A0-3452)

Public Presence and Participation.
The Board must be seated where the audience can be fully aware of and listen to the deliberative process and voting (OML-A0-2575).

Public bodies, including school boards , must make reasonable efforts to ensure meetings are held in an appropriate facility that can adequately accommodate those who wish to attend the meeting.

The law does not require public speaking segments at Board meets but the same may be required by Board By-laws or Policies, as well as public hearings described in different statutory provisions (OML-A0-3845).

Unobtrusive video cameras may not be prohibited from use at meetings (Csorny v. Shoreham Wading River Cent. Sch. Dist., 305 A.D.2d 83 [2d Dept. 2003]).

Meetings of a public body, including a school board, that are open to the public must also be open to being photographed, broadcast, webcast or otherwise recorded and/or transmitted by audio or video means. School boards can adopt reasonable rules governing the location of equipment and personnel used for such purposes to ensure that the meetings are conducted in an orderly manner. Any such rules must be consistent with recommendations from the Committee on Open Government and conspicuously posted during meetings with written copies available to those in attendance.

Meetings are not prohibited on holidays or weekends (OML-A0-2458).
Meetings held in the early morning hours (e.g. 7:20 AM) have been cited as being inconsistent with the law (OML-A0-3828).

Gathering behind closed doors before a meeting to discuss school business (e.g. contingency budget) is unlawful (OML-A0-3860; OML-A0-2754).

Advisory building level committees need not meet in public because they are not "public bodies" under the law (OML-A0-3167).

Confidentiality Requirements.
Disclosing information shared in executive session, without the consent from a quorum of the Board, could invade personal privacy, impair collective bargaining or otherwise damage governmental functions even if the Open Meetings Law wouldn't preclude such disclosure (OML-A0-3562).

Under the decisional law of the Commissioner of Education, disclosure of information that was obtained in a lawful executive session discussion could give rise to removal from the Board of Education, notwithstanding how the disclosure would be viewed under the Open Meetings Law. (Application of Nett & Raby 45 Ed. Dept. Rep. 259 [2005]).

The law does not allow the disclosure of matters discussed in executive session that were made confidential by pre-existing statute or common law (e.g. by an Act of Congress - FERPA, or by the New York State Legislature - Public Health Law - AIDS identity protection or attorney-client privileged communications). (See POL § 108 [3]; OML-A0-3463).
A secret ballot may not be used in electing Board Officers (FOIL-A0 -122126) .

Quasi-judicial proceedings of a Board of Education are exempt from the Open Meetings Law requirements (e.g. Civil Service Law § 75 record review and deliberations and Education Law § 3214 Appeals [see POL §Sec. I 08 (1)]).

EXECUTIVE SESSION
An executive session may not be scheduled before a meeting but must occur during a duly convened open meeting (OML-A0-872; OML-A0-1189, OML-A0-1441).

A resolution adjourning into executive session must specify the purpose(s) and must not recite all of the reasons why a Board may conduct an executive session. (Gernatt Asphalt Prods., 87 N.Y.2d 668 (1987]).

Only voting on Section 3020-a Education Law Charges and the arrangement of the placement of children with IEPs may take place in executive session (Formal Opinion of Counsel [SED] No. 239).

Any agenda of a Board meeting that refers to executive session must not state that there will be an executive session but, rather, may state "Proposed Executive Session" or "Executive Session-IfNecessary" (OML-A0-1420; OML-A0-2416).

The members of the Board and those specifically invited may attend executive session (OML-A0-1052; OML-A0 -2389) . Typically the Board Clerk and Attorney are attendees (OML-A0 -3864)

Where a member of the Board has sued or is likely to sue the District, s/he may be excluded from executive session during the discussion of such matter (OML-A0- 3436).

A Board member-elect may be permitted to attend executive session but should be excluded when legal advice is given by an attorney to avoid breach of the attorney- client privilege (OML-A0-31577).

The Superintendent of Schools does not have the right to attend executive session by reason of the Open Meetings Law but, under the Education Law, has the right to be present based upon his or her right to speak to all matters that come before the Board (OML-A0-4027; OML-A0-3864; Education Law§§ 1711 & 2508).

There is no limit on the number of executive sessions that may be conducted during the course of an open meeting (OML-A0-1281).

In the case of proposed litigation, the resolution should refer to discussing litigation strategy regarding the proposed litigation (OML-A0-3646)

To discuss labor negotiations in executive session, the bargaining unit must be cited in the resolution to adjourn into executive session (OML-A0-4091)

A resolution to adjourn to executive session may not refer to "personnel" because only individual employee matters may be the subject of executive session (OML- A0 -1300; OML-A0-2276).

Budgetary considerations for the elimination of positions may not be discussed in executive session (OML-A0-2203).

The evaluation of the superintendent and his/her contract may take place in executive session, but discussing the criteria for hiring a new superintendent should take place at an open meeting (OML-A0-2459; OML-A0 -2695).

Receiving legal advice from an attorney need not take place at an open meeting or even in an executive session. However, decision making about the litigation must occur at a meeting (e.g. executive session discussion and action by public vote) (OML-A0-1376).

A resolution to adjourn to executive session to discuss a potential sale or purchase of real property need not identify the parcel, but must recite that the purchase price, for example, would be discussed (OML-A0-2373).

Two governmental bodies may not hold a joint meeting in executive session (OML- A0-3646).

Setting the per diem substitute pay rate for non-unionized substitutes may not be discussed in executive session (OML-A0-831).

Scope of Construction Project work may not be discussed in executive session (OML-A0-3198).

ENFORCEMENT AND REMEDIES

Any person may bring a Civil Practice Law and Rules Article 78 Proceeding to challenge actions taken allegedly in violation of the Open Meetings Law.

Upon "good cause shown" a Board action may be annulled by the Court, except that an unintentional violation of the notice provisions, standing alone, shall not form the basis for annulling such action (POL § 107[1]).

If a court determines that a public body, including a school board, has failed to comply with the requirements of the Open Meetings Law, the court may: (1) declare the action in violation of law void, in whole or in part, without prejudice to reconsideration; and (2) require the members of the public body to participate in training sessions conducted by staff of the Committee on Open Government.

Reasonable attorneys' fees may be recovered by a petitioner who proves a material violation of the Open Meetings Law (POL§ 107[2]).

The Statute of Limitations runs from the date when executive session minutes are made available to the public where the action challenged took place in executive session

Board Orientation Important Links

Board of Education Website: Goals, Committees, Norms, etc.

Superintendent, Assistant Superintendents, Union Negotiated Contracts

Technology Plan After you click the link, click on “Plans”

Current Budget – Scroll down on webpage

Audit Committee Charter

Board Doc Access – from Amanda

Professional Development Plan After you click here, click on “Plans”

Meeting Minutes and Schedule

The Onteora Policy Manual

COMMON EDUCATION TERMINOLOGY AND ACRONYMS

GLOSSARY OF EDUCATION TERMS

Academic Intervention Services (AIS) - Services required of the school district to provide extra help to students who are not yet meeting state learning standards.

Accountability - Requiring school districts and states to ensure that schools meet their goals/standards.

Alternative assessment -Any testing instrument other than standardized, multiple-choice questions, such as short-answer response and extended response, observation, individual or group performance assessment, and portfolios.

Annual Professional Performance Review (APPR) -An annual evaluation of teachers and principals that school boards and Boards of Cooperative Education (BOCES) must conduct, in accordance with law and the commissioner's regulations. In addition, each school board and BOCES must adopt an APPR plan to be filed in the district or BOCES office and made available for public review by September 10 of each year.

Appropriation -An authorization from the board of education or voters to make expenditures and to incur monetary obligations for specific purposes.

Assessed valuation - The monetary worth of all property in the district as determined by the municipal assessor.

Average daily attendance - The aggregate days of attendance during a given reporting period divided by the number of days school is in session during that period.

Basic Education Data System (BEDS) - The State Education Department's system for collecting basic information on all the state's elementary and secondary schools.

Block grants - Federal or state funding distributed in a lump sum directly to states or localities to administer and direct programs.

Boards of Cooperative Educational Services (BOCES) - are formed by a voluntary cooperative association of school districts in a geographical area that band together to provide services, such as special education and vocational programs, to their component local school districts.

BOCES aid - State funds to reimburse a district for part of the cost of BOCES services.

Categorical aid - State or federal aid which is intended to finance or reimburse a specific category of instructional or supporting program or to aid a particular target group of pupils.

Charter school - An "independent and autonomous public school" established under state charter school law, eligible for funding from both private and public local, state and federal monies.

Commissioner of Education - The chief executive officer of the Board of Regents and the State Education Department. appointed by the Board of Regents to enforce laws and policies relating to the state education system.

Common Core Learning Standards - A set of national standards that define the knowledge and skills students should have within their K-12 education careers in order to graduate high school, succeed in entry-level, credit- bearing academic college courses and do well in workforce training programs.

Contingency budget - The budget adopted by the board of education after a proposed budget or budget revote is defeated.

Cooperative Service application (Co-Ser) -A BOCES request to the commissioner of education for approval to operate a service.

Core curriculum - The body of knowledge that all students are expected to learn.

Data-driven decision making -Analyzing varied forms of data to identify educational strengths and/or weaknesses to plan for and implement improvements in student achievement as well as monitoring trends, and using this information to make decisions about the effectiveness of continuation or changes in district practices, curriculum, programs, procedures and policies.

Demographic data - Information describing the students and citizens of a school district; usually includes characteristics such as race, age, gender, income, educational level, birth rate, and profession.

Distance learning - A mode of delivering education and instruction via the internet without a student physically attending the class.

Education policy - Governing principles that serve as guidelines or rules for decision making and action in setting and achieving educational objectives.

Equalization rate - The percentage of full value at which taxable real property in a county, city, town or village is assessed as determined by the New York State Board of Real Property Services.

Executive session - A portion of the school board meeting

that is not open to the public.

Foundation aid - A state aid formula which pro- vides that the majority of school aid is distributed by a clear and predictable stream of funding.

Freedom of Information Law (FOIL) - A law that gives the public access to government records, as a way to foster increased under- standing of and participation in government. The law provides procedures for requests and a list of the kinds of records that are exempted.

Governmental Accounting Standards Board (GASB) - sets the accounting rules for all governmental entities, including school districts

Inclusion - Educating students with disabilities as appropriate in a regular classroom setting along with students without disabilities.

Individualized Education Program (IEP) - A written statement outlining the plan for providing an educational program for a disabled student based on the unique needs of that student.

Magnet school -A school that offers enriched curriculum in one or more subject areas; some- times used as a means of desegregation.

New York State Learning standards - The level of knowledge, skills and understanding that students should be able to demonstrate over time as a result of instruction or experience. There are two types of standards, according to the State Education Department: content standards (what children should know, understand and be able to do as a result of their schooling) and performance standards (acceptable levels of student achievement).

Open Meetings Law - A law that governs the conduct of board of education meetings. Part of New York's Sunshine Laws; see also Freedom of Information Law.

Performance-based assessment - Tests which measure students' abilities to perform tasks and solve problems rather than choosing answers from a number of possibilities.

Property Tax Cap - The tax cap limits a local government's (including school districts) over- all growth in the property tax levy to 2 percent or the rate of inflation, whichever is less.

Response to Intervention (RTI) - A method of academic intervention that is designed to provide effective assistance to children who are having difficulty learning through early intervention, frequent progress measurement, and increasingly intensive research-based instructional interventions for children who continue to have difficulty.

Student growth model -An accountability system that tracks student performance over time.

Tenure - Guaranteed job security, granted by state law to teachers after satisfactory probationary service, which cannot be rescinded except for cause.

Title I - A federal aid program under the Elementary and Secondary Education Act to provide schools with a high percentage of low income families with additional funds to improve academic achievement.

Triborough Amendment - An amendment to the Taylor Law, part of the Civil Service Law, that requires the terms of an expired collective bar- gaining agreement to remain in effect until a new one is negotiated.

Voucher -A way to allocate and distribute education money directly to parents to pay for their children's education in a public or private school.

Wicks Law - A section of the General Municipal Law that requires school districts to award separate contracts for plumbing, heating/air/ ventilation and electrical work

AASA - American Association of School Administrators

ADA -Americans with Disabilities Act; Average daily attendance

ADD/ADHD -Attention deficit disorder/ Attention deficit hyperactivity disorder

AED - Automated external defibrillators

AGE - Average grade enrollment

AIS - Academic Intervention Services

AP Program - Advanced Placement program

APPR - Annual professional performance review

BEDS - Basic educational data system

BOCES - Boards of Cooperative Educational Services

COOS - Career development and occupational studies

CIPA- Children's Internet Protection Act

CPSE - Committee on Preschool Special Education

CRT - Criterion-referenced test

CSD - Central School District

CSE - Committee on special education

CTE - Career and technical education

DASA - Dignity for All Students Act

DARE - Drug abuse resistance education

ECB - Educational Conference Board

ELA - English language arts

ELL - English language learners

ERS - Employees' Retirement System

ESEA - Elementary and Secondary Education Act

ESL - English as a Second Language

ESSA - Every Student Succeeds Act

FERPA - Family Educational Rights and Privacy Act

FTE - Full-time equivalent

GAO - General Accounting Office

GAAP - Generally accepted accounting principles

GASB - Governmental Accounting Standards Board

HSE - High School Equivalency Diploma

IDA - Industrial development agency

IDEA- Individuals with Disabilities Education Act

IEP - Individualized education program

LEP - Limited English proficiency

NAEP - National Assessment of Educational Progress

NCLB - No Child Left Behind Act

NSBA - National School Boards Association

NYCOM - New York State Conference of Mayors & Other Municipal Officials

NYCRR - New York Code of Rules and Regulations

NYSASBO - New York State Association of School Business Officials

NYSAA- New York State Alternate Assessment

NYSAP - New York State Assessment Program

NYSASA- New York State Association of School Attorneys

NYSAWA- New York State Association of Women in Administration

NYSCOSS - New York State Council of School Superintendents; The Council (preferred)

NYSED - New York State Education Department

NYSGFOA - New York State Government Finance Officers Association

NYSMSA- New York State Middle Schools Association

NYSSBA - New York State School Boards Association

NYSSMA - New York State School Music Association

NYSTCS - New York State Teacher Certification Examination Program

NYSUT - New York State United Teachers

PAC - Political action committee

PERB - Public Employment Relations Board

PILOT - Payment in lieu of taxes **PINS -** Persons in need of supervision **PLA-** Project labor agreement

Project SAVE - Safe Schools Against Violence in Education

RCT - Regents competency test

SAANYS - School Administrators Association of New York State

SARA - State Archives & Records Administration

SAT - Standardized assessment test

SASS - System of Accountability of Student Success

STAR - School tax relief program

STEM - Science, Technology, Engineering and Mathematics

STW - School-to-Work

UFSD - Union Free School District

UPK - Universal prekindergarten

YRE- Year-Round Education

Personnel Agenda for BOE Meeting 06/03/2025

RESIGNATIONS: INSTRUCTIONAL

NAME	POSITION/SCHOOL	EFFECTIVE DATE	REMARKS
Evans, Rebecca	Senior Typist/Woodstock	05/31/25	Retirement

ADMINISTRATIVE LEAVE OF ABSENCE

EMPLOYEE NUMBER	EFFECTIVE DATE FROM -TO	REASON
040125	06/04/25 – 06/17/25	Paid Administrative Leave
052825	05/28/25 – 06/17/25	Paid Administrative Leave

TEMPORARY APPOINTMENT: INSTRUCTIONAL

NAME	POSITION/SCHOOL	EFFECTIVE DATE	RATE
Kleine, Kylie	Physical Education- Leave Replacement	06/04/25 – 06/17/25*	BA Step 1

TEMPORARY APPOINTMENT: NON -INSTRUCTIONAL

NAME	POSITION/SCHOOL	EFFECTIVE DATE	RATE
Swenson, Coner*	Summer Custodial Worker	06/30/25 – 09/01/25	$20.00

pending pre-employment processing

SUBSTITUTE

NAME	POSITION	RATE
McKenna, Karen	Clerical	$15.50/hour
McKenna, Karen	Teacher (certified)	$150.00/day effective Sept 2025

Donations Received for Board of Education Approval, June 3, 2025			
Donor:	***Amount:***	***Purpose:***	***Appropriation:***
Beesmer Family	$200.00	Joan Beesmer 'Humble & Kind' Memorial Award	CM2989.400-15
Ralph Childers	$100.00	Erin McGurgan Memorial Scholarship	CM2989.400-31
Shane & Sarah Turck	$100.00	Erin McGurgan Memorial Scholarship	CM2989.400-31
Annette Hoffman	$300.00	Ruth Mueller Memorial Award	CM2989.400-15
West Hurley Fire Department	$500.00	Linda Kocher Memorial Award	CM2989.400-15
Hannaford	$36.00	The Owl PBIS Store at Woodstock	A2110.431.07
American Legion Auxiliary Post 950	$500.00	American Legion Veteran Appreciate Award	CM2989.400-15
Facilities USA	$10,000.00	Various Scholarships	CM2989.400-15
James H. Fitzgerald	$500.00	Various Scholarships	CM2989.400-15
Joanne Mulhall	$50.00	Levon Helm Scholarship Award	CM2989.400-10
Scott & Catherine Richards	$31.25	Leadership Scholarship	CM2989.400-15
Donald Allen	$300.00	Jane & Victor Allen Award	CM2989.400-15
Kingston Equipment Rental, Inc.	$500.00	Wyatt Baker Memorial Award	CM2989.400-15
Olive Fire Department, Ladies Auxiliary	$150.00	Aaron Thomas Award	CM2989.400-15
Rose & Kiernan Charitable Foundation, Inc.	$500.00	DEHIC Award Scholarship	CM2989.400-15
David Boucher	$1,000.00	Henry Boucher Award	CM2989.400-15
Community Bank	$500.00	Community Bank Awards	CM2989.400-15
Burkhardt, Barringer, Turck Families	$110.00	E. Ostrander Memorial Award	CM2989.400-15
Patrick & Jeannine Burkhardt	$100.00	E. Ostrander Memorial Award	CM2989.400-15
John & Lisa Barringer	$50.00	E. Ostrander Memorial Award	CM2989.400-15
Sarah & Shane Turck	$100.00	E. Ostrander Memorial Award	CM2989.400-15
	$15,627.25		

ONTEORA CENTRAL SCHOOL DISTRICT

BOARD MEETING –June 3, 2025

.....*CONFIDENTIAL* .....

SCHEDULE U 6/25
AGENDA: 06/03/25

COMMITTEE ON SPECIAL EDUCATION/PRESCHOOL SPECIAL EDUCATION RECOMMENDATIONS AND AMENDMENTS

The Committee on Special Education/Preschool Special Education has presented CPSE/CSE recommendations which have been placed on file in the Office of Pupil Personnel Services. If further review is necessary, please contact Amanda Allison, Assistant Superintendent.

Board Trustee for **June** review of recommendations: MEGHANN REIMONDO

RONDOUT VALLEY CENTRAL SCHOOL DISTRICT
PO BOX 9 • ACCORD, NY 12404 • (845) 687-2400

Paul Spadaro, Ph.D., Superintendent • Ext. 4803
Lisa I. Pacht, Asst. Superintendent • Ext. 4805
Meg Braren, Asst. Superintendent • Ext. 4863
Tabatha Biggane, Asst. Superintendent • Ext. 4812

May 7, 2025

Ms. Victoria McLaren
Superintendent of Schools
Onteora Central School District
4166 State Route 28
Boiceville, NY 12412

Dear Ms. McLaren,

In accordance with Section 912 of New York State Education Law, enclosed please find two contracts for Health and Welfare Services for resident students of your district attending High Meadow School located in the Rondout Valley Central School District.

Also enclosed is the list provided by High Meadow School of students who reside in your district, the annual approved rate per student, as well as an invoice for total services for the 2024-2025 school year.

At your earliest convenience, please have the health service contracts signed and return one copy to my office along with payment in the amount of $21,760.44 for the cost of (12) student(s).

If you have any questions regarding this contract, please contact our District Treasurer, Heather Mikesh, at (845) 687-2400 ext. 4808 or by email at hmikesh@rondout.k12.ny.us.

Sincerely,

Tabatha Biggane
Assistant Superintendent for Business Services

Rondout Valley Central School District
2024-2025 CONTRACT FOR HEALTH SERVICES

THIS AGREEMENT made in duplicate this 6th day of May 2025, by and between Onteora Central School District, COUNTY OF ULSTER, party of the first part, and THE BOARD OF EDUCATION OF THE RONDOUT VALLEY CENTRAL SCHOOL DISTRICT, ACCORD, NEW YORK, COUNTY OF ULSTER, party of the second part.

WITNESSETH, that whereas the party of the second part has been duly empowered by the provisions of Section 912 of the Education Law to enter into a contract for the purpose of providing health and welfare services for children residing in said school district and attending a nonpublic school located in the Rondout Valley Central School District, County of Ulster, State of New York to begin on September 1, 2024, and to end June 30, 2025.

NOW, THEREFORE, the said party of the first part hereby agrees to pay the party of the second part the sum of **$1,813.37** per student for health and welfare services to be provided under section 912 for 12 children residing in Onteora Central School District, Ulster County, State of New York and attending a nonpublic school in the Rondout Valley Central School District, County of Ulster, New York. See attached list of names.

And the party of the second part hereby agrees with the party of the first part as follows:

1. That the health and welfare services provided under Section 912 shall consist of the following:

Physician Services	Nurse Services
School Psychological Services	School Social Work Service
School Speech Pathologist Services	

Such services may include but are not limited to all services performed by a nurse, school psychologist, or school social worker or school speech pathologist, and may also include vision and hearing tests, the taking of medical histories and the administration of emergency care programs for ill or injured pupils.

2. The party of the second part will also furnish the following equipment to be used in providing such services if requested by the authorities in charge of the nonpublic school:

Supplies and equipment for use by physician, school nurse, psychologist, and speech pathologist (i.e., scales, supplies, and all other readily transportable equipment and supplies pertaining to delivery of services).

It is expressly agreed by and between the parties hereto that the services agreed to be supplied under this contract shall not include any teaching services.

It is mutually agreed that this contract shall not become valid and binding upon either party hereto until the same shall be approved by the Superintendent of Schools.

IN WITNESS WHEREOF, the parties have hereunto set their hands the day and year above written.

PARTY OF THE FIRST PART:

_____ _____
Superintendent of Schools or Trustee **Date**
Onteora Central School District

_____ _____
President of the Board of Education **Date**
Onteora Central School District

PARTY OF THE SECOND PART:

_____ 5-7-25
Dr. Paul Spadaro, Superintendent of Schools **Date**

_____ 5/7/25
Chris Schoonmaker, President of Board of Education **Date**

Rondout Valley Central School District
2024-2025 CONTRACT FOR HEALTH SERVICES

THIS AGREEMENT made in duplicate this 6th day of May 2025, by and between Onteora Central School District, COUNTY OF ULSTER, party of the first part, and THE BOARD OF EDUCATION OF THE RONDOUT VALLEY CENTRAL SCHOOL DISTRICT, ACCORD, NEW YORK, COUNTY OF ULSTER, party of the second part.

WITNESSETH, that whereas the party of the second part has been duly empowered by the provisions of Section 912 of the Education Law to enter into a contract for the purpose of providing health and welfare services for children residing in said school district and attending a nonpublic school located in the Rondout Valley Central School District, County of Ulster, State of New York to begin on September 1, 2024, and to end June 30, 2025.

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It is mutually agreed that this contract shall not become valid and binding upon either party hereto until the same shall be approved by the Superintendent of Schools.

IN WITNESS WHEREOF, the parties have hereunto set their hands the day and year above written.

PARTY OF THE FIRST PART:

_____ _____
Superintendent of Schools or Trustee **Date**
Onteora Central School District

_____ _____
President of the Board of Education **Date**
Onteora Central School District

PARTY OF THE SECOND PART:

_____ 5-7-25
Dr. Paul Spadaro, Superintendent of Schools **Date**

_____ 5/7/25
Chris Schoonmaker, President of Board of Education **Date**

Rondout Valley Central School District

Health & Welfare Services

2024-2025 School Year

District Enrollment (BEDS Day 2024): 1,674

Nurse Services	478,162.00
Psychologist Services	603,343.00
Social Worker Services	234,042.00
Speech Services	737,543.00
	Total: $2,053,090.00
Fringe Benefits	
FICA	157,061.39
ERS	68,836.01
TRS	149,054.34
Health/Dental	416,777.27
	Total: $791,729.01
Physician Services	46,200.00
Administrative Fee 5%	144,550.95
	Grand Total: $3,035,569.96
Cost Per Student	**$1,813.37**

RONDOUT Valley CENTRAL SCHOOL DISTRICT
PO BOX 9
ACCORD, NY 12404
(845) 687-2400

May 6, 2025

Health & Welfare Invoice
School Year: 2024-2025

Responsible District:	Onteora Central School District
Cost Per Student	$1,813.37
Total Student(s) Attending High Meadow:	12
Total Due:	**$21,760.44**

Remit Payment to:

Rondout Valley CSD
District Treasurer
PO Box 9
Accord, NY 12404

EMPLOYMENT AGREEMENT
BETWEEN
ONTEORA CETRAL SCHOOL DISTRICT
AND
VICTORIA MCLAREN

AGREEMENT made this 7th day of May 2025, between the BOARD OF EDUCATION OF THE ONTEORA CENTRAL SCHOOL DISTRICT, a municipal corporation of the State of New York with its principal office at 4166 Route 28, Boiceville, New York (hereinafter called the "District") and Ms. Victoria McLaren, (hereinafter called the "Superintendent" or "Ms. McLaren").

W I T N E S S E T H :

That it is hereby agreed as follows:

1. The District hereby continues to employ Victoria McLaren as Superintendent of Schools of the District, to perform the duties of that position as prescribed by and subject to the laws of the State of New York, together with such other duties as the District may require of the Superintendent from time to time, for a period commencing on June 4, 2025, through the close of business on June 3, 2030, inclusive. The Superintendent shall present to the Board, each year, no later than January 15th, any suggestions or proposals for amendment of this Agreement. The Board reserves the option to renew and extend this Agreement annually for an additional year or years subject to agreement on terms with the Superintendent. A discussion regarding a renewal shall occur by no later than the month of May of each school year. Any such extension shall be constituted as a new agreement.

2. The Superintendent shall be the Chief Administrative Officer of the District and shall perform all of the duties and accept all of the responsibilities usually required of a Superintendent in this District or similar districts pursuant to the provisions of the laws of the State of New York. The Superintendent also agrees to perform all the services and duties imposed by

the rules and regulations of the District's Board of Education ("Board") and such other services and duties usually performed by a Superintendent in said District or a similar district as shall, from time to time, be delegated to the Superintendent by the Board, and to meet all reasonable and proper requirements of the Board. Without limiting the foregoing, the Superintendent shall be responsible for effectuating the policies of the Board and shall be accountable in connection therewith to the Board and shall act as follows:

(a) The Superintendent shall:

(i) Administer and supervise the District within the framework of the policies of the Board;

(ii) Work cooperatively with the Board, and establish annual goals and objectives for the District;

(iii) Be responsible for managing District activities aggressively and imaginatively so as to maintain and improve the quality of the District through continuous school improvement initiatives.

(b) Make recommendations on curriculum planning, or revision of curriculum to the end that policies and procedures of the Board may be implemented.

(c) Keep the Board advised of all matters concerning the administration of the District with particular emphasis on matters relating to discipline, personnel relations, finances, and academic performance, and progress towards achieving the Board's annual goals.

(d) Make recommendations to the Board as to organization and/or reorganization of the administration of instructional programs, business affairs, and administrative staff of the District which seems to best meet the needs of the District.

(e) Be responsible for recruiting both teaching and non-teaching personnel for vacancies and conduct interviews and make investigations of applicants for such positions.

(f) Recommend to the Board professional candidates to be recommended for appointment, tenure, and dismissal.

(g) Prepare the notice of an agenda for all meetings of the Board and the committees thereof, together with information, comments, and recommendations when requested by the Board, or committees thereof, and/or when deemed appropriate in the judgment of the Superintendent.

(h) The Superintendent shall be notified of and shall have the right to attend all meetings of the Board, including executive sessions of the Board, except that the Board may exclude the Superintendent from any portion of a meeting during which they are discussing her performance or salary. The Board will, individually and collectively, bring issues or complaints to the Superintendent for study and recommendation.

(i) Carry out the duties set forth in Section 1711 of New York State Education Law, as amended or superseded.

(j) The Superintendent shall have the authority to initiate and approve transfers of supervisory, administrative, instructional and non-instructional personnel from one school building to another or from one grade or a course of study to another grade in such course of study, and the authority to initiate and approve transfers of District staff from one job assignment or place of employment to another, subject to the limitations, if any, in applicable collective bargaining agreements.

(k) The Superintendent will, in general, perform extra duties appropriate to the position of Superintendent as the Board may legally authorize or direct.

The Board may prescribe additional duties, responsibilities, rights and authorities for the Superintendent provided that the Board shall not:

(i) assign duties or responsibilities to the Superintendent which are inconsistent with those normally associated with the position of the Superintendent;

(ii) assign duties or responsibilities to the Superintendent without, at the same time, granting to the Superintendent the additional rights and authorities which are reasonably necessary to carry out those duties and responsibilities.

(l) The Superintendent shall ensure full cooperation with any distinguished educator appointed by the Commissioner of Education pursuant to Section 211-c of the Education Law.

3. (a) For the period of June 4, 2025 through June 30, 2025, the Superintendent's annual base salary shall be One Hundred Ninety Thousand Six Thousand, Two Hundred and Sixty Seven Dollars ($196,267) and is to be paid in equal installments in accordance with the method used to pay other District administrative employees. The Superintendent's base salary for each subsequent year of employment (commencing July 1st) shall be increased by a minimum of 2% plus $2,500 over the prior year's base salary. Upon completion of 12 school years of administrative service, inclusive of prior service to the District, the Superintendent shall receive an annual longevity stipend of $3,100. Upon completion of 18 school years of service, inclusive of prior service to the District, the Superintendent shall receive an annual longevity stipend of $3,600 which shall replace the prior longevity stipend. The longevity payment shall not be cumulative.

(b) When authorized by the Superintendent, in writing, the District shall deduct from the Superintendent's salary, the amount stipulated by her at an interval to be determined by

the Business Office of the District for participation in Tax Sheltered Annuity and Credit Union contributions, and to transmit all such monies promptly.

(c) If the Superintendent obtains her doctoral degree, she shall be paid an additional $2,000 per year.

(d) Health insurance benefits will be provided through the Dutchess Employees Health Insurance Consortium (DEHIC) Plan, and the District shall pay 80% of the cost of the Superintendent's health insurance premiums, to be deducted as a payroll deduction from each paycheck, unless otherwise agreed to by the parties. The Superintendent may voluntarily opt out of the District's major medical/hospitalization/prescription plan and receive a payment of $5,000 in each year of the contract. Eligibility for participation in the buyout requires written notification of withdrawal and proof of alternate coverage from the Superintendent by June 1st of the school year preceding the buy-out. The District shall contribute the same dollar amount as it contributes on behalf of members of the OTA for the Superintendent's participation in the OTA Benefit Trust. Should the Superintendent's participation not be allowed under the Benefit Trust, then the District shall provide the Superintendent with dental and vision coverage in an amount not to exceed what it would have paid towards her participation in the OTA Benefit Trust. Any cost towards such coverage in excess of what is paid by the District shall be borne solely by the Superintendent. Upon the Superintendent's separation or resignation from the District, the District contribution for health insurance premium payments for individual coverage shall be 80% of the premium cost. For family coverage, the District contribution for health insurance payments shall be 60% of the difference between the individual and family premium. The superintendent shall also be entitled to continue receiving district provided dental and vision insurance coverage at the individual or family rate based upon her family circumstances at separation or resignation from the district for the remainder of her life with the district paying 100% of the premium of such plans.

(e) In addition, the District will:

(i) Reimburse the Superintendent for the use of her own vehicle for in or out of district business travel at the prevailing IRS rate of mileage reimbursement, provided she submits an itemized log of such travel.

(ii) The District shall pay the Superintendent's annual professional dues for membership in up to three (3) professional organizations of her choosing.

(iii) The District shall pay the cost of professional coaching through an organization mutually selected by the parties, and the Superintendent shall participate in such coaching. In the event that the parties cannot reach an agreement as to the specific coach, Dr. Bill Christensen shall select the coach. The District shall have the discretion to require the Superintendent to participate in coaching in each year of the contract. The Board of Education shall approve the cost of the professional coaching prior to its commencement.

(iv) Provide the Superintendent with paid time off for all holidays listed in the school calendar, which include the following: Fourth of July, Labor Day, Rosh Hashanah (provided school is closed), Yom Kippur (provided school is closed), Columbus Day, Veteran's Day, Thanksgiving Day and the day following, Christmas (2 days), New Year's Day, Martin Luther King, Jr. Birthday, President's Day, Good Friday, Memorial Day, and Juneteenth. The Superintendent is expected to work during school recess periods, unless she elects to utilize vacation time. In the event school is cancelled as a result of snow, the Superintendent shall be entitled to work from home.

(v) Within budgetary appropriations, the Superintendent is authorized to incur reasonable expenses in the discharge of her duties, including but not limited to expenses

for travel, meals and lodging, attendance at professional conferences previously approved by the Board, and meetings and similar items related to her employment, which occur outside of the District's boundaries. The Board will pay or reimburse the Superintendent for all such reasonable and customary expenses, upon presentation, within the budget year, of an itemized account of such expenditures.

4. Upon commencement of this agreement, the Superintendent shall be credited with her existing vacation day bank. The Superintendent shall be credited with twenty-six (26) vacation days, on July 1st of each school year, exclusive of paid holidays recognized on the school calendar, but inclusive of all other school recess periods during the school year, to be taken at any time during the year at the option of the Superintendent or as the Superintendent's duties may permit. The Superintendent may carry over ten (10) vacation days into the following school year and such carryover may accumulate to a bank of fifty (50) days provided the Superintendent may never have more than seventy-six (76) vacation days at any one time. The Superintendent may elect to sell back to the District up to ten (10) unused vacation days each school year at the rate of $1/240^{th}$ of her then annual base salary. The cash-back payment shall not be added to the Superintendent's base salary. In the last year that she is employed by the District, the Superintendent's vacation days shall be pro-rated between July 1st and the last of day of service. Upon termination of employment, the Superintendent shall be entitled to compensation at the rate of $1/240^{th}$ of her then annual base salary for each unused vacation day.

5. The District credited the Superintendent with fifty-four (54) sick days upon commencement of employment. Effective July 1, 2025, and each July 1 thereafter for the term of the agreement, the Superintendent shall be credited with eighteen (18) sick days. The Superintendent may accumulate a maximum bank of sick days up to two hundred twenty (220).

The Superintendent shall also be entitled to four (4) personal days per school year non-cumulative, which the Superintendent may convert to sick leave if such personal days are not used on an annual basis; five (5) bereavement days per death in the immediate family, non-cumulative. Immediate family shall include: mother, father, spouse, significant other, child, brother, sister, and grandchildren. Sick days may only be used for personal or immediate family illness. If the Superintendent serves the District through the 2026-27 school year, and retires from the District directly into the New York State Teachers' Retirement System, when she retires, she shall be compensated $100 for each unused and accrued sick days. The District shall also provide the Superintendent with a flexible benefit plan (IRS Section 125 Plan) for medical premiums, un-reimbursed medical expenses and dependent day care expenses.

6. Retirement Incentive: If the Superintendent retires with at least five (5) years of service as an administrator within the Onteora Central School District and is eligible for retirement with the Teachers Retirement System (TRS), and submits an irrevocable letter of resignation for retirement by December 1st of the school year in which the retirement is effective, she will receive a retirement incentive of $32,000. The incentive will be payable within one month following the end of the school year in which the retirement is effective as an Employer non-elective contribution into an IRS 403(b) non-elective tax-sheltered annuity plan or a 457 plan within the allowable IRS rules and limitations for the benefit of the retiring administrator.

7. Prior to the use of her vacation time and/or sick leave time, the Superintendent shall report the use of such leave time to the Board of Education President and to the District's Business Official for tracking purposes.

8. It is agreed that the Superintendent will furnish throughout the life of this contract a valid and appropriate New York State Certificate to act in the assigned position. The Superintendent agrees to devote her full time, skill, labor and attention to this employment during the terms of this contract, provided however, that the Superintendent may only undertake outside work (such as consultation work, speaking engagements, and/or professionally related teaching, writing or lectures) that does not interfere with her normal duties, provided that she first obtains the permission and approval of the Board of Education prior to accepting any such outside employment, which approval shall not be unreasonably withheld. This permission shall only be valid for a one-year period, and must be renewed by the Board on an annual basis if the Superintendent desires to continue the outside work. Additionally, at the reorganizational meeting each year, the Superintendent shall review with the Board all outside work undertaken during the previous school year that she will continue to engage in during the subsequent school year. Under no circumstances shall the Superintendent engage in any outside work utilizing school facilities or while on District premises. The Superintendent shall be entitled to keep any payments or honorariums she receives for such outside work.

9. The District shall provide the Superintendent with a cell phone and a laptop computer for the Superintendent's use for official District business and incidental personal use. Such item shall be the property of the District and shall be returned to the District at the time the Superintendent leaves the active employment of the District. Alternatively, if the Superintendent chooses to use her personal cell phone for official District business, the District shall contribute $65.00 per month towards the cost of her monthly cell phone bill.

10. The Superintendent represents that she is free to enter into this Agreement of Employment and to perform the services to be rendered and that there is no outstanding contract

of employment or obligation that will prevent or impede the purposes of this contract and, further, that she will not enter into such a contract or obligation during the term of this Agreement or extensions thereto.

11. The Board shall devote at least a portion of one meeting during the month of June in each year of the Superintendent's employment by the District to an evaluation in Executive Session of the Superintendent's performance and working relationship with the Board. The Board shall reduce that evaluation to writing utilizing the SuperEval evaluation instrument. The evaluation shall be based upon performance criteria as mutually established by the Board and the Superintendent by September 10 of each year which shall be reduced to writing in a form mutually agreed upon by the parties. The Superintendent shall be provided with a copy of the written evaluation, at least seven (7) days prior to the Executive Session of the Board scheduled to discuss such evaluation. The performance evaluation prepared pursuant to this paragraph shall be confidential and shall be kept so by the Board and individual Board members, except as otherwise required by law.

12. It is agreed that the Superintendent shall fulfill all aspects of this Agreement. Failure to fulfill the obligations agreed to will be considered as a violation of the Administrators' Code of Ethics and breach of professional agreement in addition to possible disciplinary action, and may be reported to appropriate State and National Associations and authorities.

13. Other than as delineated herein, discharge prior to expiration of the above-stated term or subsequent extensions thereto shall only be upon a showing of just cause.

(a) Prior to serving the Superintendent with a written statement of charges pursuant to this Article, the Board individually and/or collectively, shall discreetly refer to the Superintendent, in writing, any and all criticisms, complaints, suggestions, communications, or

comments regarding the administration of the District or the Superintendent's performance of duties which may form the basis of formal charges with the understanding that the Superintendent will be afforded the opportunity to address and, if possible, rectify such criticisms, complaints, suggestions, communications or comments.

(b) The Superintendent will be served with a written statement of charges and she shall be offered an opportunity, but shall not be required, to discuss the same with the Board in executive session within seven (7) days of service of the charges.

(c) The Board may, by a majority vote, suspend the Superintendent with pay and benefits pending the hearing set forth below.

(d) The Superintendent has a right to a hearing before an independent Hearing Officer mutually selected. In the event that the parties are unable to agree on a Hearing Officer within seven (7) days of the service of charges, the matter shall be referred to the American Arbitration Association for the appointment of a Hearing Officer from lists submitted under its Voluntary Labor Arbitration Rules. If a designation cannot be made from that list, the American Arbitration Association shall be empowered to designate a Hearing Officer.

(e) The Superintendent shall be given a fair opportunity to hear witnesses and evidence against her and to present witnesses and evidence on her behalf.

(f) The Superintendent may be represented at her own expense at such a hearing.

(g) A record of that proceeding shall be maintained.

(h) Formal rules of evidence shall not apply.

(i) The Hearing Officer shall issue written Findings of Fact and a disposition of each charge.

(j) The Board shall give serious consideration to the findings and recommendations by the Hearing Officer, and if the Board rejects the findings and recommendations, such rejection must be based on reasons based upon the record as expressed in a written determination. Discharge shall be by a majority vote of the entire membership of the Board. The Superintendent shall have the right to appeal such decision pursuant to Section 310 of the Education Law or a court of competent jurisdiction.

13-a. In lieu of the disciplinary process pursuant to paragraph 12 of the agreement, the Board may at any time, upon 15 days' notice, terminate this agreement provided however the Superintendent shall be compensated for 50% or two years, whichever is greater, of the value of all salary and other cash payments pursuant to the agreement and all contractual leave time payments and all benefits including but not limited to health insurance, dental insurance, and vision insurance in upon separation or resignation pursuant to subparagraph D of Paragraph 3 of the agreement.

14. If any adjustments in compensation or benefits are made during the term of this Agreement, they shall be in the form of an amendment hereto. Such amendment shall not be construed as a new contract, nor as extending the termination date of this Agreement.

15. The Superintendent shall provide the Board with a minimum of three (3) months' notice of her intent to resign and/or retire from her position. Should the Superintendent fail to comply with this minimum notice requirement, she will not be entitled to use any accumulated vacation days from the date she provides the notice until her separation from employment with the District. However, the Board may waive this notice requirement.

16. Should the Superintendent be unable to perform any or all of her duties by reason of illness, accident, or other cause, and should said disability exist for a period in excess of six (6) months, or if said disability is permanent, irreparable, or of such duration or nature, as

demonstrated by competent medical evidence, so as to seriously impair the Superintendent in the performance of her duties, the Board may, at its option, and notwithstanding any provision herein to the contrary, terminate this Contract upon sixty (60) days written notice to Superintendent, whereupon the respective duties, rights and obligations hereunder shall terminate, except that the Superintendent's continued rights to disability insurance policies under an existing group disability insurance plan shall not be affected for the length of that disability, or other compensation due her as explicitly provided in this Agreement.

17. The District shall defend and indemnify the Superintendent to the maximum extent authorized by Section 18 of the New York State Public Officers Law and New York Education Law. If in the good faith opinion of the Superintendent a conflict exists regarding the defense of any claim between the legal position of the Superintendent and the legal position of the District, the Superintendent may engage her own counsel, in which event the District shall indemnify the Superintendent for costs of legal defense, but only in the event the Superintendent is determined to be or have acted within the scope of her duties. In no event shall the Superintendent be indemnified for the costs of her legal defense to any proceeding commenced against her by the Board of Education.

18. The Superintendent agrees to have a comprehensive medical examination performed by a duly licensed physician of her choice once during each twelve-month period of her employment and to file a statement of the examining physician promptly with the District Clerk certifying her physical competency. Such statement shall be available for review by the Board President and be treated as confidential information by the District. The Board shall reimburse the Superintendent for the cost of such examination only to the extent that her health insurance does not pay for such examination.

19. This Agreement constitutes the full and complete agreement between the parties except as it may be modified by a signed written Agreement between them, and shall not be subject to oral modification, nor shall parole evidence be admissible to establish any oral modification thereof. This Agreement shall supersede any prior employment contract between the Superintendent and the District.

20. This Agreement may be executed in two or more counterparts, each of which together shall be deemed an original, but all of which together shall constitute one and the same instrument. In the event that any signature is delivered by e-mail delivery of a ".pdf" format data file, such signature shall create a valid and binding obligation of the party executing (or on behalf such signature is executed) with the same force and effect as if such ".pdf" signature page were an original thereof.

IN WITNESS WHEREOF, we have executed this Agreement as of the date set forth above.

DATED:_____ ONTEORA CENTRAL SCHOOL DISTRICT

By:_____
President, Board of Education

DATED: _____ By:_____
Superintendent of Schools

EMPLOYMENT CONTRACT Monica Kim LaClair
Assistant Superintendent for Business
Onteora Central School District
July 1, 2025 – June 30, 2030

1. ARTICLE ONE – LEAVES

a. Sick Leave – The Assistant Superintendent for Business shall be granted eighteen (18) paid days per year for personal and/or family illness in the immediate family with a maximum accumulation of 220 days. Accumulated sick leave may only be used for personal illness.

i. Upon commencement of employment, the Assistant Superintendent shall be credited with twenty-four (24) sick leave days in a bank solely for personal use. As sick leave days are accumulated, this credited allotment shall be decreased by the corresponding number of accumulated days until the credited allotment is depleted.

b. Bereavement – Death in the immediate family – five (5) days paid leave per occurrence. A maximum of three (3) days paid leave for death in the non-immediate family.

c. Personal Leave – Four (4) days paid leave per year, unused days transferred to sick leave.

d. Jury Duty or Court Leave – no charge.

2. ARTICLE TWO – WORKING YEAR

a. 12-month employee – July 1 to June 30 in school years

b. Vacation – Twenty-six (26) days paid vacation annually (prorated first year), may carry over ten (10) days from one year to the next. The district may buy back up to ten (10) unused vacation days annually at 1/240th of the annual salary per day, subject to scheduling approved by the Superintendent. If the Assistant Superintendent for Business resigns or retires mid-year, the annual allotment of vacation days will be pro-rated, and all remaining unused vacation days will be paid at the rate of 1/240th of the annual salary per day.

c. Holidays – All holidays listed in the school calendar, which include the following: Fourth of July, Labor Day, Rosh Hashanah (provided school is closed), Yom Kippur (provided school is closed), Columbus Day, Veteran's Day, Thanksgiving Day and the day following, Christmas (2 days), New Year's Day, Martin Luther King, Jr. Birthday, President's Day, Good Friday, Memorial Day, and Juneteenth. The Assistant Superintendent is expected to work during school recess periods, unless she elects to utilize vacation time.

d. Snow Days – Employee will not be expected to report to work when school is closed due to inclement weather. This implies adherence to project and report deadlines. If school is closed for a reason other than inclement weather, employees will be expected to report to work at the Superintendent's discretion.

3. ARTICLE THREE – NEGOTIATIONS PROCEDURE

a. Length of Agreement - This agreement is for school years 2025-2026, 2026-2027, 2027-2028, 2028-2029, and 2029-2030.

b. Termination of Agreement - Either party may give a minimum of sixty (60) days written notice to extend or terminate the agreement.

c. Successor Agreement Timeline - The Superintendent shall commence discussions and analysis for a successor agreement no later than April 1, 2030.

4. ARTICLE FOUR – INSURANCE BENEFITS

a. Health Insurance – The district will pay 85% of individual or family premium for health insurance. If the Assistant Superintendent chooses to waive coverage, she must demonstrate that she has adequate alternative coverage. The Assistant Superintendent shall be entitled to an annual payment in lieu of health insurance prorated for the length of employment in the work year as follows:
    a. Family: $3,000
    b. Individual: $2,000

b. Health Insurance Upon Retirement – Upon retirement from the District, with at least ten years of cumulative service with the district, the district contribution for health insurance premium payments for retirees shall be at the same percentage of District contribution in effect for the retiring employee as of the date of retirement. For family coverage, the District contribution for health insurance premium payments for retirees shall be 50% of the difference between the individual and family premium.

c. Other - The district will pay $400 annually for documented expenses or premiums for self or immediate family for disability coverage.

d. Payroll Savings – The district will make available Tax Sheltered Annuities through payroll deduction. Payments for these annuities shall constitute a reduction in salaries as authorized by the administrator and will be deductible automatically by the district from each paycheck. The districtwill select one company to serve as forwarding agent.

e. Flexible Benefit Plan (IRS Section 125 Plan) – The district shall make available a flexible benefit plan for medical premiums; un-reimbursed medical expenses, and dependent care expenses.

f. Welfare Plan – As an Onteora administrator, the Assistant Superintendent for Business shall be eligible for membership in the OTA Benefit Trust. The district will fund the benefit trust and make payments for the total amount.

6. ARTICLE SIX – EVALUATION AND TERMINATION

a. Evaluation - The Superintendent will perform an annual evaluation prior to the renewal of the agreement.

b. Terms of Employment - The Assistant Superintendent Business is a tenured employee.

c. Termination - Any termination of employment during such probationary period will be according to Education Law §3020(a).

The position of the Assistant Superintendent for Business shall not be abolished during the term of this agreement, provided however that in the event that the Board of Education shall determine to abolish the position of Assistant Superintendent for Business the Board of Education shall pay the Assistant Superintendent for Business as compensation a lump sum payment equivalent to her then annual compensation at the conclusion of her services as Assistant Superintendent for Business in addition to her compensation during the period of her service.

7. ARTICLE SEVEN – PAYMENT OF PROFESSIONAL DUES, CONFERENCES, AND TRAVEL REIMBURSEMENT, CELL PHONE, AND LAPTOP COMPUTER

a. Professional Membership Dues - The district will cover the annual dues for the Assistant Superintendent for Business for membership in the New York State Association of School Business Officials and other school-related organizations, as approved by the Superintendent.

b. Conference and Travel Reimbursement - When attending any school-related conference or function outside of the District, the District will reimburse the Assistant Superintendent for Business for the use of her personal automobile at the mileage rate set by the district for all employees. Reasonable meals, lodging, conference registration fees, and charges to the administrator's cellular phone relating to district business will be reimbursed.

c. Cell Phone and Laptop Computer – The District shall provide the Assistant Superintendent with a cell phone and a laptop computer for use for official District Business and incidental personal use. Such items shall be the property of the District and shall be returned to the District at the time the Assistant Superintendent leaves the active employment of the District. Alternatively, if the

Assistant Superintendent chooses to use her personal cell phone for official District business, the District shall contribute $50.00 per month towards the cost of her monthly cell phone bill.

8. ARTICLE EIGHT-COMPENSATION

a. Annual Salary - The Assistant Superintendent for Business's base annual salary for the 2025-2026 school year shall be $182,750.

b. Salary Increases - The Superintendent shall base salary increases upon performance and evaluation. The base salary shall be increased by 2% + $2,500 for each subsequent year.

c. Reduction in Salary - The annual salary shall not be decreased below the amount paid in the preceding 12-month period.

d. Longevity for administrative service with the Onteora Central School District shall be paid as follows:

5 years	$1,000
7 years	$1,500
10 years	$2,000

e. Payment for Unused Sick Leave – The Assistant Superintendent, upon retirement from the District shall be paid for unused sick leave days according to the following formula:

Number of Accumulated Days	Payment Amount Per Day
0-75	$0
76-100	$53
101-125	$68
126-175	$88
176-200	$113
200-max 220	$116

f. Retirement Incentive: If the Assistant Superintendent retires with at least five (5) years of service as an administrator within the Onteora Central School District and is eligible for retirement with the Teachers Retirement System (TRS), and submits an irrevocable letter of resignation for retirement by December 1st of the school year in which the retirement is effective, she will receive a retirement incentive of $32,000. The incentive will be payable within one month following the end of the school year in which the retirement is effective as an Employer non-elective contribution into an IRS 403(b) non-elective tax-sheltered annuity plan or a 457 plan within the allowable IRS rules and limitation for the benefit of the retiring administrator.

Administrator's Signature _____ Date_____

Superintendent's Signature _____ Date_____

EMPLOYMENT CONTRACT
Stephanie Laffin
Assistant Superintendent for
Curriculum and Instruction
Onteora Central School
District
July 1, 2025 – June 30, 2030

1. ARTICLE ONE - LEAVES

a. Sick Leave - The Assistant Superintendent for Curriculum and Instruction shall be granted eighteen (18) paid days per year for personal and/or family illness in the immediate family with a maximum accumulation of 220 days. Accumulated sick leave may only be used for personal illness.

i. Upon commencement of employment, the Assistant Superintendent shall be credited with twenty-four (24) sick leave days in a bank solely for personal use. As sick leave days are accumulated, this credited allotment shall be decreased by the corresponding number of accumulated days until the credited allotment is depleted.

b. Bereavement - Death in the immediate family - five (5) days paid leave per occurrence. A maximum of three (3) days paid leave for a death in the non-immediate family.

c. Personal Leave - Four (4) days paid leave per year, unused days transferred to sick leave.

d. Jury Duty or Court Leave - no charge.

2. ARTICLE TWO - WORKING YEAR

a. 12-month employee - July 1 to June 30 in school years

b. Vacation - Twenty-one (21) days of paid vacation annually, which may carry over ten (10) days from one year to the next. The year in which tenure is received and thereafter will be entitled to twenty-six (26) days of paid vacation annually. The district may buy back up to ten (10) unused vacation days annually at 1/240th of the annual salary per day, subject to scheduling, as approved by the Superintendent. If the Assistant Superintendent resigns or retires mid-year, the annual allotment of vacation days will be pro-rated, and all remaining unused vacation days will be paid at the rate of 1/240th of the annual salary per day.

c. Holidays - All holidays listed in the school calendar, which include the following: Fourth of July, Labor Day, Rosh Hashanah (provided school is closed), Yom Kippur (provided school is closed), Columbus Day, Veteran'sDay, Thanksgiving Day and the day following, Christmas (2 days), New Year's Day, Martin Luther King, Jr. Birthday, President's Day, Good Friday, Memorial Day, and Juneteenth. The Assistant Superintendent is expected to work during school recess periods unless she elects to utilize vacation time.

d. Snow Days - Employees will not be expected to report to work when school is closed due to inclement weather. This implies adherence to project and report deadlines. If school is closed for a reason other than inclement weather, employees will be expected to report to work at the Superintendent's discretion.

3. ARTICLE THREE - NEGOTIATIONS PROCEDURE

a. Length of Agreement - This agreement is for the school year 2025-2026, 2026-2027, 2027-2028, 2028-2029 and 2029-2030.

b. Termination of Agreement – The agreement may be terminated upon a minimum of sixty (60) days of written notice.

c. Successor Agreement Timeline - The Superintendent shall commence discussions and analysis for a successor agreement no later than April 1, 2030.

4. ARTICLE FOUR - INSURANCE BENEFITS

a. Health Insurance - The District will pay 85% of individual or family premium for health insurance of the District-offered DEHIC plan. If the Assistant Superintendent chooses to waive coverage, she must demonstrate that she has adequate alternative coverage. The Assistant Superintendent shall be entitled to an annual payment in lieu of health insurance prorated for the length of employment in the work year as follows:

a. Family: $3,000
b. Individual: $2,000

b. Health Insurance Upon Retirement - Upon retirement from the District in accordance with requirements of the New York State Teachers' Retirement System ("TRS"), with at least eight (8) years of service with the District, the Assistant Superintendent shall be eligible for health insurance in retirement. If the Assistant Superintendent elects individual coverage, the District's contribution for health insurance premium payments shall be at the same percentage of the District contrib

effect for the retiring employee as of the date of retirement. If the Assistant Superintendent elects family coverage, the District contribution for health insurance premium payments shall be 50% of the difference between the individual and family premium, plus its retiree contribution for individual coverage.

c. Other - The District will pay $400 annually for documented expenses or premiums for self or immediate family for disability coverage.

Payroll Savings - The District will make available Tax Sheltered Annuities through payroll deduction. Payments for these annuities shall constitute a
reduction in salaries as authorized by the administrator and will be deducted automatically by the district from each paycheck. The District will select one company to serve as a forwarding agent.

d. Flexible Benefit Plan (IRS Section 125 Plan) - The District shall make available a flexible benefit plan for medical premiums; un-reimbursed medical expenses, and dependent care expenses.

e. Welfare Plan - As an Onteora administrator, the Assistant shall be eligible for membership in the OTA Benefit Trust. The District will fund the benefit trust and make payments for the total amount.

6. ARTICLE SIX - EVALUATION AND TERMINATION

a. Evaluation - The Superintendent will perform an annual evaluation prior to the renewal of the agreement.

b. Terms of Employment - The Assistant Superintendent for Curriculum and Instruction is a tenured administrator.

c. Termination - Any termination of employment during such probationary period will be in accordance with Education Law §3020(a).

d. The position of Assistant Superintendent for Curriculum and Instruction shall not be abolished during the term of this agreement, provided however that in the event that the Board of Education shall determine to abolish the position of Assistant Superintendent for Curriculum and Instruction the Board of Education shall pay to the Assistant Superintendent as compensation a lump sum payment equivalent to her then annual compensation at the conclusion of her services as Assistant Superintendent in addition to her compensation during the period of her service.

7. ARTICLE SEVEN - PAYMENT OF PROFESSIONAL DUES, CONFERENCES, AND TRAVEL REIMBURSEMENT, CELL PHONE, AND LAPTOP COMPUTER

   a. Professional Membership Dues - The District will bear the cost of annual dues on behalf of the Assistant Superintendent for membership in up to three (3) professional organizations, as approved by the Superintendent.

   b. Conference and Travel Reimbursement - When attending any school- related conference or function outside of the District, the District will reimburse the Assistant Superintendent for the use of her personal automobile at the mileage rate set by the District for all employees. Reasonable meals, lodging, conference registration fees, and charges to the administrator's cellular phone relating to district business willbe reimbursed.

   b. Cell Phone and Laptop Computer - The District shall provide the Assistant Superintendent with a cell phone and a laptop computer for use for official District Business and incidental personal use. Such items shall be the property of the District and shall be returned to the District at the time theAssistant Superintendent leaves the active employment of the District. Alternatively, if the Assistant Superintendent chooses to use her personalcell phone for official District business, the District shall contribute $50.00 per month towards the cost of her monthly cell phone bill.

8. ARTICLE EIGHT - COMPENSATION

   a. Annual Salary - The annual salary of the Assistant Superintendent for Curriculum and Instruction for the 2025-2026 school year shall be $166,832. The base salary shall be increased by 2% + $2,500 for each subsequent year.

   b. Salary Increases - The Superintendent shall base subsequent year salary increases upon performance and evaluation. Salary increases for the school year will be added to the prior year's base salary to be agreed upon by the Superintendent and Assistant Superintendent for Pupil Personnel Services and shall be subject to approval by the Board of Education.

   c. Reduction in Salary - The annual salary shall not be decreased below the amount paid in the preceding 12-month period.

   d. Assistant Superintendents with a doctoral degree shall be paid a stipend of $2,000 per year.

e. Longevity for administrative service with the Onteora Central School District shall be paid as follows:

5 years	$1,000
7 years	$1,500
10 years	$2,000

Longevity shall not be cumulative.

f. Retirement Incentive: If the Assistant Superintendent retires with at least five (5) years of service as an administrator within the Onteora Central School District and is eligible for retirement with the Teachers Retirement System (TRS), and submits an irrevocable letter of resignation for retirement by December 1st of the school year in which the retirement is effective, she will receive a retirement incentive of $32,000. The incentive will be payable within one month following the end of the school year in which the retirement is effective as an Employer non-elective contribution into an IRS 403(b) non-elective tax-sheltered annuity plan or a 457 plan within the allowable IRS rules and limitation for the benefit of the retiring administrator.

Administrator's Signature _____ Date: _____

Superintendent's Signature _____ Date: _____

AGREEMENT

BETWEEN
THE ONTEORA CENTRAL SCHOOL DISTRICT
And
THE INSTITUTE FOR FAMILY HEALTH

AGREEMENT made effective this day of June ____ 2025 by and between the ONTEORA CENTRAL SCHOOL DISTRICT (OCSD), flaying its principal place of business at 4166 Rte. 28 Boiceville, NY 12412 (hereinafter referred to as the School District") and the INSTITUTE FOR FAMILY HEALTH having a corporate office at 2006 Madison Avenue, New York, NY 10035 (Hereinafter referred to as "the Institute").

Both parties are desirous of entering into an agreement for the provision of State mandated medical services to the School District under the terms and conditions set forth below:

LIST OF SERVICES TO BE PROVIDED:

A. GENERAL INFORMATION

The Institute shall provide to the School District the services hereinafter set forth. The Institute will designate clinicians from its staff, subject to the School District's approval, to fulfill the responsibilities hereunder. The Institute may incorporate various aspects of these responsibilities with licensed second or third year residents from its Family Practice Residency Program or a certified Physicians Assistant or Nurse Practitioner, who will function under direct physician supervision.

All examinations of schoolchildren are to be done on school premises and will be done by scheduled appointment or at the direction of the school nurse. Schedules will be mutually determined by the School District and the Institute. Schedules will be set in blocks (3 hour sessions) of time, while school is in session. Exact schedule to be determined by the School District and the Institute. It is expected that routine student health exams will be done on a monthly basis as needed while school is in session. New district employees and student athlete exams will be done both during the school year and during summer vacation. Exact summer schedule to be determined by the School District and the Institute. These exams will be by appointment at the appropriate schools' medical office.

The Institute will appoint its designee as medical director under this contract and he/she will be responsible for the fulfillment of the following duties. The School Board will appoint a Liaison to work with the Institute to implement and monitor activities of this contract.

In light of restrictions related to COV1D, services as noted below will be provided as is appropriate according to the current guidelines. The Institute shall be available to work with the School District to provide additional consultation as needed to ensure the safety of the students and staff during this time.

Services to be Provided:

1. The Institute's physician will conduct all New York State mandated physical examinations of children, including but not limited to those students in Pre-K,

Kindergarten, Second, Fourth, Seventh and Tenth grades who do not present a certificate of health from a duly licensed physician, physician's assistant or nurse practitioner in New York State. He or she will review Private Physician Physicals and pre-participation health history forms, and implement, direct and monitor health-screening programs for students as required. Parents may elect to bring their children to the doctor's office for a physical exam. The School District will provide a medical suite to be equipped with the proper equipment and supplies to perform all medical services required under this contract. In addition, the School District will provide an appropriate nursing staff to assist physician with physicals.

2. The physician will conduct such special physical examinations as may be appropriate before placement of disabled children, as referred by an administrator of Pupil Personnel, or the Director of Athletics, Physical Education/Chair for Health, Home and Careers. He/she will implement, direct and monitor health-screening programs for students as required.

3. Review athletic physicals from students' physicians and/or conduct athletic physicals for students in Grades 7-12 as required by law and pursuant to district policy. Shall review and sign weight cards for members of the wrestling team as required. The School District Physician has the final decision on approving or not approving a student for a sport following review of or conducting a physical examination. Conduct students' "Return-to-Play" physicals and/or review Private Physician's "Return-to-Play" Physicals. Implement, direct and monitor health-screening programs for students as required.

   Hours to perform both student/athletic physicals and administrative responsibilities shall not exceed one hundred forty eight (148) hours for the school year. The School District shall be invoiced at a rate of $200.00 per hour separately and above the contracted rate for any time that exceeds the anticipated one hundred forty eight (148) hours.

4. Participate in meetings on advance notice, as needed: Committee on Special Education, meetings of the Section 504 multi-disciplinary team, District's Health Committee and periodic nurse meetings.

5. Will assist with Student Health Records and District Health Care Protocols/Processes.

6. Will provide Health Care Profession Supervision as needed.

7. Will assist with Board of Education Policy development.

8. Will provide Physical Education, Concussion Management and Athletics/Sports medical advice.

9. Will be available for Emergency and Urgent Care Issues.

10. Will serve as a Liaison to community physicians and treatment providers as required.

11. Will work with the School District on the NYSED and Commissioner's Regulations related to school-based health care services and mandates.

12. Will provide the School District Personnel Physicals, Referrals, and serve as a Liaison as required.

13. Will work with Director of Athletics regarding Athletic Program Requirements and supervision of the Athletic Trainer.

14. Will work with the School District on Special Education Requirements.

15. Shall review annual occupational and physical therapy reports and write scripts for such students when medically appropriate.

16. Monitor all special health problems and make referrals for students to their PCP as appropriate.

17. Furnish appropriate instruction to school personnel in procedures to follow in case of accident or illness.

18. Review and provide authorization for all forms to be used for students related to health services.

19. Will act as a consultant to school administrators and school health personnel on Public Health Concerns.

20. Provide recommendations with respect to the exclusion or readmission of students suffering from or exposed to infectious or contagious disease.

21. Serve as Medical Director for the school's healthcare program and the AED program.

22. Review and revision, upon request of the School District, of health literature used for education in the Schools of the District.

23. Be available as a resource to school officials, nurses, coaches and students on an as-need basis to discuss school health or safety issues and concerns.

24. On an emergency basis, the Institute Physicians and/or Physician Assistant and/or Nurse Practitioner will be available to provide medical care for pupils and employees of the School District at the Family Practice Center. It is understood that such services arc not a requirement under this agreement and would be provided on a fee for service basis.

25. Performance of other such duties of a school physician as may, from time to time, be described in bulletins of the State Education Department, and such other duties consistent with the physician's professional status and qualifications as the Board of Education may require.

26. In satisfaction of the professional liability requirements, the Institute shall provide evidence of Federal Tort Claims Act coverage of the Institute and its employed physicians, nurse practitioners, physicians' assistants and other professional staff. The School District will carry comprehensive general liability and professional liability insurance in limits of at least One Million ($1,000,000) per occurrence, Three Million

($3,000,000) aggregate to insure against any claims for damages arising directly or indirectly from the performance of services and activities in connection with this agreement. The School District will add the Institute as an additional insured. The School District shall provide the Institute with a copy of a Certificate of Insurance.

27. Indemnity: The School District shall defend, reimburse, indemnify and hold harmless the Institute, and their respective officers, directors, employees and members of their medical staffs (the "Indemnified Parties"), from and against any claims, causes of action, costs, losses, damages, liabilities or expenses (excluding attorneys' fees) and disbursements which may be incurred by or imposed or asserted against, the Institute, arising out of or relating to this Agreement as a result of the acts or omissions of FICSD or its employees, faculty members or students, provided, however, that HCSD will not be liable for any claims, causes of action, costs, losses, damages, liabilities or expenses (excluding attorneys' fees) and disbursements resulting from the negligence or willful misconduct of the Indemnified Party. The Institute shall defend, reimburse, indemnify and hold harmless the School District, and their respective officers, directors, employees and members of their medical staffs (the "Indemnified Parties"), from and against any claims, causes of action, costs, losses, damages, liabilities or expenses (excluding attorneys' fees) and disbursements which may be incurred by or imposed or asserted against the School District, arising out of or relating to this Agreement as a result of the acts or omissions of the Institute or its employees (including licensed physicians, physician assistants, nurse practitioners, licensed residents and other clinicians), provided, however, that the Institute will not be liable for any claims, causes of action, costs, losses, damages, liabilities or expenses (excluding attorneys' fees) and disbursements resulting from the negligence or willful misconduct of the Indemnified Party.

28. Waiver: The failure of any party to insist in any instance upon performance of any term, covenant or condition of this Agreement shall not be construed as a waiver of future performance of any such term, covenant or condition, and the obligations of the parties with respect thereto shall continue in full force and effect.

29. Compliance with Laws and Regulations: All parties agree that they will comply in every respect with all applicable federal, state and local statutes and regulations, including those prohibiting discrimination on the basis of race, color, creed, sex, age, marital status, handicap, national origin, sexual preference or any other basis prohibited by law. In addition to the foregoing, the Institute agrees to comply with all of the requirements of pertinent accrediting agencies including the Joint Commission for the Accreditation of Health Care Organizations. In the event of non-compliance, this Agreement may be terminated immediately. Notwithstanding any other provisions in this contract, the facility remains responsible for ensuring any service pursuant to this contract complies with all pertinent Federal, State and Local statutes and regulations.

30. Relationship Between Parties: Nothing in this Agreement shall be construed as creating the relationship of principal and agent, partnership, joint venture or employer and employee between the School District and the institute.

31. Modifications: Any modification, amendment, alteration, change, or cancellation of this Agreement shall be in writing and signed by all the parties.

32. Entire Agreement: This Agreement constitutes the entire understanding between the parties with regard to all matters referred to herein and supersedes all previous agreements, whether written or oral, with regard thereto.

33. Applicable Law: This Agreement shall be governed by the laws of the State of New York. In the event of any litigated dispute arising under this Agreement, the parties agree to venue in the Supreme Court of the State New York, Ulster County, Kingston, New York.

34. Notices: All notices to be given hereunder shall be deemed given if in writing and sent by registered or certified mail, return receipt requested, to the following addresses:

For the Institute:
The Institute for Family Health
2006 Madison Avenue
New York, NY 10035
Attn: Tracey Ochsenreiter, VP and COO

For the School District:
The Onteora Central School District
4166 Rte. 28
Boiceville, NY 12412
Attn:
School Business Administrator

35. Medical Director will assist with the coordination and scheduling of staff immunizations consisting of flu shots and Hepatitis 13 shots on a fee for service basis annually. Such services shall be invoiced separately and deemed payable upon receipt of invoice. (Pharmaceutical fees are subject to change as the market changes. The Institute continues to effectively manage all purchasing contracts to ensure the lowest possible prices.)

36. The term of this contract will be for the period of one year, commencing July 1, 2025 and running through June 30, 2026. In consideration of services provided herein, the School District will pay to the Institute the sum of Fifty Five Thousand Nine Hundred Twenty-nine Dollars and No/100 ($55,929.00) for contract period July 1, 2025 through June 30, 2026. The contracted sum shall be paid in equal monthly installments. Either party may terminate this agreement with sixty (60) days written notice to the other party.

IN WITNESS WHEREOF, the parties hereto agree to the terms and conditions as set forth above and set their hands and seals on the day and year first above written.

ONTEORA CENTRAL SCHOOL DISTRICT

BY _____

INSTITUTE FOR FAMILY HEALTH

BY _____
Tracey Ochsenreiter
VP and COO

May 21, 2025

Victoria McLaren, Superintendent
196 Main Street,
Onteora, NY 12561

CC: Amanda Allison, Assistant Superintendent
Onteora Central School District

Re: Mental Health Intensive School Support Services Agreement for 2025-2026

Dear Victoria McLaren:

This agreement beginning September 1, 2025 is made between Astor Services, (hereinafter referred to as Astor) and the Onteora Central School District (hereinafter referred to as Onteora).

Astor agrees to hire 1 FTE licensed mental health practitioners to provide intensive school support services directly onsite to Onteora Middle School and Onteora High School. The hired mental health practitioners are employees of Astor and shall be subject to the employment practices and policies of Astor Services. Their supervision, both clinically and administratively, shall be the sole responsibility of Astor. Onteora shall designate a specific member(s) of their staff who shall directly relate to the designated member of Astor relating to all mental health staff directions or requests. The mental health practitioner shall remain under the supervision and control of Astor; provided, however, that it is understood and agreed that while on school grounds, Astor, its employees and agents, shall obey all Onteora's rules and regulations and must follow all reasonable directives of Onteora's administrators.

Astor shall provide onsite mental health staff at the schools as indicated; provide clinical supervision of all staff; maintain all records pertaining to students and families seen; complete all forms necessary to carry out his/her function; coordinate all referrals of students seen with community resources; consult with teachers and other appropriate school personnel; conduct family sessions as needed; provide outreach services to families and students; collect data to document impact of program; provide in-classroom support, and conduct or arrange for staff development and support as requested by Onteora. Astor will assist in crisis de-escalation, but will not, under any circumstance, administer holds on students.

The services provided pursuant to this agreement shall be performed in accordance with the standard of skill, ethics and practice required of persons providing such services in the State of New York and Astor will, at all times, comply with all laws and regulations governing the provision of such services, including but not limited to, licensing, certification and educational requirements. Onteora shall not solicit to hire, employ, or retain any current employee (including any employee who is hired during the term of this agreement) of Astor in any capacity whatsoever, or solicit, aid, or induce any such

employee to leave the employ of Astor, or take any action to assist or aid any third parties in identifying, hiring or soliciting any such employee, in each case without the express written consent of Astor. This restriction shall not prevent Onteora from publishing any general solicitation of employment through an advertisement not targeted at employees of Astor, or hiring an individual that responds to such general solicitation.

Astor agrees that it and its employees and agents will not discriminate with respect to the provision of services hereunder on the grounds of race, religion, creed, color, national origin, gender, sexual orientation, disability, marital status, veteran status or other non-merit factors, nor discriminate against any individual on such grounds.

Confidential Information: Astor and Onteora understand and agree to maintain as confidential all information provided by the other party, including all documentary, electronic or oral information made known to Astor through any activity related to this agreement. Astor agrees not to reveal any confidential information regarding Onteora to any third party without Onteora's prior written consent.

Astor, being mindful of the privacy rights of the Onteora students and faculty, agrees to strictly maintain the confidentiality of any information Astor receives in the performance of the services under this agreement, under state and federal law requirements, including the Family Educational Rights and Privacy Act (FERPA) Regulations at 34 CFR Part 99. Astor further agrees, to the maximum extent required by law, to strict compliance with Sections 2-c and 2-d of the New York Education Law with respect to privacy requirements applicable to personally identifiable student data, classroom teacher information and building principal information that comes within Astor's possession and control, as may be defined in said laws. This obligation, if applicable, shall include, but not be limited to, the requirement of training its employees and agents who are assigned to perform services under this agreement in the privacy provision of said laws. In the event that Astor or Onteora fails to comply with the provisions set forth herein, the agreement shall be immediately terminated upon written notice to Astor and shall thereby become null and void, and of no further effect.

Said service is to be provided by Astor from September 1, 2025 through June 30, 2026 unless sooner terminated. As agreed upon, one (1.0) FTE licensed mental health practitioner will be employed during this contract period. In return for the services provided by Astor, Onteora hereby agrees to pay Astor the annual sum of $42,670 in monthly payments (see attached budget page).

Astor understands and agrees that it is responsible for complying with all applicable Federal, State and local statutes, rules, and ordinances including the New York State Safe Schools Against Violence in Education (SAVE) law. Astor shall comply with all requirements and protocols as established by Onteora and the State Education Department (SED) including, but not limited to, fingerprinting. Astor further agrees that all employees and agents of Astor performing services hereunder must be cleared by SED in accordance with the provisions contained in the SAVE law prior to providing services to Onteora. Astor must provide proof to Onteora of such clearances. In the event that Astor utilizes an individual who is required to but has not obtained fingerprinting clearance with SED, Onteora shall have the right to immediately terminate this contract.

Onteora will provide office space that is confidential, safe and accessible to students and parents; provide accessibility to telephone and Internet service; provide locked file cabinets to store confidential records; provide other staff time as is appropriate to foster the goals of this program; introduce the Astor staff to the faculty, staff, and administration as early in the school year as is possible. If Onteora cannot provide adequate referrals to fill the Astor clinician's schedule, the Astor clinician will accept clients from co-located schools if applicable and/or tele-health clients from outside of Onteora. In addition, if Onteora cannot fill non-billable time, the Astor clinician will use that time to see additional clients. Onteora clients with never be turned away and will remain the first priority for the Astor clinician in both billable and non-billable services. These practices are put into place in order to ensure full time status of the Astor clinician.

Both parties will renegotiate the next year's contract 90 days before the end of the current contract year (or April 1 of each year). Either Party may terminate the contract at the expiration of the current agreement providing the Party that wishes to terminate the agreement notifies the other Party in writing of its intention to terminate 60 days before the end of the current agreement (or April 1). Failure to notify the other party 60 days before the end of the current contract shall not be construed as an extension of this agreement.

Insurance: Astor will obtain and maintain during the course of this agreement the following coverages, from insurers licensed to conduct insurance business in the State of New York.

A. Commercial General Liability Insurance – With minimum limits of $1,000,000 each occurrence; $1,000,000 Personal and Advertising Injury Liability; $5,000 Medical Expense; $100,000 damage to Rented Premises; and $3,000,000 each General and Products/Completed Operations Aggregates.

The policy will affirmatively provide coverage for claims of negligent hiring, training and supervision, which may arise in the context of sexual molestation, abuse, harassment or similar sexual conduct.

B. Statutory New York State Workers' Compensation and Disability Insurance for all covered employees.

C. Professional Liability Insurance – With minimum limits of $1,000,000 per occurrence/$3,000,000 aggregate for the professional acts of Astor performed under this agreement. If written on a "claims-made" basis, the retroactive date must pre-date the inception of this agreement. Coverage shall remain in effect for two years following completion of the work.

D. Umbrella/Excess Insurance – With a limit not less than $5,000,000 per occurrence/aggregate.

Astor shall be responsible for the payment of any of its deductibles or self-insured retentions. At Onteora's request, Astor shall provide a copy of the declaration page of the liability, workers' compensation and disability insurance policies. Failure to obtain and/or maintain the above insurance coverages shall be considered a material breach of this agreement and shall result in immediate termination of this agreement by Onteora, without notice required.

Astor shall hold Onteora harmless from and indemnify it from any final judgment of a court of competent jurisdiction for Astor's failure to perform its obligations hereunder or to the extent attributable to the negligence of Astor or of its officers or of its officers or employees when acting within the course and scope of this Agreement.

Onteora shall hold Astor harmless from and indemnify it from any final judgment of a court of competent jurisdiction for Onteora's failure to perform its obligations hereunder or to the extent attributable to the negligence of Onteora or of its officers or employees when acting within the course and scope of this Agreement.

Astor and Onteora hereby agree that in the event of any dispute between them relating to this agreement, they shall first seek to resolve the dispute through informal discussions. In the event any dispute cannot be resolved informally within 90 consecutive calendar days, they agree that the dispute will be negotiated between Astor and Onteora through mediation, if they can agree on a mediator. The costs of mediation shall be shared equally by Astor and Onteora. Otherwise any dispute shall be resolved by litigation in state courts of jurisdiction located in Ulster County, New York.

Neither party may assign or transfer all or any portion of this agreement. The provisions of this agreement may only be amended or waived by mutual agreement, in writing, signed by both Astor and Onteora.

_____	_____
Official Representative Onteora Central School District	Yvette Bairan, Chief Executive Officer Astor Services
_____	5/21/2025 _____
Date	Date

Onteora Central School District Budget

September 1, 2025 – June 30, 2026
1 FTE Licensed Mental Health Practitioner
Monthly Payments: $4,267 (September – June)

Annual Total $42,670

Astor will provide evidence-based treatment, assessments, and evaluations as part of on-site Article 31 satellite school-based mental health clinic:

- Astor will provide evidenced-based co-occurring mental health and substance use education, screening/assessment, and treatment as applicable
- Onteora will provide appropriate space (following OMH regulations) for satellite clinic
- Astor will provide 1 full-time Master's level mental health clinician plus supervisory oversight
- The Astor clinician will have a 37.5-hour work week
  - Targeted Interventions: 22.5 hours weekly will be spent doing one-on-one individual therapy sessions with students. These sessions will be billed by an Astor clinician to the student's insurance.
  - Universal/Selective Interventions: No more than 15 hours weekly will be dedicated to clinic support services including consultation, meetings with school support staff, linkages & referrals, open office hours, non-billable intakes, outreach, and attend relevant meetings to ensure integration of Astor clinician with Onteora. (It will also account for the clinician's 30 minute lunch break.)

**3% COLA will be added to the annual cost per year*

THE JUDGE ROTENBERG EDUCATIONAL CENTER, INC.

Agreement With

ONTEORA CENTRAL SCHOOL DISTRICT

This agreement (the "Agreement") is by and between The Judge Rotenberg Educational Center, Inc., a Massachusetts corporation whose address is 240 Turnpike Street, Canton, MA 02021 (hereinafter referred to as "JRC") and **Onteora Central School District** (hereinafter referred to as the "Agency"). Capitalized terms used in this Agreement shall have the meanings provided in Section 13 hereof.

WHEREAS, JRC provides special education and related services to individuals with disabilities;

WHEREAS, the Agency desires that JRC provide such services to [redacted] (hereinafter referred to as the "Student");

WHEREAS, the Agency's Committee on Special Education (the "CSE") develops individualized education programs (IEPs) that determine the special education and related services to be provided to individuals with disabilities (each such program, an "IEP"); and

WHEREAS, JRC is willing to provide such services to the Student, subject to the terms and conditions hereinafter set forth.

NOW, THEREFORE, in consideration of the foregoing and other valuable consideration, the receipt of which is hereby acknowledged, the parties agree as follows:

1. Subject to the provisions set forth below, the Agency hereby contracts with JRC to provide special education and related services pursuant to the Student's IEP for the school year, commencing upon **July 1, 2025** and continuing until, and including, **June 30, 2026**. JRC agrees to provide services required by the IEP. The tuition rate to be paid to JRC for educational services shall be the rate certified by New York State. Payments by the Agency shall be made consistent with New York State regulations. JRC is a private special education school approved pursuant to Massachusetts General Laws Chapter 71B that holds all licenses, certificates and charters necessary to provide such special education and related services to the Student that are required by the Commonwealth of Massachusetts (such licenses collectively hereinafter referred to as the "Licenses").

2. If JRC determines that the services required by the IEP cannot be implemented due to the Student's physical health conditions, JRC shall refer the Student to the CSE to review

the Student's IEP or placement at JRC by giving notice to the Agency, such review not to be unreasonably withheld, conditioned or delayed. In the event of the Agency's termination of the Student's placement with JRC in accordance with this Section, the Agency shall continue to pay in accordance with Section 1 hereof until the Discharge Date.

3. In the event that the Student is convicted of an offense which would require registration as a sex offender under Massachusetts law, JRC may request that the CSE review the Student's IEP or placement at JRC by giving notice to the Agency, such review not to be unreasonably withheld, conditioned or delayed. In the event of the Agency's termination of the Student's placement with JRC in accordance with this Section, the Agency shall continue to pay in accordance with Section 1 hereof until the Discharge Date.

4. Except as otherwise provided in Sections 2, 3 and 6 hereof, JRC may request that the CSE review the Student's IEP or placement at JRC by written notice to the Agency as soon as possible upon JRC's determination, in its sole discretion, that it cannot implement the IEP. Such review shall not be unreasonably withheld, conditioned or delayed. In the event of the Agency's termination of the Student's placement with JRC in accordance with this Section, the Agency shall continue to pay in accordance with Section 1 hereof until the Discharge Date, and this Agreement shall terminate on the Discharge Date.

5. a. The Student's absence from the JRC program shall not constitute a termination of the Student's enrollment nor reduce any amount which the Agency is obligated to pay hereunder without JRC's prior written consent thereto. The Agency shall receive notice of the Student's absence in excess of 14 consecutive days for the purpose of convening a CSE meeting.

b. If JRC determines that it is necessary that the Student be absent from JRC for more than fourteen (14) days due to any unexpected major medical procedure, the Agency will continue to provide special education and related services as appropriate for the Student for the convalescent period. This Agreement shall not terminate during the convalescent period unless the CSE of the Agency has convened to review the IEP and recommended a change in placement.

c. Upon agreement between the Agency and JRC, if arrangements are made to return the Student to JRC for such convalescent period, the Agency shall pay JRC all the additional charges and costs incurred by JRC to implement the Student's IEP with respect to such convalescent period consistent with the tuition rate for providing special education and related services required by the IEP.

6. JRC and the Agency shall cooperate to establish appropriate services and goals for the Student consistent with applicable State and federal law. Throughout the term of this Agreement, the CSE of the Agency shall be responsible for (a) the

development of an IEP identifying the specific goals and objectives for the Student and the services and programs designed to meet those goals and objectives; (b) the timely development of successor IEPs immediately after termination of any then-effective IEP; and (c) providing written copies of any IEP or any changes, amendments or other modifications to a then-effective IEP. The Agency shall provide JRC with written notice of and an opportunity to be heard at any meeting (physical, telephonic or otherwise) of the CSE regarding the Student. Upon the Agency's failure to comply with the terms of this Section, JRC may request that the CSE review the Student's placement at JRC by giving notice to the Agency, such review not to be unreasonably withheld, conditioned or delayed. In the event of the Agency's termination of the Student's placement with JRC, the Agency shall continue to pay in accordance with Section 1 hereof until the Discharge Date. The Agency and JRC agree that JRC shall provide special education and related services as required by the Student's IEP consistent with applicable law and regulation.

7. During the pendency of any proceedings conducted pursuant to 20 U.S.C. §1415, the Student shall not be removed or transferred from JRC, except as authorized by law. In the event of an Emergency, JRC may refer the Student to the Agency for determination of placement in an appropriate interim alternative educational setting determined by the CSE or for referral to an Impartial Hearing Officer as appropriate.

8. a. In the event that the placement of the Student with JRC terminates for any reason, whether pursuant to Sections 2, 3, 4 or 6 hereof or otherwise, the Agency shall (i) remove the Student from JRC on or prior to the date of such termination and (ii) pay to JRC all amounts owing hereunder with respect to the Student through the Discharge Date, including, without limitation, the proportionate amounts owing under Section 1 hereof.

b. The Agency shall pay reasonable Student transportation costs to JRC for the Student entering JRC's program or re-entering the program in the event that such costs are incurred by JRC. Whenever the Student is to be removed from JRC, whether upon the termination of the placement of the Student with JRC or otherwise, the Agency shall pay for all reasonable Student costs, including transportation, incurred by JRC in removing the Student on the date scheduled for such removal.

c. JRC shall not be responsible for, or obligated to provide, any after-care service for the Student after the Student is removed from JRC, whether pursuant to the termination of the placement of the Student with JRC or otherwise. JRC shall not be obligated to provide any social, medical, psychological and psychiatric and/or individual counseling to any member of the Student's family, except as otherwise provided by the Student's IEP or in an agreement, if any, between JRC and such family.

d. JRC shall maintain the current Licenses with the appropriate governmental authorities and will promptly notify the Agency of (i) any enforcement action taken with respect to any such Licenses and (ii) any action that JRC has taken with respect to such enforcement action. The Agency shall be responsible for notifying NYSED of such information.

e. JRC shall promptly notify the Agency of (i) any report of abuse or neglect regarding the Student occurring in the JRC program or on the JRC premises, (ii) the progress and outcome of any investigation of such report, and (iii) any action being taken with respect to such report. The Agency shall notify the parents or persons in parental relationship to the Student of such report.

f. JRC shall promptly notify the Agency of (i) any investigation of a report of abuse or neglect that is found to result from a systemic problem with the JRC program or JRC or any portion thereof and (ii) any action that JRC is taking with respect thereto. The Agency shall be responsible for notifying NYSED of such information.

g. JRC shall take all necessary steps to be included in NYSED's list of approved residential schools at public cost. JRC shall (i) provide NYSED with such information as NYSED may request consistent with applicable State and federal law; and (ii) permit NYSED to conduct announced and unannounced visits to the JRC program or premises.

h. If JRC's approval to accept New York students at public cost is finally terminated, JRC shall promptly notify the Agency which may refer the Student to the Agency's CSE for change of placement. This Agreement shall terminate upon the change of placement and discharge of the Student.

i. JRC shall (i) transmit any educational reports, including evaluations conducted by JRC, to the Agency at the same time such reports are made to the parents or persons in parental relationship to the Student, and (ii) provide educational progress reports to the Agency as required by 8 NYCRR Part 200.

9. All notices hereunder shall be in writing (including telegraphic communication) and shall be mailed, telegraphed or delivered (if mailed, by certified or registered mail, return receipt requested) at the following address:

If to JRC:

Attention: Glenda P. Crookes
The Judge Rotenberg Educational Center, Inc.
250 Turnpike Street
Canton, MA 02021

If to Agency:

Onteora Central School District
PO Box 300 – 4166 Route 28
Boiceville, NY 12412

or such other addresses as the parties may designate by notice in writing. All such notices shall be deemed to have been given when personally delivered, or, if mailed by postal service, e-mail or transmitted by facsimile, three business days after being mailed or transmitted.

10. This Agreement shall constitute the entire agreement between JRC and the Agency and shall not be modified except in writing. The Agency and JRC agree that any dispute involving this Agreement shall be brought in a court of competent jurisdiction within the county where the Agency is located, and this Agreement shall be construed under New York State law. Neither party may assign its rights and/or obligations pursuant to this Agreement to any third party.

11. If any of the provisions of this Agreement shall be determined to be invalid or unenforceable by a court of competent jurisdiction, such invalidity or unenforceability shall not invalidate or render unenforceable the entire Agreement, but rather such invalid of unenforceable provision or provisions shall be enforced to the maximum extent permitted by applicable law. The parties hereto consent and agree that such provisions shall be judicially modified accordingly and that the whole of such provisions of this Agreement shall not thereby fail, but rather that the scope of such provisions shall be curtailed only to the extent necessary to conform to applicable law. The parties agree that all portions of this Agreement including, without limitation, those portions of this Agreement relating to discharge and termination, shall be subject to applicable law, including, without limitation, the IDEA and its regulations, and New York State Education Law.

12. For the purposes of this Agreement, the following terms shall have the definitions provided below:

a. "Agency" shall have the meaning set forth in the preamble of this Agreement.

b. "Agreement" shall have the meaning set forth in the preamble hereof.

c. "CSE" shall have the meaning set forth in the preamble of this Agreement.

d. "Dangerous Situation" means a determination by an impartial hearing officer in accordance with 20 U.S.C.A. § 1415(k)(3) that maintaining the Student at JRC is substantially likely to result in injury to the Student or others.

e. "Discharge Date" shall mean the last date of the Student's enrollment with JRC.

f. "Emergency" means (a) Special Removal Circumstances and/or (b) a Dangerous Situation.

g. "IDEA" shall mean the Individuals with Disabilities Education Act ("IDEA"), 20 U.S.C.A. § 1400 et seq., together with associated regulations as published in the Code of Federal Regulations, as amended from time to time.

h. "JRC" shall have the meaning set forth in the preamble of this Agreement.

i. "Licenses" shall have the meaning set forth in Section 1.

j. "NYSED" shall mean the New York State Education Department.

k. "Parent" shall mean the Student's parent or guardian, as applicable.

l. "School Location" means (i) JRC, (ii) the JRC premises (which shall include, for purposes of this Agreement, any JRC-owned, leased or operated residence for use by students) or (iii) a JRC function under the jurisdiction of a State or local educational agency.

m. "Special Removal Circumstances" means any situation in which the Student (i) carries or possesses a weapon to, at or on a School Location; (ii) knowingly possesses or uses illegal drugs, or sells or solicits the sale of a controlled substance while at or on a School Location; or (iii) has inflicted serious bodily injury upon another person while at or on a School Location.

n. "Student" shall have the meaning set forth in the preamble of this

Agreement.

The individuals executing this Agreement in their representative capacity hereby acknowledge that they have the authority to bind the representative party to the Agreement.

[REMAINDER OF PAGE LEFT BLANK; SIGNATURES ON FOLLOWING PAGE]

IN WITNESS WHEREOF, the parties have caused this Agreement to be executed by their duly authorized representatives.

The Judge Rotenberg Educational Center, Inc.

By: _____
President/CEO

Date: 5.23.25

Onteora Central School District, New York

By: _____
Authorized Signature

Date: _____

Non-Instructional/Business Operations

SUBJECT: TRANSPORTATION PROGRAM

It is the intent of the Board of Education to comply with the letter and spirit of the New York State Education Law; with the regulations of the Department of Motor Vehicles and of the Department of Transportation and with the Commissioner of Education's regulations and decisions pertinent to student transportation, and these shall govern any questions not covered by specific declaration of policy herein.

The purposes of the transportation program are to transport students to and from school, to transport them for district extracurricular activities, such as clubs, academic help and school athletics. to transport them on field trips, and to transport those requiring special services.

The Board of Education recognizes and assumes the responsibility for all aspects of the transportation of children wherein the health and safety of students are involved, for the Board of Education has a legal obligation to safeguard the welfare of bus-riding children.

Education Law Sections 3602(7) and 3635 et seq.

Adopted: 6/29/09 Reviewed 11/30/17

Non-Instructional/Business Operations

SUBJECT: SCHEDULING AND ROUTING

Bus routes are authorized by the Board of Education and any requests for a change must be submitted to the Superintendent or their designee.

The responsibility for administering the transportation program rests with the Superintendent and administrative designee. The administration of the program will comply with all applicable laws, regulations, and policies established by federal, state and local authorities.

Mileage Limitations

Transportation services shall be provided to meet the needs of the students of the District within specified limits and areas established by the Board of Education.

The District will provide transportation only for those students in grades 7 through 12 living a distance greater than one (1) mile from the school they attend or greater than one (1) mile from the nearest school bus stop on a main or feeder run, and one-half mile for ~~elementary students~~ students in grades K through 6. A Child Safety Zone has been established surrounding the Middle/High School and Bennett and transportation is provided within this Child Safety Zone.

Education Law Sections 3621 and 3635

Adopted: 12/19/17

Non-Instructional/Business Operations

SUBJECT: LATE BUS RUNS

In order to encourage student participation in district extracurricular activities, the Board of Education authorizes daily late bus runs at the middle-senior high school. Double late bus runs may be provided at the discretion of the Superintendent of Schools, when there are at least fifteen (15) students or more for the 4:20 p.m. late run, and when there are at least fifteen (15) students or more for the 5:15 p.m. late run and when the cost for such runs may be absorbed in the transportation budget.

Late bus schedules will be developed by the Director of Transportation and announced to the student body by the school administration. Any change in the bus schedule will be announced over the public address system as early as possible. There will be no late runs on the following days: when school is cancelled because of inclement weather, when school is on half-day session, or when a 15-minute Early Evacuation is scheduled.

Adopted: 12/19/17

SUBJECT: TRANSPORTATION OF STUDENTS

Requests For Transportation to and From Nonpublic Schools

The parent or guardian of a parochial or private school child residing in the School District who desires that the child be transported to a parochial or private school outside of the School District during the next school year should submit a written request to the Board of Education no later than April 1 of the preceding year, or within thirty (30) days of moving into the District. No late request of a parent or guardian shall be denied where a reasonable explanation is provided for the delay. Students must live within a 15 mile radius of chosen private school. If student does not, they must meet the bus at an existing bus stop within the 15 mile radius.

Transportation of Students With Disabilities

Students with disabilities in the District shall be transported up to fifty (50) miles (one way) from their home to the appropriate special service or program, unless the Commissioner certifies that no appropriate nonresidential special service or program is available within fifty (50) miles. The Commissioner may then establish transportation arrangements.

Transportation of Non-Resident Students

The District shall not extend its bus routes outside of the District to pick up non-resident students.

Transportation to School Sponsored Events

Where the District has provided transportation to students enrolled in the District to a school sponsored field trip, district extracurricular activity or any other similar event, it shall provide transportation back to either the point of departure or to the appropriate school in the District unless the parent or legal guardian of the student has provided the District with written notice. Written notice must be consistent with District policy, authorizing an alternative form of return transportation for such student unless intervening circumstances make such transportation impractical. In cases where transportation of a student back to the point of departure or to the appropriate school is impractical, a representative of the School District shall remain with the student until the student's parent or legal guardian has been informed of the circumstances and the student has been delivered to their parent or legal guardian.

Education Law Sections 1604, 1709, 1804, 1903, 1950, 2503, 2554, 2590-e, 3635, 4401(4), 4404, and 4405

Adopted: 12/19/17

Non-Instructional/Business Operations

ALCOHOL AND DRUG TESTING OF DRIVERS

The Board of Education recognizes the dangers inherent in alcohol and controlled substance use by employees, especially those in safety-sensitive positions. To ensure the safety of its students, the Board requires alcohol and controlled substance testing of certain district employees, mainly "drivers," operators of "other school buses," and any other employee who is subject to such testing, in accordance with and as set forth in the applicable federal and state requirements as well as relevant collective bargaining agreements.

Definitions

1. "Driver" includes 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.

2. "Other school buses" include those covered by applicable federal regulations (see list below) and any other motor vehicle either owned by the district or by a private company, operated to transport students, children of students, teachers, and other supervisory persons to or from school or school activities.

Testing Responsibilities

The district shall directly, by contract, or through a consortium, implement and conduct a program to provide alcohol and controlled substance testing of employees who are drivers, or who operate a commercial motor vehicle, perform in a safety-sensitive position, and are required to hold a commercial driver's license. Employees holding such positions 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 vehicle listed in 1 or 2 above).

Controlled substance and alcohol tests will be conducted at or prior to the time of employment and randomly throughout the school year in accordance with any relevant collective bargaining agreements. In addition, testing will be conducted when a supervisor has a reasonable suspicion that an employee has engaged in prohibited alcohol or controlled substance use; after certain accidents; 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.

Driving Prohibition

In accordance with federal and state law, a driver may not drive if he or she:

1. possesses, consumes or is reasonably believed to possess or have consumed alcohol or a controlled substance, while on duty;

(Continued)

ALCOHOL AND DRUG TESTING OF DRIVERS (cont'd)

2. uses or is under the influence of alcohol or a controlled substance that is not lawfully prescribed within six hours or less before duty;
3. has an alcohol concentration of 0.02 or higher, or tests positive for a controlled substance; or
4. refuses to take a required alcohol or controlled substance test.

Also, no driver shall use alcohol after being involved in an accident in which there was a fatality or in which the driver was cited for a moving violation and a vehicle was towed from the scene or an injury was treated away from the scene until he/she has been tested or 8 hours have passed, whichever occurs first.

Enforcement of Driving Prohibitions

The school district will not require or permit employees to be on duty or operate a listed vehicle or other school bus, if it appears that they have consumed a drug/controlled substance (except those lawfully prescribed) or alcohol within the preceding eight hours. This shall be based on the person's general appearance, conduct, or other substantiating evidence.

Response to Positive Testing Results

Any employee who is tested and found to have an alcohol concentration of at least 0.02, but less than 0.04, shall be removed from the position until his or her next regularly scheduled duty period, but not less than 24 hours following administration of the test. Any employee found to have violated this requirement may be disciplined in accordance with the provisions of the applicable collective bargaining agreement, district policy, and/or law. Operators of "other school buses" subject to random testing pursuant to New York Law will be subject to the same consequences based upon an alcohol concentration of at least 0.02 but less than 0.04 as drivers listed above.

If a driver has an alcohol concentration of 0.04 or greater, 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. The employee may be required to complete a treatment program and/or be disciplined pursuant to district policy and/or collective bargaining agreement. No driver who has abused controlled substances and/or alcohol 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. Operators of "other school buses" subject to random testing pursuant to New York Law will be subject to the same consequences based upon an alcohol concentration of 0.04 or greater or a positive drug test as drivers listed above.

(Continued)

ALCOHOL AND DRUG TESTING OF DRIVERS (cont'd)

Re-Testing

Should the district receive a dilute test result in which the creatinine concentration is greater than 5mg/dL in the case of any pre-employment, return-to-duty, follow-up, reasonable suspicion, or random test, it is the policy of the district that the individual shall be re-tested and that re-test will become the test of record.

If, however, the district wishes to retest, then you must specify the circumstances under which you wish to retest (i.e., pre-employment, follow-up testing, etc.). Please note that the regulations require that you treat all individuals the same for this purpose and that you must inform individuals in advance of your decision on these matters. The BOCES Health and Safety Services group has recommended that districts retest in three areas: pre-employment, return-to-duty and follow-up testing. The sample paragraph above has been drafted to require retesting for all individuals in all five areas. Please modify to reflect your district's intended practice.

Districts should also note that there is a charge for the re-tests and decide who will bear the additional expense.

Policy Distribution

The Superintendent of Schools shall ensure that a copy of this policy, the district's policy on misuse of alcohol and use of controlled substances, information on alcohol and drug abuse and treatment resources and any other information prescribed by federal regulations is provided to all drivers and operators of "other school buses" prior to the initiation of the testing program and to each driver or operator of "other school buses" subsequently hired or transferred to a position subject to testing.

Cross-ref:
9320, Drug-Free Workplace
9610, Staff Substance Abuse

Ref:
Omnibus Transportation Employee Testing Act of 1991, 49 U.S.C. §§31136; 31306
49 U.S.C. §521(b)
49 CFR Part 391 (Qualifications/Disqualifications)
49 CFR Part 382 (Drug and Alcohol Testing Requirements)
49 CFR Part 40 (Testing Procedures)
49 CFR §395.2 (On-duty time defined)
Vehicle and Traffic Law §§509-g; 509-l; 1192; 1193
Will v. Frontier CSD Bd. of Educ., 97 N.Y.2d 690 (2002)

Adoption date: 3/8/22