

WAYNE CENTRAL SCHOOL DISTRICT BOARD OF EDUCATION MEETING AGENDA



April 22, 2009

700 p.m.

District Office Board Room

7:00 Call to Order

Pledge of Allegiance

Approval of Agenda/Approval of Minutes

[Att. 1](#)

7:05 Public Comment

7:10 Board Member Comments

7:15 Board President Comments

7:25 Superintendent's Report

1. Budget Update
2. Board Retreat
3. Transfer of Reserve Funds
4. Financial Report
5. Student Representative
6. Student Questions

8:15 Board Action

1. Personnel Action
2. CSE/CPSE Action
3. WFL BOCES Board Nomination
4. Consent Agenda Items:
 1. Accept Treasurer's Report
 2. Approve Health Contracts

[Att. 2](#)

[Att. 3](#)

[Att. 4](#)

[Att. 5](#)

8:25 Policy

[Att. 6](#)

8:30 Four County Report

8:35 Public Comment

8:40 Board Member Comments

8:45 Adjournment

Next Meeting Date: May 7, 2009

Performing Arts Center 7:00 p.m.

Based on the belief that all students can learn, the staff of the Wayne Central School District accepts the responsibility to teach all students, regardless of differences, the fundamental skills. We further accept the responsibility to challenge all students to attain higher levels of achievement. Wayne Central will provide the opportunity, environment, and encouragement to meet this goal while developing the whole child, physically, socially, emotionally, and culturally.

WAYNE CENTRAL SCHOOL DISTRICT
Ontario Center, New York 14520

BOARD OF EDUCATION MINUTES

UNOFFICIAL UNTIL APPROVED

DATE: Thursday, March 26, 2009
TYPE: Regular Business Meeting

TIME: 6:30 p.m.
PLACE: District Office

PRESENT: Members Griswold, Lyke, Newman, Paz, Robusto, Schultz & Triou (arrived @ 6:35 p.m.); District Clerk Switzer; Administrators Havens, Armitage, Shaffer, Wright, Schiek, Atseff, Cox & Callahan

ABSENT: Mrs. Brunner, Mr. Nicholson

GUESTS: Visitor's Roster filed in clerk's agenda file, this meeting

I. CALL TO ORDER: 6:30 p.m. by Frank Robusto, Jr., School Board President

II. EXECUTIVE SESSION (Executive Session)

Mrs. Lyke offered a **MOTION**, seconded by Mr. Griswold, to adjourn the meeting at 6:31 p.m. for an executive session for discussion of matters pertaining to the appointment, employment, promotion, demotion, discipline, suspension, dismissal or removal of specific persons. 6 Ayes, 0 Nays, 3 Absent (Mrs. Brunner, Mr. Nicholson, Mr. Triou), Carried.

(Mr. Triou entered the meeting @ 6:35 p.m.)

III. RECONVENE: 7:00 p.m.

IV. PLEDGE OF ALLEGIANCE

V. APPROVAL OF AGENDA & MINUTES (March 12, 2009)

Mr. Havens presented a personnel action item and a resolution for an additional proposition on the school election ballot as additional agenda items. Mr. Paz offered a **MOTION**, seconded by Mrs. Lyke, to approve the agenda for this evening's meeting, as revised, and the minutes of the meeting of March 12, 2009, as presented. 7 Ayes, 0 Nays, 2 Absent (Mrs. Brunner, Mr. Nicholson), Carried.

Mrs. Lyke clarified the wording of her question on Page 9672, X-B, ¶8 of the minutes of March 12th as follows "... accelerated courses are available to challenge students who complete biology and algebra as eighth graders ..."

VI. PUBLIC COMMENT

Mr. Robusto stated that the Board of Education values public comment and that, under NYS Open Meetings Law, school board meetings are open to the public, not public meetings. Two opportunities are provided for public comment and time limits are placed on each speaker. While immediate responses are not always possible, follow-up will occur if needed. He asked speakers to identify themselves, their address, any organization they may represent and to provide copies of any documentation to the school district clerk.

- A. Mrs. Mary Zingerella, director of the Walworth-Seely Public Library, shared information with the Board of Education on library circulation and proposed use of the additional funds which the Board of Trustees is seeking through the petitions for an increase in funding. (copies filed in clerk's agenda file, this meeting)

VII. BOARD MEMBER COMMENTS - None

VIII. BOARD PRESIDENT'S COMMENTS - None

IX. REPORT ON ACTION ITEMS BY THE SUPERINTENDENT OF SCHOOLS

X. REPORTS OF THE SUPERINTENDENT OF SCHOOLS

- A. Mr. Havens stated that the ***exit meeting with the auditor from the State Comptroller's Office*** will occur next Tuesday, March 31st @ 4 p.m. at the district office. The preliminary draft of the report is very positive.

- B. Mr. Havens reported that the school attorney has advised that the petitions filed by the Board of Trustees of Walworth-Seely Public Library are sufficient to formally place a ***proposition for an increase in funding from the school budget for that library on the school election ballot*** on May 19th. He stated that the Board of Trustees of Ontario Public Library did not seek an increase in their funding level.

Mr. Schultz asked why Ontario Town Officials did not seek a ballot proposition to increase the funding level for the Ontario Public Library. Mr. Switzer noted that the town board serves as tax collector for the Board of Trustees which has sole discretion over library policy and operations.

Mr. Triou asked what tax impact is projected impact for the increased library funding. Mr. Havens stated that taxpayers in the portion of the Town of Walworth within the Wayne Central School District would pay an additional 2 cents per thousand of assessed valuation if the proposition to increase library funding is approved by voters.

C. ADOPT PROPOSED BUDGET • 2009-2010 SCHOOL YEAR

Mr. Havens presented the final draft of proposed expenditures and revenues for the 2009-2010 fiscal year for review and consideration by the Board of Education. He complimented building and district staff members for their hard work in preparing this budget and asked Mr. Atseff, assistant superintendent for business, to review highlights of the final draft.

Mr. Atseff stated that the proposed budget of \$40,970,917 represents a 0.12% increase in expenditures and a true tax rate of \$21.00 per thousand dollars of assessed valuation which is the same rate as the current fiscal year. Residents will not have an increase in school taxes unless their assessment has increased.

He shared major highlights of the budget, as noted in prior meetings, as follows:

- Reduction of 20% in each conference category
- Increase in custodial equipment to reflect the purchase of an auto scrubber floor machine for Ontario Primary School
- Increase in custodial supplies to reflect increased cost for paper products and garbage bags
- Decrease in maintenance equipment and vehicle purchases
- Decrease in contractual expenses for facilities and increase in supplies to address building needs
- Reduction of nine (9) teaching positions due to declining enrollment
(three (3) regular education & six (6) special education)
- Reduction of \$20,825 in building budgets to reflect declining enrollment

- Reduction in BOCES special education services due to declining enrollment
- Addition of \$105,000 to cover cost of services and evaluations for pre-school children with special needs
- Reduction of one (1) bus run due to declining enrollment
- Decrease in central data processing salaries reflecting the reduction of one (1) administrative position
- Decrease in curriculum development to reflect a reduction in summer curriculum writing
- Increase of 4.0% for health insurance costs

Mr. Atseff stated that the final draft includes state aid revenues of \$14.5 million as proposed by the Governor's budget and a one-time transfer from the capital project to reduce debt service. Debt service expenditures will drop accordingly in future years.

Mr. Triou asked for clarification on the payment in lieu of taxes (P.I.L.O.T.) agreement with Constellation Energy for the nuclear power plant and when it will expire. Mr. Atseff and Mr. Havens provided details; the current P.I.L.O.T. agreement expires in 2014.

Mr. Atseff noted that expense and revenue appropriations for pupils with special educational needs (A 2250.476 – Page 14) reflects transfer of costs for students placed by the Committee on Pre-School Special Education from county expense to local expense and additional federal financial aid for operation of such programs pending final action in the state budget.

Mr. Paz complimented Mr. Atseff and school officials on an excellent job of budget development.

Mr. Robusto asked if the proposed budget includes any funds for the elementary foreign language initiative which the Board of Education has asked Mr. Havens and school officials to review. Mr. Havens stated that school personnel are beginning the study but funding is not included in the proposed budget. If the Board of Education adopts the topic as a goal, it can allocate funds.

Mr. Robusto asked if the proposed budget includes funds for the lacrosse program. Mr. Havens noted it does. He added that the students who have started in the modified (middle school) program have not impacted participation on softball or baseball teams.

Mr. Griswold noted that an organized effort was made by families who originally requested lacrosse to pursue participation in the program.

Mrs. Lyke suggested that the school district explore cooperative efforts with the athletic trainers from University of Rochester Strong Memorial Hospital on exercise routines to assist students locally who tear their ACL. Mr. Havens noted that the district does contract with an athletic trainer on a part-time basis and he will share this idea with him.

Mr. Robusto stated that he and Mrs. Lyke attend many meetings with school board members who are faced with substantial job cuts and economic issues and he is pleased with the result of our budget development process within uncertain economic times to lot of other meetings.

Mr. Griswold asked Mr. Havens what feedback he has obtained from other school districts on budget issues; Mr. Havens reviewed information known at this time.

D. REPORT ON UPDATES TO MENTOR PROGRAM FOR NEW TEACHERS

Mr. Havens presented proposed updates to the ***new teacher induction/mentor program*** for review and consideration by the Board of Education. He asked Mrs. Cox, assistant superintendent for instruction, to review the updates.

Mrs. Cox noted that, in the past several years, the mentoring program consisted of retired district teachers as mentors for new teachers. With a decrease in the number of retirees available for the program and needs for “like” experiences and specific expertise, the proposal is to expand the program in September, 2009 to include current staff as well as retirees. The program will become a part of the district’s professional development plan which is approved annually by the Board of Education in conjunction with her office.

Mrs. Lyke stated she endorses these updates and noted that it does not take too many years after a teacher leaves the classroom to lose touch with the process.

Mr. Griswold asked how many new teachers were eligible for the mentoring programs this past fall; Mrs. Cox stated about three (3) dozen.

Mrs. Newman asked if there is potential for mentors to serve outside of the regular work day. Mrs. Cox stated that mentors would work with one (1) or two (2) new teachers in a single school year with a stipend of \$1000 for one (1) or \$1,800 for two (2) assigned teachers.

Mr. Triou asked about the training cycle for new teachers and if mentors work with new staff during and after the school day. Mrs. Cox outlined the process used both during and after the school day.

E. STUDENT REPRESENTATIVE

Adrienne Heckle, a junior, was student representative for the meeting and shared highlights of student academic, athletic and extra-curricular activities and achievements.

F. STUDENT QUESTIONS

Zachary Wisecup, 1738 Kenyon Road, Ontario, asked how much the school district spends on programs for students with disabilities. Mr. Atseff stated that the amount is appx. \$4.1 million or appx. 10% of the total school budget.

XI. RECESS: 7:35 p.m.

XII. RECONVENE: 7:40 p.m.

XIII. ITEMS FOR BOARD OF EDUCATION ACTION

A. ADOPT PROPOSED SESSION DAY CALENDAR • 2009-2010 SCHOOL YEAR

Mr. Havens presented the proposed session day calendar for the 2009-2010 school year for review and consideration by the Board of Education.

Mrs. Lyke offered a **MOTION**, seconded by Mr. Griswold, to adopt the proposed session day calendar for the 2009-2010 school year as recommended by the superintendent of

schools. 7 Ayes, 0 Nays, 2 Absent (Mrs. Brunner, Mr. Nicholson), Carried. (copy filed in clerk's agenda file, this meeting)

Mr. Triou expressed his dislike for the opening school prior to Labor Day weekend.

B. ADOPT PROPOSED BUDGET • 2009-2010 FISCAL YEAR

Mr. Havens presented the final draft of the proposed budget for the 2009-2010 fiscal year for review and consideration by the Board of Education.

Mr. Triou offered a **MOTION**, seconded by Mr. Schultz, to adopt the proposed budget for the 2009-2010 fiscal year in a total amount of \$40,970,917.00 as recommended by the superintendent of schools. 7 Ayes, 0 Nays, 2 Absent (Mrs. Brunner, Mr. Nicholson), Carried. (copy filed in clerk's agenda file, this meeting)

C. ACCEPT & FILE PETITIONS FOR PLACEMENT OF A PROPOSITION ON BALLOT

(Annual School Election of May 19, 2009)

Mr. Havens presented petitions submitted by the Board of Trustees for Walworth-Seely Public Library for **placement of a proposition on the 2009 school election ballot** for review and consideration by the Board of Education.

Mr. Triou offered a **MOTION**, seconded by Mr. Schultz, to adopt a **RESOLUTION** to accept petitions for placement of a proposition on the school election ballot of May 19, 2009, **TO WIT:**

RESOLUTION TO ACCEPT & FILE PETITIONS FOR PLACEMENT OF A PROPOSITION ON THE SCHOOL ELECTION BALLOT

BE IT RESOLVED that the Board of Education does hereby accept and file petitions containing sixty-four (64) valid signatures of school district residents as filed with the school district clerk by the Board of Trustees of Walworth-Seely Public Library on Thursday, March 19, 2009 seeking placement of a proposition on the annual school election ballot, and

BE IT FURTHER RESOLVED that the school district clerk is authorized and directed to amend the legal notice for call of the public hearing on the proposed budget on May 7, 2009 and the annual school election of May 19, 2009 and place a proposition on the school election ballot, as follows:

RESOLVED, that the Board of Education be authorized to increase the annual appropriation and tax for public library purposes to \$10,000 for the Walworth-Seely Public Library beginning in the fiscal year of 2009-2010

On the question, the **RESOLUTION** was adopted by a vote of 7 Ayes, 0 Nays, 2 Absent (Mrs. Brunner, Mr. Nicholson) (petitions filed in clerk's files)

D. PERSONNEL ACTION

Mr. Havens presented the following personnel action for review and consideration by the Board of Education:

INSTRUCTIONAL STAFF

RESIGNATION:

Scott Partridge, science teacher, assigned to the middle school, effective March 20, 2009 (personal reasons)

Mr. Triou offered a **MOTION**, seconded by Mrs. Newman, to approve the personnel action as recommended by the superintendent of schools. 7 Ayes, 0 Nays, 2 Absent (Mrs. Brunner, Mr. Nicholson), Carried.

XIV. LIAISON & COMMITTEE REPORTS

A. FOUR COUNTY SCHOOL BOARDS ASSOCIATION

- (1) Mrs. Lyke noted discussions on state finances at the **forum with local legislators** sponsored by the Four County School Boards Association on Saturday, March 19th. She also reviewed the effort among school officials to insulate decisions of arbitrators in teacher disciplinary hearings in the **selection process of panelists for 3020(a) hearings**.
- (2) Mrs. Lyke noted a special sub-committee meeting of the legislative committee of the Four County School Boards Association set for Monday, April 27th to consider **collaborative efforts within the current fiscal climate**.
- (3) Mrs. Lyke stated that she, Mrs. Newman, Mr. Atseff and Mrs. Cox plan to attend the **B.O.C.E.S. workshop** sponsored by NYS School Boards' Association, May 1-2 in Albany.

XV. ADDITIONAL PUBLIC COMMENT

- A. Mrs. Zingerella, supra, thanked the Board of Education for accepting the petitions for placement of the proposition for increase of funding from the tax levy for the Walworth-Seely Public Library on the annual school election ballot.

XVI. ADDITIONAL BOARD MEMBER COMMENTS

- A. Mr. Triou extended **thanks to school personnel** for their diligent efforts in budget development.
- B. Mr. Triou **complimented** Mr. Atseff, his staff and school personnel on the positive state audit.
- C. Mr. Paz **thanked Mr. Schultz and the audit committee** for their efforts in the state audit process.
- D. Mr. Robusto noted that we have **raised the bar for the audit process**.
- E. Mr. Schultz noted the **fine work by staff and the audit committee** on the state audit, which was a long-term review of past activities.
- F. Mr. Griswold stated that he, Mr. Schultz and Mr. Triou plan a meeting of the **“get out the vote” committee**.
- G. Mr. Robusto asked when **school board candidate petitions** are due: Mr. Switzer stated Monday, April 20th at 5 p.m.

XVII. ADJOURNMENT

Mr. Triou offered a **MOTION**, seconded by Mr. Paz, to adjourn the meeting at 7:51 p.m. 7
Ayes, 0 Nays, 2 Absent (Mrs. Brunner, Mr. Nicholson), Carried.

Respectfully submitted,

JAMES E. SWITZER
School District Clerk

APPROVAL OF MINUTES **UTES**

The foregoing minutes of the Board of
Education were submitted for review
& (approved as presented)(corrected
as noted) at the meeting of

April 22, 2009

School District Clerk

JES/jes:wp

WAYNE CENTRAL SCHOOL DISTRICT
Ontario Center, New York 14520

BOARD OF EDUCATION MINUTES

UNOFFICIAL UNTIL APPROVED

DATE: Thursday, April 9, 2009

TIME: 7:00 p.m.

TYPE: Joint Meeting – Board of Education & the
Walworth & Ontario Town Boards

PLACE: Ontario Elementary School

PRESENT: *Board of Education:* Jackie Brunner, Scott Griswold, Tom Nicholson, Frank Robusto, Jr., Jeffrey Schultz & John Triou, Jim Switzer, district clerk; Michael Havens, superintendent; Greg Atseff, ass't superintendent for business; Kim Cox, ass't superintendent for instruction; *Walworth Town Board:* Bob Plant, Suzi Hawkins-Mance, Patti Marini & Tom Yale; *Ontario Town Board:* Bob Kelsch, Jason Ruffell, Lori Eaton-Smith, Jim Switzer & Stephen Tobin.

ABSENT: *Board of Education:* Joyce Lyke, Susan Newman, Dom Paz. *Walworth Town Board:* Frank Maciuska

GUESTS: Visitor's Roster filed in clerk's agenda file, this meeting

I. **CALL TO ORDER:** 7:00 p.m. by Frank Robusto, Jr., School Board President

II. **PLEDGE OF ALLEGIANCE**

III. **ITEMS FOR DISCUSSION**

A. PROPOSED BUDGET – Wayne Central School District

Mr. Havens stated that the proposed budget of \$40,970,917 represents a 0.12% increase in expenditures and a true tax rate of \$21.00 per thousand dollars of assessed valuation which is the same rate as the current fiscal year. It includes the reduction of one (1) administrative position and nine (9) teaching positions due to declining enrollment.

Residents will not have an increase in taxes for school purposes unless their assessment has increased. If the proposition is approved for an increase in annual funding to \$10,000, submitted by petition by the Board of Trustees of the Walworth-Seely Public Library, taxpayers in the Town of Walworth portion of the school district would pay an additional two cents.

B. COUNTY TAX REFORM SUMMIT – Ontario Town Board

After the county-wide tax summit last fall, several task forces were formed to investigate topics in depth.

Mr. Switzer is a member of the task force on administrative services. The group is collecting information on computer systems, procurement and software applications to explore shared services among towns, schools, villages and the county. An inventory of programs and services managed by the data processing departments of the County of Wayne and Wayne-Finger Lakes B.O.C.E.S. and a survey among users are the initial efforts of the group.

Mr. Kelsch is a member of the task force on economic development. The group is conducting a survey of current practices at the town, county and village level and is compiling examples of successful projects or models to share. Each of the several tasks forces will gather for a review of progress later this spring.

Mr. Havens noted that the school districts in Wayne County anticipate approval this month of their application to the NYS Department of State for a \$50,000 high efficiency planning grant to study the pros and cons of regional high schools.

Mr. Robusto noted that cooperation and sharing between the school district and municipalities is not new but has more momentum exists as financial issues emerge.

Mr. Kelsch noted that while cooperative efforts among town highway departments and joint services for animal control are also in place, the challenge remains to address the inequity that can occur due to the diversity of the tax bases of each municipality.

Mr. Havens noted the school district receives approx. 70 cents on a dollar in state aid for capital projects, including cooperative projects with other municipalities.

c. COMPOST FACILITY/WASTEWATER PLANT – Ontario Town Board

Mr. Kelsch noted that the Ontario Town Board is exploring the possible expansion of existing sludge and composting efforts to a regional facility serving several towns.

He cited the potential to reduce costs for towns for transporting and processing their waste byproducts and to provide a new revenue source for the Town of Ontario's sewer district. In addition, landscapers, golf courses and farmers have many uses for the final product created.

Discussion followed on the allowed uses of the final product and the positive environmental features of the composting process.

Mr. Plant noted that the Finger Lakes Solid Waste Authority is exploring a composting effort at the recycling facility in the Town of Arcadia.

d. WIND TURBINE PROJECT – Wayne Central School District

Mr. Havens noted that the Board of Education approved a study last December of a 1 megawatt wind turbine on the Ontario Center campus to serve the electricity needs of school facilities.

He added that Sustainable Energy Development, Inc., based on Timothy Lane in the Beh Industrial Park, is conducting the study which is due at the end of June. The school district has also applied for a grant through the NYS Energy Research & Development Agency (NYSERDA) to assist in a wind turbine project.

Based on interest expressed at the prior joint town-school boards' meeting, the study also includes the town hall/library and fire station on Ridge Road and Walter Cone Drive as part of the wind turbine project.

In the future, the school district would like to explore a second wind turbine in the Town of Walworth to serve Freewill Elementary School and the Town of Walworth highway garage.

Mr. Havens noted that the Sodus Central School District has a wind turbine project under review and has encountered some issues related to flight patterns for the Sodus-Williamson Airport.

Discussion followed on sell-back of energy during off-peak hours, retail energy credits for excess power, state aid to school districts for energy projects and the payback periods for wind turbine projects and alternative energy efforts.

Mr. Nicholson, who has extensive experience in these projects, noted potential use of excess energy in areas such as support air conditioning systems. He also reviewed options for methane gas produced in the composting process discussed earlier this evening.

Mr. Kelsch noted that another new firm in Ontario, Northern Bio Diesel, Inc., is working on digesters and methane generators to generate fuel from waste products.

E. COOPERATIVE SERVICES – Ontario Town Board

Mr. Switzer noted that the Ontario Town Board took the lead in 1980's with joint animal and rabies control services, still in place, and a joint fuel depot for school, town, fire and emergency services, which was discontinued. The cooperative efforts for salting & sanding of school driveways and parking lots and shared use of school facilities for town recreation programs are also long-term efforts. These joint meetings of town and school officials started in the 1970's for discussion about property valuation and equalization rates.

Based on present and future fiscal constraints, he suggested the following areas as future opportunities for shared and/or cooperative efforts among the two towns and the school district:

- shared licensed turf control and OSHA/workplace safety training
- shared vendor for mandatory random CDL substance abuse testing of employees
- joint vendor/firm for Employee Assistance Programs
- shared staff for maintenance, grounds or repair services
- shared scrubber equipment for new diesel-powered vehicles
- working with county agencies on common address/census database
- shared training and resources for computer software applications
- mapping and boundaries with GIS & GPS
- human resources, payroll & benefit management
- space for town offices; common record storage areas

Mr. Ruffell stated that the Ontario Town Board is introducing use of GPS/GIS resources for planning, zoning, water utilities and other services. He suggested a demonstration of the programs at the next joint town and school board meeting,

Mr. Plant noted that the County of Wayne is exploring the GIS project for varied applications of county services.

Mr. Switzer noted that the Ontario GIS project was conducted under a grant from the NYS Archives and Records Administration and was a cooperative effort with the Board of Fire Commissioners of Ontario Fire District No. 1. The fire company now has laptop computer access to specific information on each property and locations of hydrants.

IV. ROUNDTABLE DISCUSSION

A. LANDFILL CLOSURE PLANNING • TOWN OF ONTARIO

Mr. Kelsch stated that the latest version of a possible closure plan for the former landfill was delivered to the regional office of the NYS Department of Environmental Conservation in Avon.

B. REPLACEMENT OF BRIDGE ON WILLETS ROAD

Mr. Kelsch reviewed the schedule for replacement of the Willets Road bridge during summer recess. Town officials have met with school transportation personnel to review detours planned while summer school is in session. The intent is to complete the project prior to the start of school in September.

C. EXTENSION OF TIMOTHY LANE & COMMERCE PARK

Mr. Kelsch reviewed plans for extension of Timothy Lane easterly to serve present and future business development.

D. INFRASTRUCTURE & ASSESSED VALUATION

Mr. Robusto stated that a common concern among developers is the cost they bear to install infrastructure (e.g. water, sewer, roads, drainage) and the subsequent tax levied on improved lots. He asked if the town board has considered any options to address the topic as part of assessments on improvements along Timothy Lane.

Mr. Kelsch reviewed options available through payment in lieu of tax agreements (P.I.L.O.T)

Mr., Plant asked if the construction and extension of Timothy Lane has allowed business owners to abandon the entry points which cross the railroad Mr. Kelsch stated yes.

E. PUBLIC LIBRARY FUNDING • PROPOSITION FOR FUNDING INCREASE

Mrs. Brunner stated that she was surprised that the Board of Trustees of Walworth-Seely Public Library is seeking an increase in funding for additional personnel. During her years as a school board member, it was her understanding that such funds were for special projects. Mr. Plant stated that the town board had no role in this matter.

F. NEW PARK LODGE • TOWN OF WALWORTH • GINEGAW PARK

Mr. Robusto asked about progress on the new enclosed lodge at Ginegaw Park. Mrs. Marini and Mr. Yale stated that reservations are filled for this year with many family events and weddings. The building has a fireplace, small kitchen unit and Internet access and is also suitable for business and employee group meetings or training sessions.

Mrs. Marini noted that use of alcohol is allowed, with permit, in the new lodge, and the user assumes responsibility for serving of minors, releasing the town of any liability.

Mr. Griswold why use of alcohol is not allowed in park facilities in Ontario.

G. EXPANSION OF WALWORTH TOWN HALL & LIBRARY • LORRAINE DRIVE

Mrs. Brunner asked about progress on plans for expansion of town hall & library space. Mrs. Hawkins-Mance noted that meetings with an architect will begin this next week to continue with the concept stages of planning the new facility. Mr. Yale stated that presentation of proposed plans to the public would follow concept planning.

Mrs. Brunner asked if the new space is planned near the town hall; Mr. Havens asked how large a structure is planned. Mr. Yale stated that the proposed site is on the west side of Lorraine Drive, across from the existing town hall/library. The final size is not yet known; the new building is expected to have a single level for public library purposes and a two-story section for town/record storage and meeting & office space for the recreation & parks department.

Mr. Yale noted that the present town hall/library building, opened in 1992, has no options for expansion. Mr. Kelsch asked about space for town justice court. Mrs. Hawkins-Mance stated that the courts are now located in the lower level of the town hall and will remain there.

Mr. Havens asked how Walworth town officials would feel if the school district ever shifted to a single campus and the Freewill Elementary School was available for town uses. Mr. Yale noted that such an option was considered by the committee working on space needs; the site is at the center of the town and adjacent to the town highway garage. Based on discussion and feedback at the prior joint meeting, the use of the school as an option was removed from consideration.

Mr. Havens asked Walworth officials how they thought Walworth residents would feel about closing Freewill Elementary School.

Mr. Yale noted that many persons have strong feelings about community identity from a school. Mr. Plant noted that although Freewill Elementary School is not a neighborhood school, to which students walk, there is a significant number of persons who feel that the Town of Walworth would lose its identity if the school is closed.

Mr. Ruffell noted that consolidation is more acceptable if significant cost reductions and savings are identified.

Mr. Tobin noted the emphasis at the state level for sharing and consolidation of services and cited the advantages when local communities take a leadership role to insure that they, and not state officials, will control their destiny.

Mr. Plant noted that smaller school districts face dual challenges from declining enrollment and costs to operate. He noted that schools are operated on a county basis in many other states. Mr. Havens noted the potential to operate seven (7) rather than eleven (11) high schools in Wayne County based on enrollment levels.

Mr. Yale stated that he was both surprised and impressed to learn at the recent county tax summit that school districts are pursuing options to reduce costs and consolidate services despite the possible demise of their districts if such efforts did occur.

Mr, Yale stated that the committee working on town space needs would appreciate knowing of any plans by the school district to change uses of Freewill Elementary School. Mr. Havens stated that there is a variety of views on the topic among members of the Board of Education.

V. STUDENT QUESTIONS

Matthew Ficarro, 2934 Shepherd Road, Williamson, asked how many schools would benefit from the proposed wind turbine project. Mr. Havens noted that the proposed 1 megawatt turbine would serve nearly 80% of school energy needs and which potential to sell excess energy during off peak hours. He stated he that visited the Harbec Manufacturing facility and observed how the plant uses energy from the wind turbine in place there.

VI. PUBLIC COMMENT

John Goebel. 2039 Brookway Crescent, Ontario, asked if the material produce in the proposed compost facility would deteriorate after application. Mr. Kelsch provided details.

VII. NEXT MEETING

The Ontario Town Board will host the next joint meeting in October and will communicate with the Board of Education and Walworth Town Board on dates and agenda topics. Mr. Kelsch noted that he had planned for the NYS Attorney General's Office to make a presentation on Project Sunlight this evening but the speaker had a last-minute schedule conflict; he will include it for the next meeting, Mr. Ruffell offered to arrange a demonstration on the GIS/GPS applications.

VIII. ADJOURNMENT

Mr. Triou offered a **MOTION**, seconded by Mr. Griswold, to adjourn the meeting at 8:30 p.m. 6 Ayes, 0 Nays, 3 Absent (Mrs. Lyke, Mrs. Newman, Mr. Paz), Carried.

Respectfully submitted,

JAMES E. SWITZER
School District Clerk

APPROVAL OF MINUTES **UTES**

The foregoing minutes of the Board of Education were submitted for review & (approved as presented) (corrected as noted) at the meeting of

April 22, 2009

School District Clerk

WAYNE CENTRAL SCHOOL DISTRICT

To: Board of Education
From: Michael Havens, Superintendent of Schools
(Prepared by Mark D. Callahan, Director of Human Resources)
Re: Personnel Action
Date: April 22, 2009

The following is submitted for your review and approval.

INSTRUCTIONAL STAFF

RESIGNATION:

Joy Hagerman, Health Teacher, assigned to James A. Beneway High School, amended to March 26, 2009. *For personal reason.*

LEAVE OF ABSENCE:

Kim Collazo, Teacher, assigned to the Freewill Elementary, a combination paid/unpaid FMLA leave of absence effective March 18, 2009 through June 30, 2008. *For the purpose of child rearing.*

Susan Goff, Special Educations Teacher, assigned to James A. Beneway High School, a combination paid/unpaid leave of absence effective April 20, 2009 through May 26, 2009. *For FMLA/LOA*

Amy Sullivan, Teacher, assigned to Freewill Elementary, a paid FMLA leave of absence anticipated, May 25, 2009 through June 30, 2009. *For the purpose of child rearing.*

Tracy VanBuren, Special Education Teacher, assigned to Ontario Primary School, a combination paid/unpaid FMLA leave of absence May 1, 2009 through June 30, 2008. *For the purpose of child rearing.*

Leslie Weber, English Teacher assigned to James A. Beneway High School, effective March 12, 2009 thru April 9, 2009. *FMLA/LOA*

APPOINTMENT:

Melissa Anderson, Elementary Education Teacher, NYS Control No.22218061 (initial valid through 8/31/11), assigned to Freewill Elementary, effective March 30, 2009 through June 30, 2009 at \$38,650 prorated. *Replacement for Kim Collazo (FMLA/LOA)*

Jessica Kleindienst: Health Teacher, assigned to James A. Beneway High School, part time effective April 1, 2009 through June 30, 2009 at current salary. *Replacement for Joy Hagerman (resignation)*

Jessica Rice, Special Education Teacher, Ontario Primary School, from job share to full time effective May 4, 2009 through June 30, 2009 at current salary. *Replacement for Tracy VanBuren (FMLA/LOA)*

SUPPORT STAFF

RESIGNATIONS:

Kim Gifford, Food Service Helper assigned to T.C. Armstrong Middle school, effective March 12, 2009. *For personal reasons.*

LEAVE OF ABSENCE: None

APPOINTMENTS:

Ann Condon, Food Servicer Helper, assigned to Thomas C. Armstrong Middle School, a six month probationary Civil Service appointment effective March 2, 2009 through November 30, 2009 at \$8.22 per hour.

Frederick Derks, Substitute Bus Driver, assigned to Transportation, a temporary Civil Service appointment effective 3/20/09 through 6/30/09 at \$10.80 per hour.

Chelsea Griswold, 1:1 Teacher Aide, assigned to Ontario Primary/Freewill Elementary Schools, a temporary Civil Service appointment effective February 9, 2009 through June 30, 2009 at \$8.89 per hour.

Beth Petrino, Job Coach, assigned to James A. Beneway High School, a temporary civil service appointment effective March 27, 2009 through June 30, 2009 at \$8.89 per hour.

2008-09 Stipend Appointments (as amended)

❖ Advisors					
	<u>Name</u>	<u>Activity/School</u>	<u>Amount</u>	<u>Effective</u>	
	Scott Bradley	Musical Producer (.5)/HS	\$1,576	November 1, 2008	Pro-rated

2008-09 SUBSTITUTE TEACHERS (Amended)

Mike Grasta
 Joe Gulluce
 Stephen Schlegel

Committee on Special Education (CSE) Recommendation (April 22, 2009)

Meeting	Alt. ID#	Age	Committee	Grade	Reason	Decision	Disability	Rec. School	Rec. Program
3/5/2009	101972	11:8	CSE	04	Initial Eligibility Determination Mtg.	Classified	Speech or Language Impairment	Ontario Elementary	Consultant Teacher Resource Room Special Class Special Class Counseling Speech/Language Therapy
3/5/2009	101733	7:9	CSE	01	Initial Eligibility Determination Mtg.	Classified	Emotional Disability	Ontario Primary	Consultant Teacher Counseling Counseling

Committee on Pre-School Education (CPSE) for April 22, 2009

Meeting	Alt. ID#	Age	Committee	Grade	Reason	Decision	Disability	Rec. School	Rec. Program
03/11/2009	101424	4:10	CPSE	Preschool	Initial Eligibility Determination Mtg.	Classified Preschool	Preschool Student with a Disability		Occupational Therapy

**WAYNE-FINGER LAKES BOCES
APRIL 22, 2009 ELECTION/ADMINISTRATIVE BUDGET VOTE**

OFFICIAL BALLOT

There will be three (3) vacant seats on the Wayne-Finger Lakes Board of Cooperative Educational Services each for a three-year term effective July 1, 2009. The three nominated candidates are listed below, in the order determined by lot, with their address and school district of residence.

➔The Board of Education of **your district is allowed one vote per vacancy.**

- Jeanne Durfee, 3947 Boynton Road, Walworth, NY 14568 - school district of residence Wayne
- O.J. Sahler, 4214 County Road 16, Canandaigua, NY 14424 - school district of residence Canandaigua
- Lynn Gay, 83 Main Street, East Bloomfield, NY 14443 - school district of residence Bloomfield

➔**CANDIDATES (VOTE FOR 3)**

<p>A motion was made by _____ and seconded by _____ that the Board of Education of the _____ Central School District cast one vote for _____ to a seat on the Wayne-Finger Lakes BOCES board for a three-year term effective July 1, 2009.</p> <p style="text-align: center;">[indicate number of board members present] _____</p> <p>Vote: yes no abstain Motion Carried <input type="checkbox"/> Motion Defeated <input type="checkbox"/></p>
<p>A motion was made by _____ and seconded by _____ that the Board of Education of the _____ Central School District cast one vote for _____ to a seat on the Wayne-Finger Lakes BOCES board for a three-year term effective July 1, 2009.</p> <p style="text-align: center;">[indicate number of board members present] _____</p> <p>Vote: yes no abstain Motion Carried <input type="checkbox"/> Motion Defeated <input type="checkbox"/></p>
<p>A motion was made by _____ and seconded by _____ that the Board of Education of the _____ Central School District cast one vote for _____ to a seat on the Wayne-Finger Lakes BOCES board for a three-year term effective July 1, 2009.</p> <p style="text-align: center;">[indicate number of board members present] _____</p> <p>Vote: yes no abstain Motion Carried <input type="checkbox"/> Motion Defeated <input type="checkbox"/></p>

➔**ADMINISTRATIVE BUDGET VOTE**

<p>A motion was made by _____, and seconded by _____ that the Board of Education of _____ School District, at its April 22, 2009 meeting, approve the 2009-10 tentative administrative budget (Part 1) of the Wayne-Finger Lakes Board of Cooperative Educational Services in the amount of \$2,864,432.</p> <p style="text-align: center;">[indicate number of board members present] _____</p> <p>Vote: yes no abstain Motion Carried <input type="checkbox"/> Motion Defeated <input type="checkbox"/></p>

Fax ballot by 9:00 AM on April 23, 2009 to:
Cindy Murray, Board Clerk
Wayne-Finger Lakes BOCES
FAX: (315) 332-7425 (24 hours)



WAYNE CENTRAL SCHOOL DISTRICT

Consensus Agenda



TO: Board of Education

FROM: Michael Havens

RE: Consensus Agenda

DATE: April 22, 2009

The following items are being recommended for approval in a consensus agenda:

- [#1](#) Accept Treasurer's Report – February
- [#2](#) Approve Health Contract with Webster Central School District
- [#3](#) Approve Health Contract with Brighton Central School District

TREASURER'S MONTHLY REPORT
 ENDING BALANCES OF ALL WCSD FUNDS AS OF
 FEBRUARY 28, 2009

GENERAL FUND

Checking Account	1,071,444.39
Money Market	9,298,624.92
TOTAL AVAILABLE CASH	<u>10,370,069.31</u>

SCHOOL LUNCH FUND

Checking Account	182,440.70
Money Market Account	37,259.36
Certificate of Deposit	306,577.62
TOTAL AVAILABLE CASH	<u>526,277.68</u>

CAPITAL RESERVE FUND

Checking Account	545.55
Money Market Account	5,191,862.09
TOTAL AVAILABLE CASH	<u>5,192,407.64</u>

CAPITAL PROJECTS

Checking Account	119,416.22
Money Market Account	1,696,806.85
TOTAL AVAILABLE CASH	<u>1,816,223.07</u>

BUS RESERVE

Checking Account	876.76
Money Market Account	1,123,851.19
TOTAL AVAILABLE CASH	<u>1,124,727.95</u>

TRUST AND AGENCY ACCOUNT

Checking Account (Now)	187,541.37
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FLEX ACCOUNT

253,505.63

UNEMPLOYMENT INSURANCE ACCOUNT

Money Market	351,591.18
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LIABILITY INSURANCE ACCOUNT

Money Market	904,460.60
--------------	------------

DEDUCTIBLE INSURANCE ACCOUNT

Money Market	2,599,269.41
--------------	--------------

RETIREMENT BENEFITS RESERVE

Money Market	251,406.02
--------------	------------

EMPLOYEES RETIREMENT RESERVE

Money Market	779,493.31
--------------	------------

SPECIAL AID ACCOUNT

Checking Account	66,495.83
------------------	-----------

Date

Leora L. Stramonine, Treasurer

Received by the Board of Education
 and entered as a part of the
 minutes of the Board meeting held

20

Clerk of Board of Education

GENERAL FUND
TREASURER'S MONTHLY REPORT
FEBRUARY 1 - 28, 2009

Prior period available balance \$57,417.28

RECEIPTS DURING MONTH

DATE	SOURCE	AMOUNT
02/ 09/ 09	WAYNE CO. ACTION	500.00
02/ 11/ 09	WAYNE FINGER LAKES BOCES	222,262.00
02/ 11/ 09	COUNTY OF MONROE	261.32
02/ 18/ 09	COCA-COLA COMMISSION	309.04
02/ 18/ 09	WAYNE COUNTY TREASURER-SALESTA	474,376.46
02/ 18/ 09	WAYNE FINGER LAKES AREA	633.62
02/ 23/ 09	WAYNE COUNTY CPSE ADMINISTRATIV	22,751.00
02/ 23/ 09	WAYNE FINGER LAKES BOCES	18,366.31
02/ 25/ 09	REIMBURSEMENT FOR RECORDERS	275.00
02/ 27/ 09	SECTION V ADMIN REIMBURSEMENT	638.00
02/ 01-28/ 09	SALE OF SURPLUS MATERIAL	471.16
02/ 01-28/ 09	ADMISSIONS	1,690.00
02/ 01-28/ 09	MEDICAL/ DENTAL REIMBURSEMENT	113,515.58
02/ 01-28/ 09	BUILDING USE	209.53
02/ 01-28/ 09	TRANSFERS FROM MONEY MARKET	2,615,000.00
02/ 01-28/ 09	VOID OLD CHECKS	2,954.19
02/ 01-28/ 09	MISCELLANEOUS	620.19

Total Receipts 3,474,833.40

Total receipts, including balance \$3,532,250.68

DISBURSEMENTS MADE DURING MONTH

By check			
From Check No.	23498	To Check No.	23781
	Payrolls		1,464,291.23
	NSF CHECK		996,515.06
	TRANSFERS TO OTHER FUNDS		
			<u>2,460,806.29</u>
	Total disbursements		<u>2,460,806.29</u>
	Cash Balance		<u><u>\$1,071,444.39</u></u>

RECONCILIATION WITH BANK STATEMENT

Balance as given on bank statement	1,598,265.85
Less total of outstanding checks	526,821.46
Net balance in bank	1,071,444.39

Amount of receipts undeposited (add)

Total available balance 1,071,444.39

Received by the Board of Education
and entered as a part of the
minutes of the Board meeting held

This is to certify that the above
Cash balance is in agreement with
my bank statement as reconciled

'20

Clerk of Board of Education

Treasurer of School District Date

SCHOOL LUNCH FUND
TREASURER'S MONTHLY REPORT
FEBRUARY 1 - 28, 2009

Prior period available balance \$195,652.78

RECEIPTS DURING MONTH

DATE	SOURCE	AMOUNT
02/ 02/ 09	WRITE OFF OLD CHECKS	896.97
02/ 02/ 09	REDEPOSIT NSF	40.00
02/ 02/ 09	WAYNE WINGS	118.90
02/ 02/ 09	WAYNE SKI BOOSTERS	395.32
02/ 05/ 09	WCS GENERAL FUND	223.81
02/ 11/ 09	WCHS EXTRA CLASS	327.99
02/ 23/ 09	WAYNE HARD COURT	333.20
02/ 23/ 09	TOT SPOT	527.50
02/ 23/ 09	REDEPOSIT NSF	25.00
02/ 27/ 09	TOT SPOT	364.25
02/ 01-28/ 09	ACH DEPOSITS	7,476.32
02/ 01-28/ 09	HSVENDING	1,851.45
02/ 01-28/ 09	FR-LUNCH/ BREAK REC	4,585.98
02/ 01-28/ 09	OP-LUNCH/ BREAK REC	3,224.11
02/ 01-28/ 09	OE-LUNCH/ BREAK REC	5,800.71
02/ 01-28/ 09	MS-LUNCH/ BREAK REC	12,049.59
02/ 01-28/ 09	HS-LUNCH/ BREAK REC	21,068.38
	Total Receipts	59,309.48

Total receipts, including balance \$254,962.26

DISBURSEMENTS MADE DURING MONTH

By check				
From Check No.	2095	To Check No.	2115	34,447.96
			Payroll	38,048.44
By Debit Charge	Bank Debits			25.16
	Total disbursements			72,521.56
	Cash Balance			\$182,440.70

RECONCILIATION WITH BANK STATEMENT

Balance as given on bank statement	178,428.17
Less total of outstanding checks	5,366.24
Net balance in bank	173,061.93
Amount of receipts undeposited (add)	9,378.77
Total available balance	182,440.70

Received by the Board of Education
and entered as a part of the
minutes of the Board meeting held

This is to certify that the above
Cash balance is in agreement with
my bank statement as reconciled

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Clerk of Board of Education

Treasurer of School District

Date

CAPITAL RESERVE
TREASURER'S MONTHLY REPORT
FEBRUARY 1 - 28, 2009

Prior period available balance \$545.55

RECEIPTS DURING MONTH

DATE	SOURCE	AMOUNT
Total Receipts		\$0.00

Total receipts, including balance \$545.55

DISBURSEMENTS MADE DURING MONTH

By check			
From Check No.	To Check No.	-	
By Debit Charge Purchase cd			
Total disbursements		\$0.00	
Cash Balance		\$545.55	

RECONCILIATION WITH BANK STATEMENT

Balance as given on bank statement	545.55	
Less total of outstanding checks	-	
Net balance in bank	545.55	
Amount of receipts undeposited (add)	-	
Total available balance		\$545.55

Received by the Board of Education
and entered as a part of the
minutes of the Board meeting held

This is to certify that the above
Cash balance is in agreement with
my bank statement as reconciled

20

Clerk of Board of Education

Treasurer of School District Date

CAPITAL PROJECTS
 TREASURER'S MONTHLY REPORT
 FEBRUARY 1 - 28, 2009

Prior period available balance \$119,416.22

RECEIPTS DURING MONTH

DATE	SOURCE	AMOUNT
Total Receipts		-

Total receipts, including balance \$119,416.22

DISBURSEMENTS MADE DURING MONTH

By check		
From Check No.	346 To Check No.	
By Debit Charge		
Total disbursements		\$0.00

Cash Balance \$119,416.22

RECONCILIATION WITH BANK STATEMENT

Balance as given on bank statement	119,416.22	
Less total of outstanding checks		
Net balance in bank	119,416.22	
Amount of receipts undeposited (add)	-	
Total available balance		\$119,416.22

Received by the Board of Education
 and entered as a part of the
 minutes of the Board meeting held

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 Cash balance is in agreement with
 my bank statement as reconciled

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 Clerk of Board of Education

 Treasurer of School District Date

BUS RESERVE
 TREASURER'S MONTHLY REPORT
 FEBRUARY 1 - 28, 2009

Prior period available balance 876.76

RECEIPTS DURING MONTH

DATE	SOURCE	AMOUNT
Total Receipts		\$0.00

Total receipts, including balance \$876.76

DISBURSEMENTS MADE DURING MONTH

By check

From Check No. To Check No.

By Debit Charge

Purchase CD

Total disbursements \$0.00

Cash Balance \$876.76

RECONCILIATION WITH BANK STATEMENT

Balance as given on bank statement 876.76

Less total of outstanding checks _____

Net balance in bank 876.76

Amount of receipts undeposited (add) - _____

Total available balance \$876.76

Received by the Board of Education
 and entered as a part of the
 minutes of the Board meeting held

This is to certify that the above
 Cash balance is in agreement with
 my bank statement as reconciled

 Clerk of Board of Education

 Treasurer of School District Date

TRUST AND AGENCY
TREASURER'S MONTHLY REPORT
FEBRUARY 1 - 28, 2009

Prior period available balance \$211,395.66

RECEIPTS DURING MONTH

DATE	SOURCE	AMOUNT
02/ 05/ 09	FASTRAC, GIFT HSART	3,000.00
02/ 12/ 09	CAFETERIA TRANSFER FOR PR	17,914.72
02/ 12/ 09	GF TRANSFER FOR PR	997,294.76
02/ 18/ 09	SECTION V ADMISSIONS	4,568.00
02/ 25/ 09	CAFETERIA TRANSFER FOR PR	20,133.72
02/ 25/ 09	GF TRANSFER FOR PR	996,515.06
02/ 01-28/ 09	ERS REFUNDS	358.45
02/ 01-28/ 09	NSF REPLACEMENTS KULIK, DAVIS	923.84
02/ 01-28/ 09	AP EXAM REIMBURSEMENT	3,870.00
02/ 01-28/ 09	MED/ DENTAL REIMBURSEMENT	17,845.32
02/ 01-28/ 09	INTEREST	38.66

Total Receipts 2,062,462.53

Total receipts, including balance \$2,273,858.19

DISBURSEMENTS MADE DURING MONTH

By check			
From Check No.	2953	To Check No.	2965
			4,935.35
	Transfer to GF		63,746.22
By Debit Charge	Transfers for payroll		<u>2,017,635.25</u>
	Total disbursements		<u>2,086,316.82</u>
	Cash Balance		<u>\$187,541.37</u>

RECONCILIATION WITH BANK STATEMENT

Balance as given on bank statement	259,241.05
Less total of outstanding checks	<u>71,699.68</u>
Net balance in bank	187,541.37
Amount of receipts undeposited (add)	<u>-</u>
Total available balance	<u>\$187,541.37</u>

Received by the Board of Education
and entered as a part of the
minutes of the Board meeting held

This is to certify that the above
Cash balance is in agreement with
my bank statement as reconciled

FLEX ACCOUNT
 TREASURER'S MONTHLY REPORT
 FEBRUARY 1 - 28, 2009

Prior period available balance \$272,319.60

RECEIPTS DURING MONTH

DATE	SOURCE	AMOUNT
------	--------	--------

	Total Receipts	-
--	----------------	---

	Total receipts, including balance	\$272,319.60
--	-----------------------------------	--------------

DISBURSEMENTS MADE DURING MONTH

By check		
From Check No.	To Check No.	

By Debit Charge	BENEFIT RESOURCE DEBIT	18,813.97
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	Total disbursements	\$18,813.97
--	---------------------	-------------

	Cash Balance	\$253,505.63
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RECONCILIATION WITH BANK STATEMENT

Balance as given on bank statement	253,505.63
------------------------------------	------------

Less total of outstanding checks	-
----------------------------------	---

Net balance in bank	253,505.63
---------------------	------------

Amount of receipts undeposited (add)	-
--------------------------------------	---

Total available balance	\$253,505.63
-------------------------	--------------

Received by the Board of Education
 and entered as a part of the
 minutes of the Board meeting held

This is to certify that the above
 Cash balance is in agreement with
 my bank statement as reconciled

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 Clerk of Board of Education

 Treasurer of School District Date

UNEMPLOYMENT INSURANCE RESERVE
 TREASURER'S MONTHLY REPORT
 FEBRUARY 1 - 28, 2009

Prior period available balance

RECEIPTS DURING MONTH

DATE	SOURCE	AMOUNT
------	--------	--------

	Total Receipts	
--	----------------	--

Total receipts, including balance

DISBURSEMENTS MADE DURING MONTH

By check

From Check No.		To Check No.
----------------	--	--------------

By Debit Charge

Total disbursements

Cash Balance

-

RECONCILIATION WITH BANK STATEMENT

Balance as given on bank statement

Less total of outstanding checks

Net balance in bank

Amount of receipts undeposited (add)

Total available balance

MONEY MARKET

351,591.18

Received by the Board of Education
 and entered as a part of the
 minutes of the Board meeting held

This is to certify that the above
 Cash balance is in agreement with
 my bank statement as reconciled

20

Clerk of Board of Education

	Date
--	------

Treasurer of School District

LIABILITY INSURANCE RESERVE
 TREASURER'S MONTHLY REPORT
 FEBRUARY 1 - 28, 2009

Prior period available balance

RECEIPTS DURING MONTH

DATE	SOURCE	AMOUNT
	Total Receipts	_____

Total receipts, including balance

DISBURSEMENTS MADE DURING MONTH

By check

From Check No.		To Check No.
----------------	--	--------------

By Debit Charge

Total disbursements

Cash Balance

=====

RECONCILIATION WITH BANK STATEMENT

Balance as given on bank statement

Less total of outstanding checks

Net balance in bank

Amount of receipts undeposited (add)

Total available balance

=====

MONEY MARKET

904,460.60

Received by the Board of Education
 and entered as a part of the
 minutes of the Board meeting held

This is to certify that the above
 Cash balance is in agreement with
 my bank statement as reconciled

20

Clerk of Board of Education

Treasurer of School District Date

DEDUCTIBLE INSURANCE RESERVE
 TREASURER'S MONTHLY REPORT
 FEBRUARY 1 - 28, 2009

Prior period available balance

RECEIPTS DURING MONTH

DATE	SOURCE	AMOUNT
	Total Receipts	_____
	Total receipts, including balance	
DISBURSEMENTS MADE DURING MONTH		
By check		
From Check No.	To Check No.	
	By Debit Charge	_____
	Total disbursements	_____
	Cash Balance	=====

RECONCILIATION WITH BANK STATEMENT

Balance as given on bank statement	
Less total of outstanding checks	_____
Net balance in bank	
Amount of receipts undeposited (add)	_____
Total available balance	=====

MONEY MARKET 2,599,269.41

Received by the Board of Education
 and entered as a part of the
 minutes of the Board meeting held

This is to certify that the above
 Cash balance is in agreement with
 my bank statement as reconciled

_____ 20

 Clerk of Board of Education

 Treasurer of School District Date

RETIREMENT BENEFITS RESERVE
 TREASURER'S MONTHLY REPORT
 FEBRUARY 1 - 28, 2009

Prior period available balance

RECEIPTS DURING MONTH

DATE	SOURCE	AMOUNT
	Total Receipts	<hr/>
	Total receipts, including balance	
DISBURSEMENTS MADE DURING MONTH		
By check		
From Check No.		To Check No.
By Debit Charge		
	Total disbursements	<hr/>
	Cash Balance	<hr/> <hr/>

RECONCILIATION WITH BANK STATEMENT

Balance as given on bank statement	
Less total of outstanding checks	<hr/>
Net balance in bank	
Amount of receipts undeposited (add)	<hr/>
Total available balance	<hr/> <hr/>

MONEY MARKET

251,406.02

Received by the Board of Education
 and entered as a part of the
 minutes of the Board meeting held

This is to certify that the above
 Cash balance is in agreement with
 my bank statement as reconciled

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Clerk of Board of Education

Treasurer of School District

Date

EMPLOYEES RETIREMENT RESERVE
 TREASURER'S MONTHLY REPORT
 FEBRUARY 1 - 28, 2009

Prior period available balance

RECEIPTS DURING MONTH

DATE	SOURCE	AMOUNT
Total Receipts		_____
Total receipts, including balance		
DISBURSEMENTS MADE DURING MONTH		
By check		
From Check No.	To Check No.	
By Debit Charge		
Total disbursements		_____
Cash Balance		=====

RECONCILIATION WITH BANK STATEMENT

Balance as given on bank statement	
Less total of outstanding checks	_____
Net balance in bank	
Amount of receipts undeposited (add)	_____
Total available balance	=====

MONEY MARKET

779,493.31

Received by the Board of Education
 and entered as a part of the
 minutes of the Board meeting held

This is to certify that the above
 Cash balance is in agreement with
 my bank statement as reconciled

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 Clerk of Board of Education

 Treasurer of School District

 Date

SPECIAL AID
 TREASURER'S MONTHLY REPORT
 FEBRUARY 1 - 28, 2009

Prior period available balance \$57,483.35

RECEIPTS DURING MONTH

DATE	SOURCE	AMOUNT
02/ 11/ 09	WILLIAMSON, MARION, TUITION	14,946.39
02/ 11/ 09	WAYNE FINGER LAKES BOCES	500.00
02/ 18/ 09	GANANDA TUITION	2,304.49
02/ 18/ 09	PAL-MAC TUITION	6,646.34
02/ 26/ 09	HILLSIDE CHILDREN'S CNTR, REFUND	352.26
Total Receipts		\$24,749.48

Total receipts, including balance \$82,232.83

DISBURSEMENTS MADE DURING MONTH

By check			
From Check No.	1503	To Check	1510 15,737.00
By Debit Charge Trans to GF			
Total disbursements			\$15,737.00

Cash Balance \$66,495.83

RECONCILIATION WITH BANK STATEMENT

Balance as given on bank statement	76,137.35
Less total of outstanding checks	9,641.52
Net balance in bank	66,495.83
Amount of receipts undeposited (add)	_____
Total available balance	\$66,495.83

Received by the Board of Education
 and entered as a part of the
 minutes of the Board meeting held

This is to certify that the above
 Cash balance is in agreement with
 my bank statement as reconciled

 Clerk of Board of Education

 Treasurer of School District

 Date

TO: Michael Havens
Superintendent of Schools
FROM: Gregory J. Atseff
Assistant Superintendent for Business
DATE: April 22, 2009
RE: Health Service Contract - Webster Central School District

Attached is the contract for health services for Wayne students attending a private or parochial school in the Webster Central School District for the 2008-2009 school year.

Approximately 44 Student(s) @ \$456.87 = \$20,102.28

The student(s) listed on the health service contract have been verified by the attendance office.

RESOLUTION

Be it resolved, that the Board of Education of the Wayne Central School District hereby approves the contract for health services with the Webster Central School District for the 2008-2009 school year, and hereby authorizes the Board President, Superintendent, and District Clerk to execute the contract.

/db

Attachment

TO: Michael Havens
Superintendent of Schools
FROM: Gregory J. Atseff
Assistant Superintendent for Business
DATE: April 22, 2009
RE: Health Service Contract - Brighton Central School District

Attached is the contract for health services for Wayne students attending a private or parochial school in the Brighton Central School District for the 2008-2009 school year.

The cost of the contract is:

21 Students @ 310.78 = \$6,526.38

The students listed on the health service contract have been verified by the attendance office.

RESOLUTION

Be it resolved, that the Board of Education of the Wayne Central School District hereby approves the contract for health services with the Brighton Central School District for the 2008-2009 school year, and hereby authorizes the Board President and Superintendent to execute the contract.

/db

Attachment

Policy Submitted for First Reading

3410 Policy Code of Public Conduct on School Property

Policy Submitted for Second Reading

5673 Policy Personal Appliances in Classrooms & School Facilities

Policy Submitted for Single Reading

3410 Regulation Code of Public Conduct on School Property

3420)
6120) Regulation Sexual Harassment of District Personnel –
8120) Instructions for Exhibit 3420 etal

3420)
6120) Exhibit Sexual Harassment of District Personnel –
Charge of Harassment and/or Discrimination – Form

6120 Regulation Sexual Harassment of District Personnel

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Revisions in Blue; Deletions Bold Underlined Italic; Presented for First Reading by Board of Education April 22, 2009

Community Relations

3410

CODE OF CONDUCT ON SCHOOL PROPERTY

The Code of Conduct of the Wayne Central School District shall be reviewed on an annual basis and updated as necessary, in accordance with law.

The Board of Education shall approve any amendments or revisions to the Code of Conduct only after at least one (1) public hearing that provides for the participation of school personnel, parents/guardians, students, and any other interested parties.

The Board of Education shall file a copy of its Code of Conduct, including all amendments, with the Commissioner of Education no later than thirty (30)-days after their respective adoptions.

Education Law §§ 2801 and 3214
Family Court Act Articles 3 and 7
Vehicle and Traffic Law § 142
8 New York Code of Rules and Regulations (NYCRR) §100.2(l)(2)

NON-INSTRUCTIONAL BUSINESS OPERATIONS

PERSONAL APPLIANCES IN CLASSROOMS & SCHOOL FACILITIES

As part of the goal to provide safe and inviting school facilities, the Board of Education believes that limitation of personal appliances in school facilities *provides a safe learning environment* while resulting in reduced energy consumption and demand.

The location of personal appliances* is prohibited in student occupied areas (e.g. classrooms or work spaces) unless deemed necessary for instructional purposes or for medical needs.

Where personal appliances are required to meet instructional or medical needs, the following steps are required:

- (1) Prior written approval by the director of facilities and building principal
- (2) Documentation of educational uses or medical needs
- (3) Evaluation and certification that the items will not present a safety hazard or overload electrical circuits.
- (4) Proper storage and cleaning at the end of the school year
- (5) Record of prior written approval by the director of facilities and building principal

When not in use, appliances approved for ***classroom or work spaces*** *student occupied areas* are turned off when school is closed

School officials will work with loss control specialists and fire and emergency personnel, as needed, in the review and approval of proper and safe use of personal appliances.

The superintendent of schools, or his or her designee, will develop additional regulations or procedures to implement this policy, as needed.

(* *Including, but not limited to*, toaster ovens, microwave ovens, coffee pots, hot plates, refrigerators, portable heaters, among others

POLICY ADOPTED: April 2009

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CODE OF PUBLIC CONDUCT ON SCHOOL PROPERTY

These rules govern the conduct of students, faculty and other staff, licensees, invitees, and all other persons, whether or not their presence is authorized, upon district property, and also upon or with respect to any other premises or property under the control of the district and used in its teaching programs and activities, and in its administrative, cultural, recreational, athletic, and other programs and activities.

A. Prohibited Conduct

No person, either alone or in concert with others, shall:

- (1) obstruct or disrupt the teaching, research, administration, disciplinary procedures or other school district activities
- (2) willfully cause physical injury to any other person nor threaten to do so
- (3) physically restrain or detain any other person, nor remove such person from any place where he or she is authorized to remain, except that students may be restrained as permitted under Policy 7303 - Prohibited Student Conduct, or lawful defense of himself or herself or another person
- (4) willfully damage or destroy property of the district or property under its jurisdiction, nor remove or use such property without authorization
- (5) without permission, expressed or implied, enter into any private office of an administrative officer, member of the faculty or staff member
- (6) enter upon and remain in any building or facility for any purpose other than its authorized uses or in such manner as to obstruct its authorized use by others
- (7) without authorization, remain in any building or facility after it is normally closed
- (8) refuse to leave any building or facility after being directed to do so by an **administrative** officer or employee
- (9) obstruct the free movement of persons and vehicles in any place to which these rules apply
- (10) disrupt or prevent the peaceful and orderly conduct of classes, lectures and meetings or interfere with the freedom of any person to express his/her views, including invited speakers
- (11) have in his or her possession upon school premises any **firearm** (e.g. rifle, shotgun, pistol, revolver), **other firearm, knives**, dangerous chemicals, explosives, or any object that is not necessary for school activities and which could be used as a weapon.

A "weapon" is defined as **including, but not limited to**, any instrument capable of firing a projectile or the frame or receiver of any such weapon, firearm, muffler or silencer, any explosive device, or any other instrument capable of inflicting bodily harm (peace officers/police officers are excluded from this prohibition).

REGULATION APPROVED: July 24, 1996
REVISED: June 5, 2008

RE-NUMBERED: August 25, 2005

REVISED: January 26, 2006

REVISED: April ...,2009

PUBLIC CONDUCT ON SCHOOL PROPERTY

Prohibited Conduct (continued)

- (12) use, possess, sell or distribute alcohol or controlled substances as defined in Board of Education policy
- (13) willfully incite others to commit any of the acts herein prohibited
- (14) violate any federal or state statute, local ordinance, or policy of the Board of Education

Penalties and Procedures

A person who violates any of the provisions of these rules shall be subject to the following penalties and procedures:

- (1) If a licensee or invitee, his or her authorization to remain upon the grounds or other property shall be withdrawn and he or she shall be directed to leave the premises. In the event of failure to do so, he or she shall be subject to ejection from the premises.
- (2) If a trespasser or visitor without specific license or invitation, he or she shall be subject to ejection from the premises.
 - (3) If a student, he or she shall be subject to immediate ejection and to disciplinary action as the facts of the case may warrant, including suspension, probation, loss of privileges, reprimand or warning as prescribed by §3214 of the Education Law so long as the provisions pertaining to notice and hearing have been met.
- (4) If a tenured faculty member, he or she shall be subject to immediate ejection, and to warning, reprimand, suspension and/or other action as prescribed by and in accordance with §3020-a of the Education Law.
- (5) If a staff member in the classified service of the civil service, he or she shall be subject to immediate ejection and to the penalties and procedures prescribed in §75 of the Civil Service Law.
- (6) If a staff member other than one described in subdivisions 4 and 5, he or she shall be subject to immediate ejection and to dismissal, suspension without pay or censure.

Enforcement

The superintendent of schools shall be responsible for the enforcement of these rules, and he or she shall designate the other personnel who are authorized to take action in accordance with such rules when required or appropriate to carry them into effect.

Any violation of the above rules shall be reported immediately to the building principal or area supervisor who may report such violation to the superintendent of schools as the case may warrant.

PUBLIC CONDUCT ON SCHOOL PROPERTY

Enforcement (continued)

In the case of any apparent violation of these rules by such persons, which, in the judgment of the superintendent of schools or his or her designee, does not pose any immediate threat of injury to person or property, the designated school official may make reasonable effort to learn the cause of the conduct in question and to persuade those engaged therein to desist and to resort to permissible methods for the resolution of any issues which may be presented.

In so doing, such school official shall warn such persons of the consequences of persistence in the prohibited conduct, including their ejection from any district properties where their continued presence and conduct is in violation of these regulations.

In any case where violation of these regulations does not cease after such warning and in other cases of willful violation of such regulations, the superintendent of schools or his or her designee shall cause the ejection of the violator from any premises that he or she occupies in such violation and/or, if appropriate, make recourse to law enforcement personnel. The school official may also initiate disciplinary action as hereinbefore provided.

The superintendent of schools or his/her designee may apply to the public authorities for any aid which he or she deems necessary in causing the ejection of any violator of these rules and he or she may request the school attorney to apply to any court of appropriate jurisdiction for an injunction to restrain the violation or threatened violation of such rules.

This regulation and the penalties contained herein are not considered to be inclusive or to preclude in any way the prosecution and conviction of any person for the violation of any federal law, state law, or local ordinance and the imposition of a fine or penalty provided for therein.

PUBLIC CONDUCT ON SCHOOL PROPERTY

Sexual Misconduct

The Board of Education requires that the relationship between employees, volunteers and students is based upon mutual respect and professionalism. All employees and volunteers are expected to exercise good judgment and maintain professional boundaries when interacting with students in all curricular and extra-curricular activities, both on and off school property.

Any behavior of a sexual nature that constitutes professional misconduct is a violation of criminal or civil statutes, or a violation of the professional codes of ethics or policy or regulations of the Board of Education, is strictly prohibited.

Such behavior includes, but is not limited to, the following:

- Any conduct that would amount to sexual harassment, discrimination, or retaliation under Title IX of the Education Amendments of 1972.
- Any conduct that would constitute sexual abuse of a minor under the New York State Penal Law (e.g. rape, forcible touching, sexual intercourse, aggravated sexual conduct).
- Any sexual relationship by an employee or volunteer with
 - (1) any student in the school district, regardless of the student's age, or
 - (2) a former student under age 18.
- Any activity directed toward establishing a sexual relationship such as dating, sending intimate letters and/or engaging in sexualized dialogue whether in person, by phone, via the Internet, or in writing.

Individuals who are aware of any sexual misconduct by an administrator, employee or volunteer of the school district shall report such action to the Title IX Compliance Officer, the building principal, or the superintendent of schools.

After a thorough investigation, and depending on the nature of charges, the school district will take appropriate disciplinary action in accordance with school board policy, collective bargaining agreements and appropriate criminal and civil statutes.

Where appropriate, such disciplinary penalties might involve seeking revocation of certification and/or reporting such activity to appropriate law enforcement officials.

Amendment

These rules and regulations may be amended or modified by the Board of Education. All future amendments shall be filed with the Board of Regents and Commissioner of Education not later than ten (10) days after adoption or amendment.

REGULATION APPROVED: July 24, 1996
REVISED: June 5, 2008

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REVISED: January 26, 2006

REVISED: April ...,2009

SEXUAL HARASSMENT OF DISTRICT PERSONNEL

Instructions for the Charge of Harassment and/or Discrimination Form

PART A: Informal Resolution

IT IS THE COMPLAINANT'S RESPONSIBILITY TO BE CERTAIN THAT ANY COMPLAINT

IS FILED WITHIN THE 90 DAY PERIOD THAT IS APPLICABLE UNDER THIS PARAGRAPH.

- (1) Complaints or concerns that are reported to an administrator, manager or supervisor concerning an act of discrimination or harassment (as defined herein) shall be immediately referred to the Title IX Compliance Officer. Complaints may also be made directly to the Title IX Compliance Officer. The Title IX Compliance Officer shall notify the building principal and the superintendent of schools of any such complaints.
- (2) The Title IX Compliance Officer or designee, on an informal basis may receive initial inquiries, reports and requests for consultation and counseling. Assistance will be available whether or not a formal complaint is contemplated or even possible. It is the responsibility of the Title IX Compliance Officer to initiate a prompt, thorough and impartial investigation of the allegations. This investigation is to be conducted diligently. All witnesses shall be interviewed and, if requested, the victim shall speak with an individual of the same sex. Complainants are to be notified of the outcome of the investigation.

Although in rare instances verbal complaints may be acted upon, the procedures set forth here rest upon the submission of a written complaint that will enable there to be a full and fair investigation of the facts.

- (3) Employees must file a written complaint with the Title IX Compliance Officer within 90 calendar days following the alleged discriminatory act or the date on which the complainant first knew or reasonably should have known of such act. All such complaints must be submitted on the forms provided by the WCSD. The *Charge of Harassment and/or Discrimination Form* will be used for both the initiation of complaints under the informal procedure and the conversion of the complaint to the formal procedure.
- (4) The complaint shall contain:
 - (a) The name, local and permanent address(es), and telephone number(s) of the complainant
 - (b) A statement of facts explaining what happened and what the complainant believes constituted the unlawful discriminatory acts in sufficient detail to give each Respondent reasonable notice of what is claimed against him/her. The statement should include the date, approximate time and place where the alleged acts of unlawful discrimination or harassment occurred. If the acts occurred on more than one date, the statement should also include the last date on which the acts occurred as well as detailed information about the prior acts. The names of any potential witnesses should be provided,
 - (c) The name(s), address(es) and telephone number(s) of the respondent(s), i.e., the person(s) claimed to have committed the act(s) of unlawful discrimination.
 - (d) Identification of the status of the persons charged whether faculty, staff, or student.
 - (e) A statement indicating whether or not the complainant has filed or reported information concerning the incidents referred to in the complaint with a non-building official or agency, under any other complaint or complaint procedure. If an external complaint has been filed, the statement should indicate the name of the department or agency with which the information was filed and its address.
 - (f) Such other or supplemental information as may be requested.
- (5) If the complainant brings a complaint beyond the period in which the complaint may be addressed under these procedures, the Title IX Compliance Officer may terminate any further processing of the complaint, refer the complaint to WCSD counsel or direct the complainant to an alternative forum.
- (6) If a complainant elects to have the matter dealt with in an informal manner, the Title IX Compliance Officer will attempt to reasonably resolve the problem to the mutual satisfaction of the parties. (continued)

SEXUAL HARASSMENT OF DISTRICT PERSONNEL

Instructions for the Charge of Harassment and/or Discrimination Form

(7) In seeking an informal resolution, the Title IX Compliance Officer shall attempt to review all relevant information, interview pertinent witnesses, and bring together the complainant and the respondent, if desirable. If a resolution satisfactory to both the complainant and the respondent is reached within 24 calendar days from the filing of the complaint, through the efforts of the Title IX Compliance Officer, the officer shall close the case, sending a written notice to that effect to the complainant and respondent. The written notice, a copy of which shall be attached to the original complaint form in the officer's file, shall contain the terms of any agreement reached by complainant and respondent, and shall be signed and dated by the complainant, the respondent and the Title IX Compliance Officer.

(8) If the Title IX Compliance Officer is unable to resolve the complaint to the mutual satisfaction of the complainant and respondent within 24 calendar days from the filing of the complaint, the officer shall so notify the complainant. The Title IX Compliance Officer shall again advise the complainant of his or her right to proceed to the next step internally and/or the right to separately file with appropriate external enforcement agencies.

The time limitations set forth above in paragraphs 7 and 8, may be extended by mutual agreement of the complainant and respondent with the approval of the Title IX Compliance Officer. Such extension shall be confirmed in writing by the complainant and respondent.

(9) At any time, subsequent to the filing of the *Charge of Harassment and/or Discrimination Form*, under Part A, the complainant may elect to proceed as specified in Part B of this document and forego the informal resolution procedure.

PART B: Formal Complaint Procedure

- (1) The formal complaint proceeding is commenced by the filing of a complaint form as described in Part A (4). The 90 day time limit also applies to the filing of a formal complaint.
- (2) If the complainant first pursued the informal process and subsequently wishes to pursue a formal complaint, he/she may do so by checking the appropriate box, and signing and dating the complaint form
- (3) The complaint, together with a statement, if applicable, from the Title IX Compliance Officer indicating that informal resolution was not possible, shall be forwarded to the district's counsel within 10 calendar days from the filing of the formal complaint.
- (4) If an informal resolution was not pursued, the Title IX Compliance Officer shall forward the complaint to the district's counsel within 10 calendar days from the filing of the complaint.
- (5) Upon receipt of a complaint, the Title IX Compliance Officer will provide an initialed, signed, date-stamped copy of the complaint to the Complainant. As soon as reasonably possible after the date of filing of the complaint, the Title IX Compliance Officer will mail a notice of complaint and a copy of the complaint to the Respondent(s). Alternatively, such notice with a copy of the complaint may be given by personal delivery, provided such delivery is made by the Title IX Compliance Officer (or designee) and, that proper proof of such delivery, including the date, time and place where such delivery occurred is entered in the records maintained by or for the Title IX Compliance Officer.
- (6) Upon completion of an investigation, the Title IX Compliance Officer, Superintendent of Schools or the Board of Education shall promptly determine whether or not harassment and/or discrimination has occurred and issue written findings. The Title IX Compliance Officer, Superintendent of Schools or the Board of Education shall take immediate, appropriate and corrective action upon the determination of harassment and/or discrimination. They shall notify the complainant of any findings and action taken.
- (7) If the complainant is dissatisfied with the Title IX Compliance Officer's decision, the complainant may elect to file a complaint with one or more state and federal agencies. The Title IX Compliance Officer will provide general information on state and federal guidelines and laws, as well as names and addresses of various enforcement agencies. (continued)

SEXUAL HARASSMENT OF DISTRICT PERSONNEL

Instructions for the Charge of Harassment and/or Discrimination Form

PART C - Definitions

In support of this procedure, the following definitions are included:

Discrimination and/or Harassment on the Basis of Protected Characteristic(s) other than Sex/Gender – Harassment based on race, color, age, religion, national origin, disability, sexual orientation or other protected characteristics is oral, written, graphic or physical conduct relating to an individual's protected characteristics that is sufficiently severe, pervasive, or persistent so as to interfere with or limit the ability of an individual to participate in or benefit from the educational institution's programs or activities.

Quid Pro Quo Sexual Harassment - Unwelcome sexual advances, requests for sexual favors, and other verbal and physical conduct of a sexual nature by one in a position of power or influence constitutes "quid pro quo sexual harassment" when (1) submission by an individual is made either an explicit or implicit term or condition of employment or of academic standing, or (2) submission to or rejection of such conduct is used as the basis for academic or employment decisions affecting that employee. As defined here, "quid pro quo sexual harassment" normally arises in the context of an authority relationship. This relationship may be direct as in the case of a supervisor and subordinate or teacher or it may be indirect when the harasser has the power to influence others who have authority over the victim.

Hostile Environment Sexual Harassment - Unwelcome sexual advances, requests for sexual favors, and other verbal and physical conduct of a sexual nature constitute "hostile environment sexual harassment" when such conduct is directed toward an individual because of his or her gender and has the purpose or effect of (1) creating an intimidating, hostile, or offensive work or academic environment, or (2) unreasonably interfering with another's work or academic performance. Generally, a single sexual joke, offensive epithet, or request for a date does not constitute hostile environment sexual harassment; however, being subjected to such jokes, epithets or requests repeatedly may constitute hostile environment sexual harassment.

In determining whether alleged sexual harassing conduct warrants corrective action, all relevant circumstances, including the context in which the conduct occurred, will be considered. Facts will be judged on the basis of what is reasonable to persons of ordinary sensitivity and not on the particular sensitivity or reaction of an individual.

In cases of alleged sexual harassment, the protections of the First Amendment must be considered if issues of speech or artistic expression are involved. Free speech rights apply in the classroom and in all other education programs and activities of public institutions, and First Amendment rights apply to the speech of students and teachers. Great care must be taken not to inhibit open discussion, academic debate, and expression of personal opinion, particularly in the classroom. Nonetheless, speech or conduct of a sexual or hostile nature which occurs in the context of educational instruction may exceed the protections of academic freedom and constitute prohibited sexual harassment if it meets the definition of sexual harassment noted above and (1) is reasonably regarded as non-professorial speech (*i.e.*, advances a personal interest of the faculty member as opposed to furthering the learning process or legitimate objectives of the course), or (2) lacks accepted pedagogical purpose or is not germane to the academic subject matter.

Sexual Harassment in the Educational Setting – Unwelcome conduct of a sexual nature. Sexual harassment can include unwelcome sexual advances, requests for sexual favors and other verbal, nonverbal, or physical conduct of a sexual nature.

Sexual Harassment in the Employment Setting – Unwelcome sexual advances, requests for sexual favors or verbal or physical conduct of a sexual nature when any of the following occurs:

- Submission to such conduct is made a term or condition of an individual's continued employment, promotion, or other condition of employment.
- Submission to or rejection of such conduct is used as a basis for employment decisions affecting an employee or job applicant.
- Such conduct is intended to interfere, or results in interference, with an employee's work performance, or creates an intimidating, hostile, or offensive work environment.

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SEXUAL HARASSMENT OF DISTRICT PERSONNEL

In addition to any relevant procedures contained in *Policy 6120 – Sexual Harassment of District Personnel*, the following regulation will implement the Board of Education's policy concerning sexual harassment of district personnel.

District Personnel can be subject to sexual harassment by a student, employee, Board of Education member or any individual who foreseeably might come in contact with the staff member on school grounds or at school activities. Sexual harassment experienced by district personnel is not always easily recognized.

The following are examples of sexual harassment one should be aware of when dealing with a complaint of alleged sexual - harassment:

- (a) Sexual Harassment in an Educational Setting
- (b) Sexual Harassment in an Employment Setting
- (c) Discrimination and/or Harassment on the Basis of Protected Characteristics other than Sex and Gender
- (d) Quid Pro Quo
- (e) Hostile Environment

Procedures

The Board of Education shall annually, at its re-organizational meeting, appoint a compliance officer to carry out the district's responsibilities associated with compliance with Title IX in regard to sexual harassment of district personnel. In addition, the Board of Education will designate a second individual as alternate compliance officer to ensure compliance with Title IX if the alleged harasser is the Title IX Compliance Officer.

The Board of Education shall notify all district personnel of the name, office address and telephone number of both designees. In addition, through this regulation, the Board of Education has established grievance procedures that provide for prompt investigation and equitable resolution of employee complaints of sexual harassment.

The superintendent of schools shall implement specific and continuing steps to notify district personnel, parents, students, and prospective personnel that the school district seeks equity in education and employment and in support of federal and state anti-discrimination legislation.

Such notification shall include publication in local newspapers; newspapers and magazines operated by the district or by student, alumnae, or alumni groups for or in connection with the district and memoranda or other written or electronic communications distributed to every student and employee.

All reports of sexual harassment will be held in confidence, subject to all applicable laws and any relevant provisions found in the district's policy manual and collective bargaining agreements.

(continued)

REGULATION APPROVED:: May, 2009

SEXUAL HARASSMENT OF DISTRICT PERSONNEL

Consistent with federal and state law, and all applicable provisions contained in the district's policy manual and collective bargaining agreements, the following procedures shall be employed in handling any report, investigation and remedial action concerning allegations of sexual harassment:

Reporting of Incidents

District Personnel who believe they have been subjected to sexual harassment are to report the incident to the Title IX Compliance Officer or the alternate Title IX Compliance Officer, as described above. The compliance officer or alternate compliance officer shall notify the building principal and the superintendent of schools of all complaints. The employee can pursue his/her complaint informally or file a formal complaint.

Investigation of a Complaint

Upon receipt of a *Charge of Harassment and/or Discrimination Form (6120E)*, a prompt, thorough and impartial investigation of the allegations must follow. This investigation is to be conducted diligently. All witnesses shall be interviewed and, if requested, the victim shall speak with an individual of the same sex. Complainants are to be notified of the outcome of the investigation.

Informal Complaints

In addition to notification to the Title IX Compliance Officer or Alternate Compliance Officer, as described above, District personnel who believe they have been subjected to sexual harassment may request that an informal meeting be held between themselves and the building principal or superintendent of schools. The employee may also request a meeting with a counselor or administrator of the same sex. The purpose of such a meeting will be to discuss the allegations and remedial steps available.

The building principal or superintendent of schools will then promptly discuss the complaint with the alleged harasser.* Should the alleged harasser deny the allegations, the building principal or superintendent of schools is to inform the complainant of the denial and refer the formal written complaint to the next level of management on what has transpired to date. A copy of the complaint shall accompany the report of the building principal or superintendent of schools with a recommendation for further action.

Should the harasser admit the allegations, the building principal or superintendent of schools is to obtain a written assurance that the unwelcome behavior will stop. Depending on the severity of the charges, the building principal or superintendent of schools may impose further disciplinary action.

Thereafter, the building principal or superintendent of schools is to prepare a written report of the incident and inform the complainant of the resolution. The complainant is to indicate on the report whether or not s/he is satisfied with the resolution.

(continued)

REGULATION APPROVED:: May ..., 2009

B.

C. SEXUAL HARASSMENT OF DISTRICT PERSONNEL

If the complainant is satisfied with the resolution, the incident will be deemed closed. However, the complaint may be reopened for investigation if a recurrence of sexual harassment is reported.

The building principal or superintendent of schools is to inform the complainant to report any recurrence of the harassment or any retaliatory action that might occur. Should the complainant be dissatisfied with the resolution, s/he is to file a formal written complaint.

If during the informal attempt by the building principal or superintendent of schools to resolve the complaint, the alleged harasser admits the allegations but refuses to give assurance that s/he will refrain from the unwelcome behavior, the building principal or superintendent of schools is to file a report with the next appropriate level in the complaint procedure.

The report is to indicate the nature of the complaint, a description of what occurred when the building principal or superintendent of schools informed the alleged harasser of the allegations against him/her, the harasser's response to the allegations, and a recommendation that stronger corrective measures be taken. This report should be accompanied by the employee's formal complaint.

Formal Complaints

Formal complaints may be submitted either to initially report any incidence of sexual harassment, or as a follow-up to an unsatisfactory resolution of an informal attempt to resolve a complaint. In the latter case, the formal written complaint is to be submitted to the building principal or superintendent of schools as originally consulted.

The formal written complaint will consist of an appropriate form and a copy of any applicable reports by the building principal or superintendent of schools. The appropriate form will solicit the specifics of the complaint (e.g., date and place of incident, description of sexual harassment, names of any witnesses, and any previous action taken to resolve the matter.)

The building principal or superintendent of schools will promptly notify the alleged harasser of the formal complaint and give the alleged harasser an opportunity to admit, deny, or explain the allegations.* The building principal or superintendent of schools shall include the alleged harasser's response in the written record of the investigation.

Upon completion of the investigation, the superintendent of schools or Board of Education shall promptly determine whether or not sexual harassment has occurred and issue written findings. The superintendent of schools or the Board of Education shall take immediate, appropriate and corrective action upon the determination of sexual harassment. They shall notify the complainant of any findings and action taken.

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REGULATION APPROVED:: May ... 20089

SEXUAL HARASSMENT OF DISTRICT PERSONNEL

Remedial Action

If the investigation reveals that sexual harassment has occurred, appropriate sanctions will be imposed in a manner consistent with any applicable law, district policies and regulations and collective bargaining agreements. Depending on the gravity of the misconduct, sanctions may range from a reprimand up to and including dismissal of an employee or suspension or permanent suspension of district personnel.

Post-Remedial Action

Anyone subjecting complainants or witnesses to any form of retaliation will also be subject to disciplinary action in the manner prescribed by law and consistent with any applicable provisions in the district's policy manual or collective bargaining agreements.

If the investigation reveals that no sexual harassment has occurred, or if the complainant is not satisfied with the remedial action taken after a finding of sexual harassment, the complainant may appeal to the next appropriate level in the complaint procedure. The appeal must include a copy of the original complaint, all relevant reports, the specific action being appealed, and an explanation of why the complainant's appealing.

Complaint Records

Upon written request, complainants should receive a copy of any resolution reports filed by the building principal or superintendent of schools concerning his/her complaint.

Upon substantiation, copies should be filed with the employment records of both the complainant and the alleged harasser.

Investigation in the Absence of a Complaint

The Board of Education will, in the absence of a victim's complaint, ensure that the appropriate individuals, upon learning of, or having reason to suspect, the occurrence of any sexual harassment, commence an investigation.

(*) A civil service employee covered by § 75 of the NYS Civil Service Law and certified personnel, who at the time of questioning appear to be a potential subject of disciplinary action, is entitled to union representation during questioning.

REGULATION APPROVED: May ..., 2009