

WAYNE CENTRAL SCHOOL DISTRICT BOARD OF EDUCATION MEETING AGENDA



January 12, 2006 6:00 p.m. Freewill Elementary School Media Center

6:00 Executive Session - Conference Room

6:30 Tour of Building

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 Action Items

7:20 Superintendent's Report

1. Dr. Marinelli Introduction
2. Filling OE Principalship
3. Update on District Goals
4. Board "Get The Vote Out" Committee
5. Budget: Instructional Priorities Discussion
6. Project Update
7. Financial Report
8. Student Questions

Break

8:50 Board Action

1. Approve [Personnel](#) Action
2. Approve CSE/CPSE Action
3. Accept Treasurer's Report

Att. 2

Att. 3

Att. 4

8:55 [Policy](#) – First and Single Readings

Att. 5

9:00 Public Comment

9:05 Board Member Comments

9:10 Adjournment

Next Meeting Date: January 26, 2005

7:00 p.m.

District Office Conference Room

District Mission Statement

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, December 8, 2005
TYPE: Regular Business Meeting

TIME: 6:00 p.m.
PLACE: Ontario Elementary School

PRESENT: Trustees Brunner, Davis, Griswold, Johnson, Lyke, Robusto, Schultz, Triou, Wyse (arrived @ 7:00 p.m.); District Clerk Switzer; Administrators Havens, Shaffer, La Ruche, Siracuse, Cox, Schiek, Atseff, Spring, Callahan, Miller, Prince, Green, Blankenberg

ABSENT: Trustee Triou

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

I. **CALL TO ORDER:** 6:00 p.m. by Frank Robusto, Jr., School Board Vice-President

II. **EXECUTIVE SESSION** (Personnel Matters)

Mr. Johnson offered a **MOTION** to adjourn the meeting, at 6:02 p.m., for an executive session on personnel matters pertaining to specific persons. 7 Ayes, 0 Nays, 2 Absent (Mr. Triou, Mr. Wyse), Carried.

III. **RECONVENE:** 7:00 p.m.

(Mr. Wyse entered the meeting @ 7:00 p.m.)

Prior to start of the business meeting, trustees and school personnel conducted a tour of the building to fulfill the requirement of §1705 of the Education Law for annual building visits.

IV. **PLEDGE OF ALLEGIANCE**

V. **APPROVAL OF AGENDA & MINUTES** (November 10, 2005)

Mr. Wyse offered a **MOTION** to approve the agenda for this evening's meeting and the Minutes of the meeting of November 10, 2005, each as presented. 8 Ayes, 0 Nays, 1 Absent (Mr. Triou), Carried.

VI. **PUBLIC COMMENT** - None

VII. **BOARD MEMBER COMMENTS**

A. Mr. Wyse extended **compliments to high school students** and their advisors for the one-act plays they recently wrote, presented and produced, He added that he was pleased to see the community support for the event and that he was pleased to assist on lighting.

B. Mrs. Lyke extended **congratulations to Debra Maier**, the library media specialist at Ontario Primary School, for selection as recipient of the Du Bois Educator of the Year Award by the Genesee Valley District of PTA and asked Mr. Havens to express same in writing.

- C. Mrs. Lyke **complimented the many residents** who have volunteered for screening for bone marrow donations for a local student, her niece.
- D. Mrs. Lyke reported that the **legislative committee of the Four County School Boards Association** has prepared written responses to the proposal from the Board of Regents and the NYS Education Department to amend the compulsory age for attendance from six (6) to five (5) and adding a universal pre-kindergarten program for four year olds, each of which has budgetary impacts for local school districts.

VIII. BOARD VICE-PRESIDENT'S COMMENTS

- A. Mr. Robusto extended compliments to everyone who has had a role in **updates to the district web page** and asked Mr. Havens to express same in writing. Mr. Havens noted that one of our recent graduates, Michael Powers, took a lead role in this effort and worked with our computer technology staff.

IX. REPORT ON ACTION ITEMS BY THE SUPERINTENDENT OF SCHOOLS

- A. Mr. Havens noted that he provided a **written response** to questions and comments by Mr. Edward Collins at the prior school board meeting.
- B. Mr. Havens reported on his recent meeting with representatives of the TCA Friends of Music relative to cancellation of the **student musical, Grease, The School Version**, and that work is underway on the replacement musical, **The Sound of Music**, by middle school students. Mr. Wyse added that he attended that meeting and was pleased to hear the middle school principal state that his goal was to make our middle school the #1 middle school in the state.
- C. Mr. Havens noted that the **"LNB Awards" for student musical productions** will expand to include lighting and sound work on student musicals.

X. REPORTS OF THE SUPERINTENDENT OF SCHOOLS

A. REVIEW OF INDEPENDENT AUDIT FOR F. Y. ENDING JUNE 30, 2005

Mr. Havens presented the topic of the independent audit and management letter for the period ending June 30, 2005 for review and consideration by the Board of Education. He introduced David Rizzari, associate of the independent auditing firm Raymond P. Wager, CPA, PC, to review the reports (copies filed in clerk's files).

Mr. Rizzari reviewed data on the financial report for the fiscal year ending June 30, 2005 and the status of reserve funds maintained by the Board of Education (e.g. unemployment reserve, capital reserve, retirement reserve, insurance reserve, employee benefit accrued liability reserve and liability reserve). He stated that the school district ended the fiscal year in a very strong financial position and that the Board of Education did a fine job in financial oversight.

Mr. Rizzari noted that the procedural items cited in the management letter were reviewed with school personnel and that they have prepared a corrective action plan for same. He noted that the Office of State Comptroller is resuming audits

of local school districts and stated that those audits will extend from four (4) to six (6) months and include in-depth review of both finances and operations of school districts.

Mr. Rizzari stated that the GASBI 45 Regulations of the Comptroller General of the United States now require that school districts conduct an actuarial study on their liability for future retiree health benefits beginning with the 2008-2009 school year. He noted that this is a significant item and, in some districts, has amounted to several million dollars in value.

He reviewed details of the newly adopted 5-Point Plan of the NYS Comptroller on financial oversight duties of the Board of Education and internal fiscal controls. Each school district is required to prepare and adopt policies and procedures to address issues which range from financial reporting software to use of credit cards. He also cited the following features of the new regulations:

- (1) By January 1, 2006, formation of an audit committee of the Board of Education
- (2) By July 1, 2006, expanded duties of the internal claims auditor
- (3) By July 1, 2006, required requests for proposals for independent auditing firms

The new audit committee can consist of selected members or all members of the Board of Education. Mr. Rizzari's suggestion was to establish the initial committee as the full Board of Education until the duties and responsibilities of the committee are more clearly defined by the state guidelines. Mr. Wyse noted that this option was also recommended in the training sessions he attended on the new fiscal oversight duties of school boards.

Mr. Griswold asked what rationale was presented for that option. Mr. Wyse noted that the NYS Comptroller's office is advising that each school trustee understand the new fiscal oversight role and auditing regulations before a smaller committee is assigned those new duties. Mr. Schultz noted that school boards will have more insight into the process when the new guidelines are fully developed by state officials. At that time, the school board could consider if they wished to continue to have the "committee of the whole" or a smaller committee serve in that role.

Mr. Griswold asked what role the new audit committee would fill as of January 1, 2006. Mr. Rizzari cited the following examples: review of external audits and management letters and direct supervision and discussions with the internal claims auditor, who will report directly to the new audit committee.

Mr. Griswold asked how often an audit committee would meet. Mr. Rizzari stated that final guidelines from the NYS Education Department or Comptroller's Office are changing daily but the initial thinking is on a quarterly basis.

Mr. Havens noted that the audit committee would also decide if the school district should schedule an independent, internal audit before the random audit from the NYS Comptroller occurs in the school district.

Mr. Wyse noted that the meetings of the audit committee would occur in public in the same manner as other committees of and the Board of Education and follow existing state regulations on executive sessions and preparation of meeting minutes.

By **consensus**, trustees decided to form the new audit committee as a “committee of the whole” of the Board of Education. Mr. Havens noted that the policy committee is working on policies and regulations related to the new auditing functions.

Mr. Schultz asked who would provide guidance and advice to the audit committee. Mr. Rizzari stated that the internal claims auditor would serve in that role through reports and observations of fiscal practices and issue. Mr. Havens noted that the new regulations provide that the functions of the superintendent of schools and school business official must remain separate from the advisors to the audit committee. He added that the school board could also seek input and advice from the independent auditing firm and that state officials have advised that it could take four (4) to six (6) months for issuance of final state guidelines.

Mr. Davis asked if the Board of Education would receive a copy of the response and corrective action plan for the independent audit as cited by Mr. Rizzari. Mr. Rizzari stated that the independent auditor will conduct a follow-up on the corrective action plan and Mr. Havens stated that trustees will receive copies of the corrective action plan.

Mr. Robusto thanked Mr. Rizzari for his report, visit and responses to questions.

B. REVIEW OF SCHOOL IMPROVEMENT PLAN FOR FACILITIES AND FINANCE

Mr. Havens presented a progress report on the **facilities and finance goals** of the school improvement plan for 2005-2006 for review and consideration by the Board of Education. He introduced Mr. Atseff, assistant superintendent for business, Robert Miller, director of facilities and Fred Prince, transportation supervisor, to present detailed information. (copy of report in clerk’s agenda file, this meeting)

Mr. Prince reviewed the goals related to continuing the distribution of county sales tax with school districts, continuing joint meetings of town and school officials and participating in efforts of the Wayne County Education Coalition.

Mr. Atseff reviewed the goals related to collective bargaining with the teachers’ unit and the role of facilitators in this process.

Mr. Miller reviewed the goals related to completion of the 2002 Capital Improvement Project and continuing the monthly visits and inspections of each school using the standard facilities’ rubric.

Discussion which followed is generally summarized as follows:

Work on the final **“punch list”** of items for the 2002 Capital Improvement Project continues after school hours and on weekends.

Efforts to reduce the humidity and prepare the concrete floor for application of the floor surface in the **fitness center** at the high school were finally successful and the area is slated for use by the holiday recess. The delay in completion did result in a proper, long-term solution to the issue.

Final installation of equipment is underway in the new **TV production studio** at the high school; completion is anticipated by the end of January, 2006. Staff and students who will use the studio are enthusiastic about the "state-of-the-art" facility. Mr. Wyse noted that he had visited the area and was impressed by the services it will provide for our students and school.

Installation of sod on the athletic fields to solve the **turf improvement issues** was completed at the expense of the general contractor. As part of the final work, additional irrigation features were incorporated to insure areas adjacent to the fields are maintained in the same condition as the fields.

Monthly visits and inspections using the standard rubric are underway and the efforts by staff members and contractors during the summer recess are clearly visible. With these improvements and continued maintenance, the intent is that students will have respect for their learning environment and take an interest in keeping them in top shape. The rubrics also provide a long-range planning tool for repairs and improvements.

Mrs. Lyke asked about the status of **installation of the lift at Ontario Elementary School**. to provide access to the stage/gymnasium and auditorium by persons with disabilities. Mr. Atseff stated that a workable solution was developed and the final modifications should occur during the holiday recess.

Mr. Havens stated that chief school officers had met with county officials and obtained the impression that the distribution of the **sales tax revenue** with school districts in the county will continue for another year. Our district receives appx. \$835,000 in such revenue.

Mr. Havens thanked Mr. Atseff, Mr. Prince and Mr. Miller for their reports.

C. REPORT BY THE INTERNAL CLAIMS AUDITOR

Mr. Havens introduced Mr. Russell Harris, the internal claims auditor, for a report to the Board of Education. He noted that the internal claims auditor will present future reports to the new audit committee.

Mr. Havens noted that the internal claims auditor is designated by the Board of Education at the organizational meeting each year and our district is fortunate to have a person with the experience level of Mr. Harris, a member of our computer technology staff, who previously served in an internal auditing role with the Four County School Boards Association

Mr. Harris reviewed the state regulations on auditing of internal claims and presented a written report on incidents of non-compliance he has cited and steps taken for corrective action in the past three (3) months. He is developing standardized forms and procedures for future reports.

Mr. Harris noted that the accounts payable staff in the business office does an excellent job in protecting the interests of the school district for claims processed.

Mr. Robusto thanked Mr. Harris for his report.

D. FINANCIAL REPORTS

Mr. Havens introduced Mr. Atseff to present monthly financial reports for review and consideration by the Board of Education.

Mr. Atseff presented reports and information through November 30, 2005 as follows: (copies filed in clerk's agenda file, this meeting)

- (1) *Revenue Status Report-General Fund*: Reflects revenues compared to revenue appropriations; 68% of budgeted revenues have arrived. Mr. Wyse asked for clarification on the compensation for loss. Mr. Atseff will provide information on the accounting process involved.
- (2) *Expense Report – General Fund*: 25% of the general fund allocations spent to date; appropriations in good shape.

Mr. Wyse stated that he appreciates having the revenue and expense reports available in advance. He asked about the projected final expenses for the 2002 Capital Improvement Project; Mr. Atseff provided details. Mr. Atseff noted that repair of moisture concerns in the pit area of the performing arts center at the high school remain under consideration if funds allow from the capital project.

Mr. Wyse noted that the site of annual meeting of the NYS School Boards' Association in October, 2006 is New York City and suggested including appropriate budget allocations for 2006-2007.

Mr. Atseff noted that the ***budget development calendar for 2006-2007*** is presented in the consensus agenda this evening and follows the same three-part budget format as in prior years.

Mr. Atseff distributed pupil enrollment and class size projections for 2006-2007 for information of trustees (copy filed in distrust clerk's file, this meeting)

Mrs. Lyke noted time for input into 2006-2007 budget by trustees is set for January 12th.

Mr. Havens noted that reports presented this evening indicate that the school district is in good financial shape as well as academic achievements by students and condition of school facilities. He acknowledged the diligent efforts of district and building-level management personnel and extended public compliments for their efforts. He added that 88% of the students in the Class of 2006 will attend college, 2% less than the district goal for that area.

Trustees and persons in the audience extended a round of applause for the achievement reflected by the report.

E. STUDENT QUESTIONS

- (1) Sam Allen, 2149 Ridge Road, Ontario, asked about the long delay in completion of the new applied technology labs for installation of computers and machinery moved from the former shop areas and the completion of the new TV production studio and video equipment. Mr. Havens reviewed the status of those items.
- (2) Eric Larson, 256 Berg Road, Ontario, expressed frustration in using the new telephone system and inability to leave messages for teachers. Mr. Havens provided details.
- (3) Rachel Johnston, 3609 High Street, Walworth, asked if the school district would provide financial support for additional one-act play performances. Mr. Havens reviewed the plans to include classes in dance, set and stage management and acting as part of the model school's program.
- (4) Richard Drexler, 1117 Plank Road, Town of Walworth, asked why the size of the clocks in the new clock tower is too small to read. Mr. Havens noted that the clocks are visible from the athletic fields and from

the highway. Ms. Johnston stated that the clocks are visible from the tennis courts.

- (5) Jerica Smith, 692 Lake View Knolls, Ontario, asked why teachers assign more homework, why class lectures occupy so much of class time and why students do not have more access to teachers for extra help through the block schedule at the high school. Mr. Havens reviewed the intent of the advisory period each day to allow students to obtain extra help and complete homework during scheduled time blocks.
- (6) Heather Sullivan, 2169 Bailey Road, Ontario, noted the imbalance of the heating system at the high school. Mr. Havens noted that efforts are underway to address issue. He added that the energy performance contract will also address this matter.
- (7) Ashley Soucy, 4559 Ontario Center Road, Walworth, asked when the general contractor will re-install TV/video monitors in classrooms and corridors to allow students to view internal broadcasts prior to the start of the school day.
- (8) Michael Pera, 5776 Coppersmith Trail, Ontario, suggested the addition of a sand volleyball court in the median of the new high school athletic field and noted the poor condition of the sand courts at the Ontario town park. Mr. Havens invited Michael and his fellow students to meet with him and the director of athletics on this topic.
- (9) Blair Germain, 4314 Cream Ridge Road, Macedon, asked about the possibility of re-instating the primary project. Mr. Havens stated that the program was discontinued four (4) years ago as part of budget spending reductions and those funds were re-directed to reading, literacy and smaller class sizes.
- (10) Sarah Knight, 4552 Ontario Center Road, Walworth, asked about reinstating the student-produced murals at the high school. Mr. Havens noted that the framed prints were retained for display but the murals painted on corridor walls were lost with re-painting in the 2002 Capital Improvement Project. He noted that those works of art are missed.
- (11) Jessica Heald, 2637 Walworth-Marion Road, Walworth, added her support for return and expansion of displays of student art work in the high school.
- (12) Cory Johnson, 5534 Walworth-Ontario Road, Walworth, expressed dismay that high school counselors had repeatedly cancelled appointments on the college application process. Mr. Havens will explore the issue.

XI. RECESS: 8:25 p.m.

XII. RECONVENE: 8:40 p.m.

XIII. ITEMS FOR BOARD OF EDUCATION ACTION

A. PERSONNEL CHANGES

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

ADMINISTRATIVE STAFF

RESIGNATIONS:

Lory Morrin, building principal, assigned to the high school, effective June 30, 2006 (personal reasons)

Joseph Siracuse, building principal, assigned to Ontario Elementary School, effective January 2, 2006 (contingent upon appointment as principal of the high school, effective January 3, 2006)

APPOINTMENT:

Joseph Siracuse, building principal, assigned to the high school, a three year probationary appointment effective January 3, 2006 through January 2, 2009 at \$98,152, prorated (replacement for Lory Morrin, resigned)

INSTRUCTIONAL STAFF

APPOINTMENTS:

John Cotsonas, physical education teacher, assigned to the high school, a two year probationary appointment effective January 3, 2006 through January 2, 2008 at \$41,250, pro-rated (replacement for Daniel Harris, resigned)

Richard Galvin, school counselor, assigned to the high school, an eight (8) month temporary appointment from November 14, 2005 through June 30, 2006 at \$36,250, pro-rated (replacement for Kelly Gallup while on child rearing leave)

Krista Matuszek, art teacher, assigned to high school, a seven month temporary appointment from November 29, 2005 through June 30, 2006 at \$35,000, pro-rated (replacement for Terese Manfredi-Hill while on child rearing leave)

Amended Coaching Appointments • Winter Season • 2005-2006 School Year

See Listing, Clerk's Agenda File, This Meeting

Amended Extra-Duty Appointments/Designations • 2005-2006 School Year

See Listing, Clerk's Agenda File, This Meeting

LEAVES OF ABSENCE:

Jackie Courtney, English Teacher, assigned to the high school, a paid FMLA leave of absence anticipated from January 30 through March 24, 2006 (child rearing)

Kelly Gallup, school counselor, assigned to the high school, a combination paid and unpaid FMLA leave of absence anticipated from November 14, 2005 through June 30, 2006 (child rearing)

Terese Manfredi-Hill, art teacher, assigned to the high school, a combination paid and unpaid FMLA leave of absence from November 23, 2005 through June 30, 2006 (child rearing)

Jessica Kleindienst, health teacher, assigned to the high school, a combination paid and unpaid FMLA leave of absence anticipated from December 12, 2005 through June 30, 2006 (child rearing)

April Roods, English Teacher, assigned to high school, a paid FMLA leave of absence anticipated from December 19, 2005 through February 10, 2006 (child rearing)

SUPPORTIVE STAFF:

RESIGNATIONS:

Catherine Luke, typist, assigned to high school (counseling office), effective November 21, 2005. (promotion to senior typist, district office/office of instruction)

Judith Tulloch, senior typist, assigned to the district office/office of student services & Committee on Special Education, effective November 30, 2005 (retirement, 20 years of service to Wayne Central School District)

APPOINTMENTS:

Catherine Luke, senior typist, assigned to the district office/office of instruction, a six month probationary civil service appointment effective November 21, 2005 through May 20, 2006 at \$12.19 per hour (replacement for Catherine Kelliher, resigned)

Darryl Wilson, 1:1 teacher aide, assigned to the high school, a six month probationary civil service appointment, effective November 7, 2005 through May 6, 2006 at \$8.25 per hour (new position)

LEAVE OF ABSENCE:

Kimberly Aumann, custodian, assigned to the middle school, a paid FMLA leave of absence anticipated from November 4, 2005 through February 3, 2006 (surgery)

Mr. Wyse offered a **MOTION** to approve the personnel changes as recommended by the superintendent of schools. 8 Ayes, 0 Nays, 1 Absent (Mr. Triou), Carried.

Mr. Wyse extended congratulations to Mr. Siracuse on his appointment as high school principal.

B. CSE PLACEMENT RECOMMENDATIONS

Mr. Havens presented the pupil placement recommendations of the Committee on Special Education for review and consideration by the Board of Education.

Mr. Johnson offered a **MOTION**, seconded by Mr. Wyse, to adopt a **RESOLUTION** for pupil placements by the CSE, **TO WIT:**

**COMMITTEE ON SPECIAL EDUCATION AND
AUTHORIZE ARRANGEMENT OF RECOMMENDED
SPECIAL PROGRAMS & SERVICES**

RESOLVED, that the Board of Education approves the recommendations of the Committee on Special Education and authorizes the Director of Student Services to arrange the recommended special programs and services.

On the question, the **RESOLUTION** was adopted by a vote of 8 Ayes, 0 Nays, 1 Absent (Mr. Triou).

C. CONSENSUS AGENDA

- (1) Reports of the School District Treasurer (A/O 10-31-05)
- (2) Adopt Resolution as Lead Agent, SEQRA, Energy Management Project
- (3) Adopt Budget Development Calendar, 2006-2007
- (4) Adopt Resolution to Accept Report of Findings & Management Letter, Independent Auditor
- (5) Approve Budget Transfers (Salary Codes)
- (6) Establish Audit Committee Effective January 1, 2006 (Full Membership, B.O.E.)

Mr. Havens presented the consensus agenda for review and consideration by the Board of Education.

Mrs. Brunner offered a **MOTION**, seconded by Mr. Johnson, to approve/adopt the consensus agenda, as presented by the superintendent of schools, as follows:

- (1) Receive & file **reports of the school district treasurer** for the period ending October 31, 2005 (copies attached to these minutes in the minute book)
- (2) Adopt a **RESOLUTION** to declare the **Lead Agent (SEQRA) for Energy Management Projects, TO WIT:**

**RESOLUTION TO DECLARE THE BOARD OF EDUCATION
AS LEAD AGENCY FOR THE ENERGY PERFORMANCE PROJECT
(NYS Environmental Quality Review Act)**

RESOLVED, that the Board of Education does hereby declare itself as the lead agency for the purpose of identifying the NYS Environmental Quality Review Act (SEQRA) determination for the energy performance projects of the Wayne Central School District.

- (3) Adopt the **budget development calendar for the 2006-2007 school year** (copy filed in clerk's agenda file, this meeting)
- (4) Adopt a **RESOLUTION** to accept the **report of findings & management letter of the independent auditor** for the period ending June 30, 2005, **TO WIT:**

**RESOLUTION TO ACCEPT THE ANNUAL EXTERNAL
AUDIT REPORT & MANAGEMENT LETTER
(Fiscal Year Ending June 30, 2005)**

RESOLVED, that the Board of Education does hereby accept the Report on Accounts & Financial Statements for the Fiscal Year Ended June 30, 2005, & the Management Letter for same, as prepared by Raymond P. Wager, CPA, P.C., independent auditors, and authorize and direct the district clerk to forward certified copies and issue public notice as required by law (copy filed in clerk's file)

- (5) Approve **budget transfers** (salary codes) pursuant to Policy 5330 (copy attached to these minutes in the minute book)

- (6) Designate the full membership of the Board of Education as the **audit committee, effective January 1, 2006**, pursuant to regulations of the NYS Comptroller

Mr. Davis asked what the revenue item from Coca Cola on the general fund report represents and if it is the same amount each month. Mr. Havens reviewed the pouring rights agreement.

On the question, the consensus agenda was approved/adopted by a vote of 8 Ayes, 0 Nays, 1 Absent (Mr. Triou).

XIV. ADDITIONAL PUBLIC COMMENT - None

XV. ADDITIONAL BOARD MEMBER COMMENTS

- A. Mr. Johnson extended **best wishes for the holidays** for trustees and school personnel.
- B. Mr. Wyse stated that he was **pleased** that so many of our administrators are present this evening.
- C. Mr. Griswold noted the good response by parents at the recent **8th Grade Orientation Night** program and the common theme in questions about the local requirement for more credits for a diploma than state minimums.
- D. Mr. Griswold renewed his suggestion at prior meetings for formation of a committee to work on **increasing voter turnout for the annual school election** as a future agenda item.
- E. Mr. Griswold noted that the **community tours of school facilities** last fall were well received and suggested repeating them in the spring.
- F. Mr. Wyse suggested **scheduling the community tours** prior to the annual school election.
- G. Mr. Davis noted that the **projected student enrollment data** distributed this evening indicates a decline and if any information is known as to the reasons and if there is any impact on our state aid.. Mr. Havens noted that local enrollment has declined over the past six (6) years due to multiple factors and changes in the state aid formula have had the larger impact on reductions in state aid.
- H. Mr. Robusto extended **best wishes for the holiday season** and provided an update on meetings of interested persons in **creation of an educational foundation** for the school district. He is serving as leader of the group until election of officers, who are not school board members, in July. He is pleased with the success in efforts to date.

XVI. ADJOURNMENT

Mr. Wyse offered a **MOTION** to adjourn the meeting at 8:50 p.m. 8 Ayes, 0 Nays, 1 Absent (Mr. Triou), Carried.

Respectfully submitted,

JAMES E. SWITZER
School District Clerk

APPROVAL OF MINUTES

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

January 12, 2006

School District Clerk

JES/jes:wp

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: January 12, 2006

The following is submitted for your review and approval.

ADMINISTRATIVE STAFF

RESIGNATIONS:

INSTRUCTIONAL STAFF

RESIGNATIONS:

Danielle Powelczyk, Technology Teacher, assigned to the Thomas C. Armstrong Middle School, effective January 1, 2006. *For personal reasons.*

Tracey Wiesmore, Special Education Teacher, assigned to the Thomas C. Armstrong Middle School, effective February 4, 2006. *For personal reasons.*

LEAVE OF ABSENCE:

Eryne Altmire, Elementary Education Teacher, assigned to the Ontario Elementary School, a combination paid and unpaid FMLA leave of absence effective January 27, 2006 through June 30, 2006. *For the purpose of child rearing.*

Diane Cameron, Reading Teacher, assigned to the Ontario Elementary School, a paid FMLA leave of absence effective November 3, 2005 through December 23, 2005. *For medical reasons.*

APPOINTMENTS:

Nicole Favreau, Health Teacher, assigned to the James A. Beneway High School, a six month temporary appointment anticipated from December 12, 2005 through June 30, 2006 at \$35,000 (base) pro-rated. *Replacement for Jessica Kleindienst (child rearing leave).*

Kim Gabriel, Reading Teacher, assigned to the Ontario Elementary School, a seven week temporary appointment from November 3, 2005 through December 23, 2005 at \$35,000 (base) pro-rated. *Replacement for Diane Cameron (medical leave).*

Heather Jeffery, ELA Teacher, assigned to the James A. Beneway High School, a two month temporary appointment anticipated from January 26, 2006 through March 27, 2006 at \$36,250 (base + MS) pro-rated. *Replacement for Jacquelyn Courtney (child rearing leave).*

Michael Uchal, Technology Teacher, NYS Control No. TBA (Initial, valid through 2-1-2009) assigned to the Thomas C. Armstrong Middle School, a three year probationary appointment effective January 3, 2006 through January 2, 2009 at \$35,000 (base), credited with no prior service, pro-rated. *Replacement for Danielle Powelczyk (resigned).*

Elizabeth Whitcher, ELA Teacher, assigned to the James A. Beneway High School, a six week temporary appointment from December 19, 2005 through January 27, 2006 at \$35,000 (base) pro-rated. *Replacement for April Roods (child rearing leave).*

SUPPORT STAFF

RESIGNATIONS:

Carol Ann Malcolm, Bus Driver, assigned to the Transportation Department, effective December 31, 2005. *For personal reasons.*

Stephanie Sage, Food Service Worker, assigned to the Freewill Elementary, effective December 23, 2005. *For personal reasons.*

LEAVE OF ABSENCE:

APPOINTMENTS:

Robert Miller, Director of Facilities and Operations, a six month probationary Civil Service appointment effective November 30, 2005 through May 29, 2006. *Changes status from provisional to probationary.*

James Switzer, Records Management Clerk, (0.5 FTE), assigned to District Office, a temporary grant funded appointment effective September 1, 2005 through July 30, 2006 at \$9.50/hr.

SUBSTITUTE TEACHER APPOINTMENTS (AMENDED)

| First Name | Last Name | First Name | Last Name |
|------------|-------------|------------|------------|
| Yolanda | Supersad | Kathleen | Freischlag |
| Marta | Butzer | Erin | Genge |
| John | Solbert | Theresa | Kane |
| Evan | Schutt | Amanda | Miller |
| Andrea | Benedict | David | Steele |
| Kara | Miller | Nicole | Denniston |
| Karin | Kwiatkowski | Frank | Stearns |

SUBSTITUTE ADMINISTRATIVE APPOINTMENTS

Robert Pearles, Elementary Principal, effective 1/3/06.

David Ragusa, Assistant Principal, effective 1/4/06.

COACHING APPOINTMENTS (AMENDED)**Winter 2005-06**

| Name | Team | Step | WCS Years | Level | Incentive | Salary | Total |
|--------------|--|-------------|------------------|--------------|------------------|---------------|--------------|
| Andy Struzik | Girls 8 th Grade Basketball | 9 | 4 | F | | 2543 | 2543 |

Winter Athletic Event Personnel:

| | | |
|-----------------|-------------------|----------------|
| Tim Mattle | Randy Emison | Rick Bulman |
| Justin Marino | Sandy Weis | Cheryl Raleigh |
| Brian Knebel | Joanna Johnson | Andy Struzik |
| Riley Wheaton | Becky Walzer | Dick Galvin |
| Kathy Emison | Lisa Marlowe | Judy Fletcher |
| Judy Marino | Donna Schaumacher | Don Johnson |
| Lori Smith | Patty Grimshaw | Dave Tinnes |
| Kevin Shoemaker | Nan Coro | Nancy Ottnod |
| Bob Taylor | Doug Casey | Dave Marean |
| Kim Baker | Dave Leone | Brad LaBarge |

Policy Submitted for First Reading

1230 – Reporting Campaign Expenditures

1320 – Appointment and Duties of the School District Treasurer

1420 – Execution of Policy Through Administrative Regulations

1610 – Voting Procedures for School Elections

5430 - Use of District Credit Cards

Policy Submitted for Single Reading and Adoption

1335-R – Reporting Procedures for Internal Claims Auditor

2340-R - Self – Evaluation by the Board of Education

3410-R – Public Conduct on School Property

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By-Laws

REPORTING OF CAMPAIGN EXPENDITURES

Each candidate for the position of member of the Board of Education whose expenses, ***or contributions received by him or her***, exceed \$500.00 must file a ***sworn*** statement accounting for his or her campaign expenditures and contributions with ***both*** the school district clerk and an additional statement with the Commissioner of Education, ***itemizing such expenditures and/or contributions***.

In the event the expenses, ***or contributions received by him or her***, do not exceed \$500.00, ***in the aggregate***, then a sworn statement to that effect must ***only*** be filed with the school district clerk.

A preliminary statement must be filed no later than thirty (30) days before the election.

The first ***second*** statement shall be filed no later than ***five (5)*** ten (10) days before the election.

The third and final statement shall be filed within twenty (20) days after the election. Each statement must cover the period up to and including the day before the day specified for the filing of the statement.

Any contribution or expense, however, in excess of \$1,000 that is received after the closing date for the most recent required statement, but before the election, must be reported, in the same manner as other contributions, within twenty-four (24) hours after its receipt.

Persons who make expenditures of \$25.00 or more on the candidate's behalf, without the candidate's approval, must also file a sworn statement with the school district clerk that such expenses were not approved by the candidate.

All statements must be sworn before a notary public, a commissioner of deeds, a lawyer or a public official authorized by New York State law to administer oaths.

Each statement is deemed filed when it is deposited in an established post office within the prescribed time, duly stamped, registered and directed to the school district clerk and, if necessary, the Commissioner of Education. Each statement shall be preserved for a period of three (3) years from the date of filing thereof and is considered a public record open to public inspection.

By-Laws

A. APPOINTMENT & DUTIES OF THE SCHOOL DISTRICT TREASURER

Job Description

The school district treasurer is appointed each year by the Board of Education at the re-organizational meeting and serves at the pleasure of the Board of Education. The salary of the school district treasurer shall also be fixed annually at the re-organizational meeting. The school district treasurer is the custodian of district monies and will be bonded as required by law.

Duties and responsibilities will include the following:

1. Receiving and disbursing district monies, including:
 - (a) Depositing monies in the Board **officially** designated bank(s)
 - (b) Disbursing monies upon receipt of a signed warrant or certified payroll
 - (c) Issuing pre- numbered receipts for monies received, with the original going to payer and a copy retained by the treasurer
 - (d) Signing all checks, using check-signing machine authorized by the Board of Education, and properly safeguarding the signature plate and key.

2. Maintaining detailed accounting records including:
 - (a) Reconciling cash bank balances after obtaining the bank statements each month.
 - (b) Rendering a monthly report for each fund (bank account), showing cash balance on hand at beginning of the month, receipts by source during the month and reconciliation with bank statement
 - (c) Rendering a report to the Board **of Education** at least quarterly (monthly, if budget transfers have been made since the last report) for each fund including no less than the revenue and appropriation accounts required in the annual state budget report.
 - (d) Being responsible **Have responsibility for** the preparation of the annual financial report in the format prescribed by law.
 - (e) Maintaining separate bank accounts for **each fund**: payroll, capital fund, federal aid fund.
 - (f) Transferring between or among budget appropriations when authorized by the Board of Education
 - (g) Auditing accounts and filing such reports annually as required.

3. Establishing and maintaining records to show the following information:
 - (a) Available balance at the close of a fiscal year and the projected total expenditures
 - (b) Amount of insurance premiums coming due
 - (c) Amounts of principal and interest on indebtedness that will need to be paid during the coming fiscal year and the amount of retirement deductions
 - (d) Expenditure and receipt history of previous years

By-Laws

EXECUTION OF POLICY THROUGH ADMINISTRATIVE REGULATIONS

The Board of Education delegates to the superintendent of schools the function of specifying required actions and designing the detailed arrangements under which the schools will be operated.

These rules and these detailed arrangements shall constitute the administrative regulations governing the schools. They must in every respect be consistent with the policies adopted by the Board of Education.

The Board of Education shall review and approve administrative regulations. The administrative regulations shall become a part of the school district policy handbook and are available for public inspection in written **printed and**/or electronic format at the district offices.

Adopted: September 10, 2003

Revised: January, 2006

VOTING PROCEDURES FOR SCHOOL ELECTIONS

Procedures for voting in annual and special elections in the Wayne Central School District are outlined as follows:

Eligibility to Vote

A person shall be entitled to vote in any school district election and on all matters placed upon the official ballot if such person is:

- (1) a citizen of the United States,
- (2) at least 18 years of age,
- (3) a resident within the school district for a period of thirty (30) calendar days next preceding the election at which such person desires to vote,
- (4) qualified to register or is registered to vote in accord with §5-106 of the NYS Election Law, which excludes:
 - (a) those convicted felons who have not been pardoned or had their rights of citizenship restored,
 - (b) those whose maximum sentence of imprisonment has not expired, and/or
 - (c) those who have not been discharged from parole
 - (d) persons adjudged mentally incompetent by a court
- (5) capable of providing one form of proof of residency such as a valid driver's license, a non-driver identification card or utility bill, as well as signature, printed name and address (NYSSBA deleted)

Challenges to voters believed unqualified to vote may be undertaken pursuant to Education Law. The school district clerk shall preside over each annual or special school meeting and election and shall have the responsibility of properly handling any challenges to the qualification of any voter.

B. Voting Procedures

Voting machines shall be used for recording the votes on all elections, budget votes and special propositions. The only exception to the use of voting machines shall be an emergency situation whereby the machines are unavailable due to a mechanical failure or state or local law prohibiting their use. If this shall arise, paper ballots will be used.

Each voting machine shall have at least two (2) election inspectors, appointed by the Board of Education, in attendance during all voting hours. It shall be the duty of the school district clerk, or assistant clerks and clerks to keep a poll list containing the name (not signature) and legal residence of each person before each person is permitted to vote.

Adopted: September 10, 2003

Revised: January ..., 2006

By-Laws

VOTING PROCEDURES FOR SCHOOL ELECTIONS

Entering a voting machine with another person is prohibited except upon request from a voter, in which case an election inspector shall be allowed to enter the voting machine with the voter for the sole purpose of assisting that person in the actual manipulation of the voting machine.

The election inspector shall not advise or induce such voter to vote on any proposition or candidate and the election inspector shall never reveal the vote(s) recorded by the voter to any other voter at any time.

Write-in Ballots for Trustee Candidates

Write-in ballot windows are required on each voting machine. Ballots containing the names of nominated candidates will be provided by the Board of Education. On a paper or absentee ballot, one blank space will be provided by the name of the last candidate for each office so that voters may vote for candidates who have not been nominated for the offices to be filled at the election. There will be as many write-in spaces as there are vacancies at the time of election.

The writing in, with a black lead pencil, of a name in the blank space so provided will sufficiently indicate a vote. The school district cannot require a voter to place any other mark beside the name of a write-in candidate.

Absentee Ballots

The Board of Education **NYS Education Law** provides for absentee ballots **for voting in annual school elections**. Such ballots shall be available for the election of members of the Board of Education, the adoption of the school district budget and on questions and propositions submitted to the voters of the school district.

The school district clerk must receive the application for an absentee ballot at least seven (7) days prior to the school election, if the ballot is to be mailed to the voter, or by the close of business on the day prior to the school election, if the ballot is to be personally delivered.

The application must be completed and returned to the school district clerk and the individual must verify therein that he or she meets all requirements of voters and explain the reason for his/her inability to appear in person to vote.

The school district clerk shall request lists from the Wayne and Monroe County Boards of Elections for those voters whose registration record has been marked "permanently disabled" and mail absentee ballots to said individuals in advance of each annual or special school district election as required by Education Law.

Adopted: September 10, 2003

Revised: January, 2006

VOTING PROCEDURES FOR SCHOOL ELECTIONS

Nomination of School Trustee Candidates

Nomination for school trustee shall be in accordance with the following:

Application for Absentee Ballot

In particular, the individual must explain that he or she will be unable to appear to vote in person on the day of the school election because:

- (1) s/he will be a patient in a hospital, or unable to appear personally at the polling place on such day because of illness or disability,
- (2) his/her duties, occupation, business or studies will require him/her to be outside of the county or city of his/her residence on such day,
- (3) s/he will be on vacation outside the county or city of his/her residence on such day, or
- (4) s/he will be detained in jail awaiting action by a grand jury, awaiting trial, or is confined in prison after conviction for an offense other than a felony

[This section was inadvertently included here; not relevant to this topic]

A petition will be obtained from the school district clerk.

- (1) The petition will be signed by at least twenty-five (25) qualified voters of the district or two (2%) percent of the number of voters voting in the last election for school trustees, whichever is greater.
- (2) The petition will state the name and residence of the candidate.
- (3) Individuals signing the petition will indicate their residence.
- (4) The petition will be filed with the district clerk not later than thirty-(30) days prior to the annual meeting.
- (5) Ballot order of nominees will be determined by random drawing conducted by the school district clerk on the day following the final date for filing petitions.
- (6) Board of Education candidates run "at large."

The school district clerk will supervise the procedure used to establish the order of names on the ballot. The Board of Education may reject nominations if the candidate is ineligible or has declared an unwillingness to serve. If more candidates seek election than there are seats available, the candidates with the highest number of votes will be declared elected to the terms available. Terms of board members shall be for three (3) years.

Electioneering

Electioneering during the hours of any vote is prohibited within the polling place or within one hundred (100) feet of any such polling place. Displays or handout items of any political nature, except those provided by law, shall be prohibited by an individual, group or organization in any school building on those days when the polls are open for voting on school district matters, including, but not limited to, the annual school budget, candidates for the Board of Education, special propositions, etc.

Adopted: September 10, 2003

Revised: January, 2006

Policy Handbook • Wayne Central School District • Ontario Center, New York 14520

Internal Operations

ATTENDANCE BY BOARD MEMBERS AT CONFERENCES, CONVENTIONS AND WORKSHOPS

In recognition of the need for continuing in-service training and development for its members, the Board of Education encourages the participation of all members in meetings and activities of area and state school boards associations as well as in the activities of other educational groups.

Board of Education members are encouraged to study and examine materials received from these organizations as well as publications and tapes available in the district office.

In order to control both the investment of time and funds necessary to implement this policy, the Board of Education establishes these principles and procedures for its guidance:

- a) The superintendent of schools will compile, maintain, and distribute to each school board member a calendar listing school board conferences, conventions, and workshops to help them decide which meetings appear to be most promising in terms of producing direct and indirect benefits to the school district.
- b) School board members may seek reimbursement for reasonable and necessary expenses not paid for directly by the district (e.g. travel, hotel, meals, and registration) upon submission of receipts.
- c) Upon request, Board of Education members may be given a reasonable cash advance for anticipated conference expenses. An accounting and documentation of the funds must be made to the business office within fourteen (14) calendar days of the school board member's return to the district.
- d) When any Board of Education member attends a conference, convention, or workshop, the member will be requested to share information, recommendations, and materials acquired at the event.

Adopted: September 10, 2003

Revised: January ..., 2006

USE OF DISTRICT CREDIT CARD (S)

Use of credit cards issued in the school district's name **[may be used]** is allowed by officers and employees for reimbursable expenses incurred in the performance of their duties **[as outlined in this policy and governed by the Office of the NYS Comptroller]** at both the district and school building levels.

C. District Level Credit Cards

[It is the duty of the school district treasurer and school district clerk to have custody of [any] *the district-level* credit card [s] issued in the school district's name]. They shall maintain said *district-level* credit card in a secure location and control access to said credit card.]

The district-level credit card will be issued in the name of the designated purchasing agent of the Board of Education.

Authorization for use of **[school]** district level credit card(s) **[is]** must be obtained from the duly designated purchasing agent of the school district.

Pre-approval must be obtained through district procedures for expenditures made with **[school]** district level credit card(s). *The designated purchasing agent of the district will control access to the district level credit card(s) and is responsible to maintain them in a secure location.*

Building Level Credit Card(s)

Each building principal shall have a credit card issued jointly in his or her name and the school district's name. [Authorization to use a building level credit card requires prior approval by the building principal.] Each building principal shall control access to and maintain said building level credit card(s) in a secure location in his or her building.

Use of District & Building Level Credit Card(s)

Each officer and employee shall sign a receipt for all cards placed in his or her custody. He or she shall take the necessary precautions to ensure the safeguarding of these cards. **[Upon return from travel, each school district officer or employee shall promptly return the credit card(s) to the school district treasurer or school district clerk and sign a receipt indicating such return.]** The theft or loss of any credit card(s) issued in the school district's name must be reported immediately by the officer or employee to the **[school district treasurer or school district clerk]** *designated purchasing agent [or the building principal, as appropriate.]*

Each purchase made with a district or building level credit card shall follow established purchasing procedures of the school district. Original receipts are required for all expenses made using school district credit card(s). Failure to submit original receipts shall result in personal liability by the school district officer or employee for said undocumented charges.

All receipts and credit card(s) shall be submitted to the school district **[treasurer immediately]** *district purchasing agent* upon return of the school district officer or employee. Any service charges incurred due to delay in returning credit cards or receipts shall be charged to the school district officer or employee.

Credit card expenditures shall be charged to the appropriate budget code (s).

The designated purchasing agent of the school district is authorized to establish regulations for implementation of this policy.

Regulation For Procedure for Reports To The
Board of Education By The Internal Claims Auditor

The internal claims auditor is appointed annually at the re-organizational meeting by, and reports directly to, the Board of Education.

All claims are reviewed by the internal claims auditor to make sure that proper procedures and controls have been observed.

During the months of September, December, March and June, the internal claims auditor will provide a written and oral report at a regular meeting of the audit committee of the Board of Education.

Each report will include general findings about the fiscal controls system as well as review of any errors or insufficiencies.

Errors or insufficiencies shall be defined as follows:

- (1) Items for which documentation could not be shown
- (2) Items for which documentation had to be created
- (3) Instances when procedures are knowingly violated
- (4) Serious unusual findings

All payments which are pulled due to the errors or insufficiencies noted above will be safeguarded by being placed in the vault by the purchasing agent, or his or her designee, until released by the internal claims auditor.

Reports to the Board of Education by the internal claims auditor on errors or insufficiencies will include:

- (1) the discovered condition
- (2) the action taken by the internal claims auditor
- (3) the suggested corrective action plan
- (4) the results of the corrective action.

In addition, if there is ever a serious breach of control or suspicion of fraud, the internal claims auditor will immediately report his or her findings, in writing, to the President of Board of Education and the superintendent of schools.

REGULATION – SELF - EVALUATION BY THE BOARD OF EDUCATION

The Board of Education may review the effectiveness of its internal operations annually. The superintendent of schools and others who work regularly with the Board of Education may be asked to participate in this review and to suggest ways by which the Board of Education can improve its functioning as a deliberative and legislative body.

Operational Procedures

The Board of Education shall set forth the standards by which it will evaluate itself, taking into account the following:

- (1) the district's needs and the ability of the Board of Education to meet such needs;
- (2) the district's ***long- and short-term*** goals for its instructional programs;
- (3) the relationship of the Board of Education with the superintendent of schools and district staff;
- (4) the community's perception of members of the Board of Education as educational leaders
- (5) ***fulfilling its responsibilities for fiscal oversight of school district operations as established by state laws and regulations***
- (6) ***the long- and short-term goals for maintenance and improvement of school district facilities and the annual requirements for completion of plans and reports on needs and conditions of same, the latter as established by state laws and regulations***

Evaluations of the Board of Education will be supported by as much objective evidence as possible. The opportunity for improvement is enhanced if evaluation is carried out systematically in accordance with good planning, conscientious follow-through, and careful assessment of results.

This self-evaluation of the Board of Education will occur during the first six (6) months of each school year, and not later than January 1st. Coordination and planning of this activity is delegated to the school board president.

REGULATION APPROVED: July 24, 1996
REGULATION REVISED: January ..., 2006

RE-NUMBERED: August 25, 2005

REGULATION - 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.

D. Prohibited Conduct

No person, either singly *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, for the purpose of compelling or inducing such other person to refrain from any act which he or she has a lawful right not to do
- (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 7310 (Student Code of Conduct) or lawful defense of him/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 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 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 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

RE-NUMBERED: August 25, 2005

REGULATION REVISED: January ..., 2006

REGULATION - 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 with specific intent to procure them to do so; and/or
- (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.

REGULATION FOR 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/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/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 police authorities ***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.

REGULATION APPROVED: July 24, 1996
REGULATION REVISED: January ..., 2006

RE-NUMBERED: August 25, 2005

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 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
REGULATION REVISED: January ..., 2006

RE-NUMBERED: August 25, 2005