



Letter to the Board

Michael Havens

Superintendent of Schools

Phone: 315-524-1001

Fax: 315-524-1049

March 14, 2008

"He that will not apply new remedies must expect new evils; for time is the greatest innovator."

- - Francis Bacon, English Philosopher and Statesman

Board Agenda:

- Executive Session:** We will meet for an executive session at 6:30 in the District Office to discuss the Superintendent's Hearing Decision appeal for high school student Alex Doty. This is the case of the boy who was involved in a physical altercation in the HS Cafeteria with SRO Chapman. I will attach my rebuttal and the parental rebuttal to this letter for the Board's deliberation and subsequent decision. You also wished to continue your discussion of contracts for Mr. Atseff and Mrs. Cox.
- Middle School Goals Presentation:** Mr. Armocida will be presenting the plan and progress on middle school goals. This is the final presentation on the goals developed at last year's retreat.
- 2008-09 Budget Adoption:** Mr. Atseff will be answering questions about the budget reviewed the past four meetings. We do not anticipate any changes in our spending plan due to the change in Albany. Therefore, if everyone is in agreement with the budget, we suggest you adopt it at this meeting. Our budget increase will be about 3.5%. Our tax rate will drop from \$21.35 to \$21. Most Wayne County districts are anticipating a budget increase of between 3.5% and 8%. Tax rates are expected to increase by similar amounts. Wayne continues to be in a fortunate position.
- Consensus Agenda:** I am presenting the proposed 2008-2009 school calendar for your approval. We are pretty much in agreement with the BOCES calendar. We follow in line for the major recesses and holidays, however, we often select different dates for conference days and, by contract, have a different number of staff days. This has been reviewed and approved by the union. Also included for your approval are non-union salaried staff member increases for the 2008-09 school year. I recommend approval of these items.
- Student Representative:** The student representative for this meeting is Jessica Orchard. Jessica is a senior and this is her second time serving as a student representative to the Board.

Board Letter:

- Bus Accident:** On Monday, March 10 an OP/OE bus in Orchard Grove was turning right from Greening Lane onto Cortland Drive and the left corner of the bus made contact with a van which was parked on Greening Lane. The damage was very minor. (our bus left some paint on the van). No tickets were issued and no students needed to be looked at by medical personnel. Mr. LaRuche, Mr. Havens and Mr. Prince all reported to the scene of the accident to assist if necessary.
- Rotary Dictionary Distribution:** On Thursday morning, March 27 the Ontario Walworth Rotary will be distributing dictionaries to third graders at Ontario Elementary and Freewill Elementary. This is the sixth year they have been doing so. I believe this is a great project our local Rotary has taken on and one that I have heard many positive comments about.
- Project Meeting:** I have met this week with the architects, Greg, Mike Pullen, Bob LaRuche, Joyce Lyke and Tom Nichols to continue with discussions and planning for the new OE/OP plan. I have attached a copy of one of the more recent designs. The architects have not yet been able to secure an Albany meeting date. I am hopeful they will be able to do so soon.
- SRO and Albany:** One of many rumors in Albany this week is that the SROs will not be pulled out by Governor Patterson. It is said that the Senate and him want to try extra hard to put the best face on Albany and so such a controversial move will not be pushed. I hope this rumor is true.
- HS Musical:** The HS Musical was this past weekend. It was a great show, and the student performances were outstanding. As you know, the weather this past weekend was awful, which resulted in low attendance. We also had power outages, where the generators had to kick in to power the show on two occasions. For the Saturday evening show, the house lights had to stay on throughout the entire performance. It was an unfortunate turn of events. With the rental of drops and certain costumes, we were bound to return them by contract dates, so cancelling the show was really not an option.
- Power and Phone Issues:** Just Fyi, As noted above, we did experience power outages over the weekend at several buildings. This had an impact on the power systems and the phone systems. We have also been experiencing phone issues at Freewill on Monday and Tuesday.
- Upcoming Events:**
 - 3/14 – FE Family Night @ FE
 - 3/17 – St. Patrick’s Day!
 - 3/17 – Music In Our School’s District Choral Concert @PAC – 7:00 p.m.
 - 3/18 – Music In Our School’s District Choral Concert II @ PAC – 7:00 p.m.
 - 3/19 – FE Parent Group Meeting @ FE Media Center – 6:45 p.m.
 - 3/19 – Music In Our School’s District Choral Concert Snow Date – 7:00 p.m.

3/20 – Modified Sports Begin

3/21 – Good Friday/Late Winter Recess – Schools Closed for Students and Staff

8. Attachments:

- A) Suspension Appeal Letter from Mr. & Mrs. Doty
- B) Suspension Appeal Letter from Superintendent Havens
- C) Senator Nozzolio Letter re: Property Tax
- D) Susan Brown Letter

Att. A)

To Whom it May Concern:

I am writing for an appeal to get my son Alexander Boty back into school. I don't feel he should be suspended for the whole school year. Yes he was swearing and he was wrong for that but as far as I'm concerned, a couple of teachers and probation officer it was handled wrong and this situation could have been avoided.

My son and another child have been exchanging words back and forth for a while now. I've known about it and I have been telling him not to get into a fight with this kid and to go to some teacher he trusts or to the principal. But kids don't want to be cowards. So in all reality I should have went to school. There is a video tape of the incident and I'm requesting that you look at it Please. We were very upset that the video was not looked at by the Superintendent before making his disision. He was found guilty of insubordination and disruptive and threatening behavior. There was two teachers that talked on Alex's behalf at the Superintendents meeting - JoAnn Witborne and Vicki Shreader.

It was January 3rd 2008 at lunch time. Alex was sitting at his table with friends. Words were exchanged between my son and the Kids sister after miss Shreader told the

girl to stay away from Alex's table and she would handle the problem. Mr. Derse (Asst. Principal) who was on the other side of the cafe was talked to by the sister. Mr. Derse instead of taking both parties aside to talk to resolve the issue, he sent Trooper Chapman over to Alex to talk to him outside the cafe. Alex went out with him. I'm not sure what was said but I believe my son because of what he said. Alex tried to explain to the Trooper his side and the Trooper told him how he seen it. So Alex said fuck this, I'm tired of this shit, I should just kick his ass. Alex walked back into the cafe because at this point Trooper Chapman wasn't listening. Mrs. Witborne was right there waiting for him and was walking with him telling him to relax and everything will be OK. It's over. Alex was not at all going after the kid, he was going to his table. Then Trooper Chapman came up from behind Alex + Mrs. Witborne around Mrs. Witborne, ~~grabs~~ Alex and slams him with force on the table then into the wall, onto the floor with his knee in my son's back to handcuff him. That is what caused the disruptive and threatening situation. Trooper Chapman told us that he told Alex he was under arrest when he came up behind Alex. Both Alex and Mrs. Witborne

Did not hear him say anything. Trooper Chapman said to us that Alex had the right to walk away from him and not talk to him. He lied and said my son wasn't hurt. He had a goose egg on his head from being slammed against the wall.

We went to the probation office and talked to Mary Lou Porter. She took Alex in to talk to him. When she came out to talk to us she said he's a good kid and he really should be back in school and that the situation should have been handled different. He is going to tutoring every day but is not being taught anything which will make it harder for him next year. Yes my son is having a little trouble with grades especially science (no wider) Class teacher doesn't like him, and I don't like some of the things in Alex's file that he put in there. My son can't stay after school because he babysits two small boys with hemophilia and he needs to get them off the bus. It was explained but the teacher is making it out that Alex just isn't listening among other things. Which I will handle.

Thank You for your time in looking into this matter.

2/13/08

Sincerely,
Kristina Doty



Att. B)

Memorandum

Michael Havens

Superintendent of Schools

Phone: 315-524-1001

Fax: 315-524-1049

To: Board of Education
From: Michael Havens
Date: 3/14/08
Re: Alex Doty Appeal

Attached is the written appeal of my superintendent's hearing regarding Alexander Doty. An appeal is not a retrying of the case. It involves the Board reviewing written appeal of the parents, the high school's overview of the events and this memo. During executive session you should decide whether you wish to overturn my decision. If you decide to do that, you will make a motion and vote to do so in regular session. If you decide not to overturn my decision then you need do nothing and the Board President will write a letter to Mrs. Doty stating you did not overturn my decision and his suspension is in effect.

Alex admitted most of the events at the hearing. He admitted to me that while in the hallway he became confrontational with the officer and began to use vulgar language. He admitted that he turned and stormed away from the officer continuing to use inappropriate language. He admitted that Trooper Chapman asked Alex to stop several times and that when he stormed into the cafeteria Trooper Chapman followed him. His only dispute was that the officer and witnesses heard Alex say he was going to beat another student's ass. Alex said he said, "next time I'll just beat his ass". This cafeteria incident was finally ended by the trooper handcuffing Alex and taking him off. There is little dispute about the facts and in fact it was recorded on video.

The rationale for the long term suspension is fairly well laid out in the high school's last two paragraphs. I would only add that two years ago the Board was concerned about the safety and management of the high school. Most of those issues have disappeared because we have not tolerated this kind of behavior. When a student behaves this way towards a New York State Trooper it is not safe for our students to have him in school.



Wayne Central School District James A Beneway High School

Memorandum

TO: Board of Education
FROM: Joe Siracuse
RE: Appeal of Alex Doty
DATE: March 13, 2008

This memo is in response to the appeal to the Board of Education from the parents of Alex Doty, regarding his suspension from school through June of 2008. This letter will provide some background information and the rationale as to why the high school feels the consequence is appropriate.

On January 3, 2008 the high school administration became aware of a conflict between Alex Doty and another student. Trooper Chapman, acting as an agent of the school in his SRO capacity set out to speak to the students involved. The goal was simply to extinguish the conflict before it escalated. After speaking to the other students, Trooper Chapman sought out Alex and attempted to discuss the situation with him. The Trooper asked Alex to step outside the cafeteria. Alex became belligerent and disrespectful to Trooper Chapman. Alex stated that he was not going to fucking talk to him and walked away from Trooper Chapman and into the cafeteria. At this point he also stated that he was going to kick the other student's ass. Trooper Chapman placed Alex in handcuffs to control the situation.

Alex's actions created an unsafe environment. He was grossly insubordinate and disrespectful to an adult. He took no responsibility for the events that lead to his suspension. In fact, on the date of the event, after his parents arrived to pick him up from school as Alex and his brother were walking to their lockers they exchanged obvious grins. He and his brother seemed to think the entire incident was a joke. Alex has had previous incidents that also demonstrate his lack of respect for authority. If placed in a similar setting there is no evidence to indicate that one could expect a better outcome.

All students are expected to show respect for the adults at Wayne Central High School. It is a rule that exists to protect the safety and security of the 1000 plus people in the building. It is not flexible. Alex was blatantly insubordinate and disrespectful toward an adult, in this case, an officer of the law in front of many students. He was also threatening. His actions created an unsafe situation. Therefore, the high school maintains that his consequences are appropriate.



Wayne Central School District
Office of the Superintendent

PO Box 155
6076 Ontario Center Road
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315-524-1001

March 10, 2008

Senator Michael Nozzolio
119 Fall Street
Seneca Falls, NY 13148

To the Honorable Senator Nozzolio,

I thought it might be helpful to see data beyond the Wayne School District for your property tax discussion. The chart below shows the big five for Wayne and three of our neighboring districts. Wayne might be considered a medium wealth district while the others would have a higher poverty rate.

School Taxes and the Big 5

Budget 2007-08	Wayne	Williamson	Marion	Sodus
Total Budget	\$39,572,415	\$19,987,181	\$17,514,060	\$22,891,224
Property tax (levy)	\$18,581,000	\$8,158,181	\$5,367,250	\$7,762,377
Tax Rate	\$21.35	\$22.43	\$22.39	\$20.20
<i>Big 5 expenses</i>				
1. TRS	\$1,535,000	\$790,800	\$532,900	\$793,978
2. ERS	\$475,000	\$181,500	\$178,900	\$275,000
3. Health Insurance	\$3,530,000	\$1,839,630	\$1,832,600	\$2,322,888
Dental Insurance	\$300,000	\$83,900	\$153,500	\$215,000
4. Teaching Salaries	\$16,110,534	\$7,446,721	\$4,493,700	\$6,764,038
5. Utilities (electric, heat, water)	\$1,341,735	\$579,485	\$301,800	\$524,500
Total (1-5)	\$23,292,269	\$10,922,036	\$7,493,400	\$10,895,404

It appears from the data above that New York State would not need to take over all of the big 5 in order to eliminate school taxes. Making teachers New York state employees and taking over their salaries, health and dental insurance, and retirement would generally allow the districts to eliminate property taxes. The chart below shows that State assumption of these expenses more than offsets the tax levy, however it must be remembered that insurance expense includes all employees not just teachers. Still with a \$3,000,000 difference between the Wayne tax levy (\$18,581,000) and the costs that would be absorbed by NYS (\$21,475,534), it appears that your proposal would work.

Comparison of Teacher Expenses and Property Taxes

Expenses	Wayne	Williamson	Marion	Sodus
TRS	\$1,535,000	\$790,800	\$532,900	\$793,978
Insurance	\$3,830,000*	\$1,923,530*	\$1,986,100*	\$2,537,888*
Salaries	\$16,110,534	\$7,446,721	\$4,493,700	\$6,764,038
Total	\$21,475,534	\$9,371,041	\$7,012,700	\$10,095,904
Property tax	\$18,581,000	\$8,158,181	\$5,367,250	\$7,762,377

*includes cost for all employees

There would be many questions to be worked out under such a system including such basic things as who decides when teachers are added to the district; the NYS or district? There would have to be district incentives or guidelines to keep labor costs down.

This is a thought provoking idea. I hope this data helps to move the discussion forward. If you would like more data, such as all of Wayne County or all of our BOCES let me know. Also let me know if you would like the teacher's health care costs broken out from the total.

Thanks for your continued support for the upstate school children.

Respectfully,

Michael Havens
Superintendent of Schools

MH/les
Xc: Board of Education

Att. D)



**Wayne Central School District
Office of the Superintendent of Schools**

**PO Box 155
6076 Ontario Center Road
Ontario Center, NY 14520
315-524-1001**

March 8, 2008

**Mrs. Susan Brown
7518 Knickerbocker Road
Ontario, NY 14519**

Dear Susan,

Thank you for your questions at the March 6 Board meeting regarding the budgeted amount for postage. You were curious as to why we aren't raising the postage budget with the cost of postage rising.

We have not spent all of the money in this year's budget in the postage category and neither did we last year. Mr. Atseff feels we over budgeted a bit in that category so he believes the proposed amount will cover the increase.

Of course this is always an estimated budget. We are usually pretty close overall but sometimes we need to make adjustments during the year.

I hope this information was helpful.

Respectfully,

**Michael Havens
Superintendent of Schools**

**MH/les
Xc:Board of Education**

“Students First ~ Excellence For All”