

NEW PALTZ CENTRAL SCHOOL DISTRICT
BOARD OF EDUCATION BUSINESS MEETING

April 18, 2018

6:00 PM - Executive Session Subject to Board Approval

6:30 PM – District Office

1. CALL MEETING TO ORDER/ROLL CALLS
- 2.

2. PLEDGE TO THE FLAG

3. AGENDA CHANGES

4. PUBLIC COMMENTS

Speakers are asked to please limit their comments to two minutes in order to ensure everyone has a chance to speak. Public comments are not meant to be a dialogue, rather a time for the board to hear comments from the public.

5. MINUTES OF MEETING

Recommendation - that the New Paltz Central Schools Board of Education accept the minutes of the regular Workshop Meeting of April 4, 2018.

6. FINANCIAL REPORTS

- Treasurer's Report February 2018 and March 2018
- Claims Audit Report February 2018 and March 2018

6.1 Request for Approval to Accept Financial Reports

BE IT RESOLVED that the New Paltz Central School District Board of Education accept the February 2018 and March 2018 Treasurer's Report, and the February 2018 and March 2018 Claims Audit Report.

7. PERSONNEL (CONSENT AGENDA)

7.1 Instructional Resignation for the Purpose of Retirement

Recommendation that the New Paltz Central Schools Board of Education, upon the recommendation of Maria C. Rice, Superintendent of Schools, does hereby accept the resignation of the following instructional employee for the purpose of retirement:

Name	Title	Effective Date	Years in District
Ralph Schroer	Music Teacher	July 1, 2018	26

7.2 Leave Request – Administrative

Recommendation - that the following resolution be approved: BE IT RESOLVED, that the New Paltz Central School District Board of Education, upon the recommendation of Maria C. Rice, Superintendent of Schools, does hereby approve an unpaid leave for the following administrative employee:

Name	Title	Effective Dates
Kathleen Clark-Simmons	Coordinator of Special Education	04/03/2018-05/14/2018

7.3 Instructional Appointment-Substitutes

Recommendation that the New Paltz Central School District Board of Education, upon the recommendation of Maria C. Rice, Superintendent of Schools, does hereby appoint the following substitute teachers with remuneration as per rates established at the July 12, 2017 Organizational Meeting:

Name	Effective Dates
Samantha Emery	4/19/2018 - 6/30/2018
Nolan Graziano	4/19/2018 – 6/30/2018

7.4 Non-Instructional Appointment - Substitute

The New Paltz Central Schools Board of Education, upon the recommendation of Maria C. Rice, Superintendent of Schools, does hereby appoint the following employee:

Name	Title	Effective Date	Salary
Kevin Caulfield	Substitute Maintenance Worker	03/27/2018	\$20.00/hr

7.5 Coaching Appointments

The New Paltz Central Schools Board of Education, upon the recommendation of Maria C. Rice, Superintendent of Schools, does hereby appoint the following coaches for the 2017/2018 school year, with remuneration as per NPUT contract:

Name	Title	Stipend
Samantha Emery	Girls Modified Track	\$2,340
Olivia Pacheco	Boys Modified Track	\$2,340

7.6 Home Tutors

Recommendation - that the New Paltz Central Schools Board of Education, upon the recommendation of Maria C. Rice, Superintendent of Schools, does hereby appoint the following employee for the 2017-2018 school year:

Name

Rebekah N. VanScoyk

7.7 Resignation of Health Advisory Committee Member

Recommendation that the following be approved: BE IT RESOLVED that the New Paltz Central School District Board of Education does hereby accept the resignation of Ann Sheldon as Health Advisory Committee Building Administrator representative effective April 16, 2018.

7.8 Appointment of Health Advisory Committee Member

Recommendation that the following be approved: BE IT RESOLVED that the New Paltz Central School District Board of Education does hereby appoint Debra Hogencamp as Health Advisory Committee Building Administrator representative effective April 16, 2018.

7.9 Appointment of Health Advisory Committee Member

Recommendation that the following be approved: BE IT RESOLVED that the New Paltz Central School District Board of Education does hereby appoint Matthew Goodnow as Community Member to the Health Advisory Committee effective 4/19/2018 through June 30, 2019.

8. OLD BUSINESS

8.1 Request for Approval to Amend Racial Equity Advisory Committee Charge

Recommendation – that the following resolution be approved:

BE IT RESOLVED, that the New Paltz Central School District Board of Education, upon the recommendation of Maria C. Rice, Superintendent of Schools, does hereby approve the following amendment to the Racial Equity Advisory Committee Charge under the heading of Immediate Priorities:

Immediate Priorities

- Review the District’s current draft of the “Action Plan for Addressing Racial Equity and Creating a Culturally Proficient District”.
- Analyze data and feedback acquired from the wider community from community workshops, Board of Education (“BOE”) meetings, and Superintendent’s Dialogues and recommend actions to the BOE that address the stated concerns. Recommendations that can be enacted in the short-term should take priority.
- Make recommendations focused on effective, multi-directional communication between the New Paltz Central School District (“the District”) and the Community.
- Make recommendations regarding the District’s Equity Report Card.
- Propose strategies for recruiting, hiring, and increasing longevity of staff members of color in the District.
- Examine ~~curricular materials~~ **curriculum** and highlight potential areas of bias.
- Review the Code of Conduct as it relates to issues of racial equity.

A copy of the revised document shall be posted to the District website following this meeting.

9. NEW BUSINESS

9.1 Request for Approval of Committee on Special Education Recommendations and Student Placements

Recommendation - that the following resolution be approved: BE IT RESOLVED, that the Board of Education of the New Paltz Central School District approve the Committee on Special Education (CSE) and Committee on Pre-School Special Education (CPSE) recommendations and student placements. 13056, 14565, 14563, 14254, 14419, 14801, 12110, 14206, 13878, 10256, 14606, 10098, 12961, 12303, 12019, 14400, 11530, 13950, 14828, 10417, 14825

9.2 Request for Approval of Health and Welfare Contract – Pine Bush Central School District 2017-2018

Recommendation – that the following resolution be approved: BE IT RESOLVED that the Board of Education approve the Health and Welfare Contract, forwarded under separate cover, for Pine Bush Central School District for a total amount of \$4,315.10 for health and welfare services for the 2017-2018 school year for five (5) children who are residents in the New Paltz Central School District attending non-public schools in the Pine Bush Central School District.

9.3 Request for Approval of Health and Welfare Contract – Spackenkill Union Free School District 2017-2018

Recommendation – that the following resolution be approved: BE IT RESOLVED that the Board of Education approve the Health and Welfare Contract, forwarded under separate cover, for Spackenkill Union Free School District for a total amount of \$1,065.77 for health and welfare services for the 2017-2018 school year for one (1) child who is a resident in the New Paltz Central School District attending non-public schools in the Spackenkill Union Free School District.

9.4 Request for Approval of the 2018-2019 Ulster BOCES Administrative Budget

Recommendation - that the Board of Education approve the following resolution:

BE IT RESOLVED that the Board of Education approve the proposed 2018-2019 Ulster BOCES Administrative Budget in the amount of \$5,572,388.

9.5 Ulster BOCES Board Candidate Vote

Recommendation - that the Board of Education approve the following resolution:

BE IT RESOLVED that the New Paltz Central School District Board of Education exercise their voting rights regarding the nominated candidates for the Board of Cooperative Educational Services of the Sole Supervisory District of Ulster County. Nominated Candidates are as follows:

Seat #1 - Highland (3-year term)

Susan Gilmore

7 Maple Avenue
Highland, NY 12528

Seat #2 - Onteora (3-year term)

Robert Curran

8 Hedgerow Court
West Hurley, NY 12491

Seat #3 - “At-Large” (3-year term)

James Shaughnessy (Kingston)

11 Delta Place
Kingston, NY 12401

Seat #4 - “At-Large” (3-year term)

Vincent Petroccelli (Wallkill)

110 Kingsview Road
Wallkill, NY 12561

9.6 Request for Acceptance of Award from NPCSD Foundation for Student Enhancement

Recommendation – that the following resolution be approved: BE IT RESOLVED, that the Board of Education of the New Paltz Central School District, upon the recommendation of Superintendent Maria C. Rice, does hereby accept funds from the New Paltz Central School District Foundation for Student Enhancement (the “Foundation”) in the amount of \$1,400.00 representing a grant awarded by the Foundation to New Paltz High School for use by the New Paltz Central School District for the Courtyard Gardens project. The Board of Education further directs the District Clerk to send a letter of appreciation to the Foundation for their donation.

9.7 Request for Acceptance of Award from NPCSD Foundation for Student Enhancement

Recommendation – that the following resolution be approved: BE IT RESOLVED, that the Board of Education of the New Paltz Central School District, upon the recommendation of Superintendent Maria C. Rice, does hereby accept funds from the New Paltz Central School District Foundation for Student Enhancement (the “Foundation”) in the amount of \$1,475.00 representing a grant awarded by the Foundation to New Paltz Lenape Elementary for use by the New Paltz Central School District for the Feed Your Mind project. The Board of Education further directs the District Clerk to send a letter of appreciation to the Foundation for their donation.

9.8 Request for Approval of Supplemental Memorandum of Agreement-New Paltz Pupil Services Administrators Association

Recommendation – that the following resolution be approved:

BE IT RESOLVED that the Board of Education of the New Paltz Central School District hereby approves the terms of and authorizes its Superintendent of Schools to execute a Supplemental Memorandum of Agreement between the District and the New Paltz Pupil Services Administrators Association dated April 12, 2018 as presented to the Board at this meeting. A copy of said Supplemental Memorandum of Agreement shall be incorporated by reference within the minutes of this meeting.

9.9 First Reading of Policy 6540 Defense and Indemnification of Board Members, Officers and Employees

201808 6540

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Personnel

SUBJECT: DEFENSE AND INDEMNIFICATION OF BOARD MEMBERS, OFFICERS AND EMPLOYEES

Liability Protection Pursuant to Education Law

The Board of Education recognizes its statutory obligation to indemnify School District employees (and in certain circumstances, Board of Education members, officers and volunteers) pursuant to the provisions of Sections 3023, 3028 and 3811 of the Education Law. For the purposes of this policy, the term "employee" shall be as defined in the applicable statute(s).

The District shall not be subject to the duty to defend unless the employee, within the time prescribed by statute, delivers appropriate notice of the claim to the Board of Education.

- a) ~~For purposes of Education Law Section 3811, the employee must give written notice within five (5) days after service of process upon him/her and should include a copy of the. ~~The statute mandates only written notice of the claim to the Board of Education; however, submission of relevant legal documents, by the employee to the Board is also encouraged.~~~~
- b) For purposes of Education Law Sections 3023 and 3028, the employee must deliver the original or a copy of the relevant legal documents to the Board within ten (10) days after service of process upon him/her.

~~To the extent permitted by law, The District will provide a legal defense and/or indemnification for all damages, costs, and reasonable expenses incurred in the defense of an action or proceeding if authorized pursuant to statute and provided that the alleged action or omission which occurred or allegedly occurred is covered by the appropriate statute(s). Furthermore, the District will not be required to provide indemnification protection and/or a legal defense unless the employee was, at the time of the alleged incident, acting in the discharge of his/her duties within the scope of his/her employment or authorized volunteer duties and/or under the direction of the Board of Education.~~

Public Officers Law Section 18

~~_____ The Board of Education hereby also confers the benefits of Section 18 of the New York State Public Officers Law upon the "employees" of the District, which includes Board members, the Superintendent, District officers and employees, volunteers expressly authorized to participate in a District sponsored volunteer program, or any other person holding a position by election, appointment, or employment in the service of the District, whether or not compensated. The term "employee" also includes a former employee, their estate or judicially appointed representative, as defined in Section 18 of the Public Officers Law; and The District assumes the liability for the costs incurred in accordance with the provisions of Section 18. The benefits accorded to District employees under Section 18 of the Public Officers Law shall supplement and be available in addition to defense or indemnification protection conferred by other enactmentss or provisions of law.~~

~~The term "employees" shall include members of the Board of Education; the Superintendent; District officers; District employees; volunteers expressly authorized to participate in a District sponsored volunteer program; or any other person holding a position by election, appointment or employment in the service of the District, whether or not compensated. The term "employee" shall also include a former employee, his/her estate or judicially appointed representative.~~

Pursuant to the provisions of Section 18 of the Public Officers Law, and upon compliance by the employee with the requirements of this statute, the District shall provide for the defense of the employee in any state or federal civil action or proceeding, ~~state or federal~~, arising out of any alleged act or omission which occurred or allegedly occurred while the employee was acting within the scope of his/her public employment or duties. Furthermore, the District shall indemnify and save harmless its employees in the amount of any judgment obtained against such employees in a state or federal court, or in the amount of any settlement of a claim, provided that the act or omission from which such judgment or claim arose occurred while the employee was acting within the scope of his/her public employment or duties. However, in the case of a settlement, the duty to indemnify and save harmless shall be conditioned upon the approval of the amount of the settlement by the Board of Education.

The duty to defend and/or indemnify and save harmless, in accordance with Section 18 of the Public Officers Law, shall be conditioned upon the delivery by the employee to the School Attorney or to the Superintendent a written request to provide for his/her defense, together with the original or a copy of any summons, complaint, process, notice, demand or pleading within ten (10) days after he/she is served with such document. Pursuant to Section 18, the full cooperation of the employee in the defense of such action or proceeding and in the defense of any action or proceeding against the District based upon the same act or omission, and in the prosecution of any appeal, shall also be required as a condition for the District's duty to defend and/or indemnify and save harmless to exist.

Exceptions to Liability Coverage

Indemnification coverage and/or provision of a legal defense by the District will not apply unless the actionable claim is of the type covered by the statute(s) and/or is not otherwise exempt from coverage pursuant to law. Additionally, indemnification coverage and/or the duty to provide a defense shall not arise where such action or proceeding is brought by or on behalf of the School District.

Paul D. Coverell Teacher Protection Act of 2001, as

~~re~~authorized by the ~~No Child Left Behind Act of 2001, Every Student Succeeds Act~~

20 United States Code (USC) ~~Chapters 28 and 70 Section 6731 et seq.~~

Education Law Sections 1604(25) ~~and, 1604(31-b)~~, 1709(26) ~~and, 1709(34-b)~~, 2560, 3023, 3028 and 3811

General Municipal Law Sections 6-n and 52

Public Officers Law Section 18

Adopted: 7/16/08

Revised:

9.10 First Reading of Policy 1330 Appointments and Designations by the Board of Education

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1330

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By-Laws

SUBJECT: APPOINTMENTS AND DESIGNATIONS BY THE BOARD OF EDUCATION

Appointments

The Board is authorized to appoint individuals to offices and positions which will facilitate the meeting of its responsibilities to the State, the School-~~System~~District, and the community. These appointments usually take place at the Annual Organizational Meeting in July.

The following shall be appointed annually:

- a) District Clerk;
- b) District Treasurer;
- c) Deputy Treasurer;
- d) Tax Collector ~~and Deputies~~;
- e) External (Independent) Auditor;
- e)f) Internal Auditor
- f)g) Central Treasurer, Extraclassroom Activities Account;
- h)g) Chief Fiscal Officer;
- h)i) School District Attorney;
- i)j) Audit Committee.

The following ~~must will also~~ be appointed ~~but need not be reappointed annually~~:

- ~~7. Census Enumerator and assistants; names are not available at this time~~
- a) Director of School Health Services (~~District~~School Physician/Physician Assistant/Nurse Practitioner);
- b) Supervisors of Attendance;
- c) Committee on Special Education and Committee on Preschool Special Education;
- d) Records Access Officer/Records Appeal Officer/Records Management Officer;

e) Asbestos Hazard Emergency Response Act (AHERA) ~~Local Educational Agency (LEA)~~ designee;

e)f) Chief Emergency Officer

g) Title VI, VII and IX Complaint Officers/

h) Section 504/ADA Compliance Officer;

i) Civil Rights Compliance Officer

➤ j) Dignity Act Coordinators (one in each building) and District Dignity Act Coordinator.

ƒk) Chief Election Inspector;

g)l) Election Inspectors;

h)m) Custodian of Election Machines;

i)n) Official for Bid Opening;

~~j)o) Continuing Education Administrator; cut from the budget 10-12 years ago~~

p)o) Asbestos Coordinator;

k)p) Regular Meeting Times and Place of School Board Meetings;

l)q) Substitute Records Access Officer;

m)r) OSHA Coordinator;

n)s) Safety Coordinator;

o)t) Affirmative Action Officer;

p)u) District Holidays;

q)v) Liaison for Homeless Children and Youth;

r)w) Chemical Hygiene Officer.

The following may also be appointed:

- ~~a) School Attorney; (duplicate)~~
- a) Claims Auditor/Deputy Claims Auditor;
- ~~b) Internal Auditor; (added to required)~~
- ~~e)b) Insurance Advisor;~~
- c) Copyright Officer;
- d) Fiscal Advisor
- e) Bond Counsel
- ~~f) Task Force for Change and Diversity;~~

The following organizations shall be recognized as official school-related organizations:

➤ ~~a) Parent Teacher Associations;~~ Duzine/Lenape PTA

~~a)b) Middle School PTA~~

~~c) High School PTSA~~

d) ~~New Paltz CSD Foundation for Student Enhancement~~

➤ e) ~~New Paltz Athletic Association;~~

~~a) Task Force for Change and Diversity;~~

➤ f) ~~New Paltz Music Association;~~ New Paltz Arts in the School

➤ ~~b) Japan Committee. ??~~

Designations

The following designations shall be made by the Board of Education at the Annual Organizational Meeting in July:

- a) Petty Cash Fund(s);
- b) Official Newspaper(s);
- c) Official Bank Depositories;
- d) Official Bank Signatories;

- e) Purchasing Agent;
- f) Certifier of Payrolls;
- g) Designated Educational Official (DEO) to receive court notification regarding a student's sentence/adjudication in certain criminal cases and juvenile delinquency proceedings;
- h) School Pesticide Representative;
- i) Reviewing Official, Hearing Official and Verification Official for participation in the federal Child Nutrition Program (the Hearing Official may not be the same person as the Reviewing and/or Verification Official).
- j) Individual authorized to enter into Resolution Agreements pursuant to Part 200.5(2)(iv) of the Commissioner's Regulations.

Authorizations

- a) Approval of attendance at conferences, conventions, workshops, and the like;
- b) Superintendent to approve budget transfers within limits prescribed by Commissioner's Regulation Section 170.2 and Board guidelines;
- c) Superintendent to apply for Grants in Aid (State and Federal) as appropriate;
- d) Establish mileage reimbursement rate;
- e) Other(s) as deemed appropriate/necessary.

McKinney-Vento Homeless Education Assistance Act,
 Section 722, as reauthorized and amended by the ~~No Child Left Behind Act of 2001~~ Every Student Succeeds Act of 2015
 Education Law Sections 305(31), 807, 1709 and 2503. 2801-a,
 29 Code of Federal Regulations (CFR) Section 1910.1450
8 NYCRR Parts 155.17, 185
21 NYCRR Parts 1401, 9760

9.11 First Reading of Policy 5662 Charging School Meals

2017 2018 5662

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Non-Instructional/Business Operations

SUBJECT: CHARGING SCHOOL MEALS

The Board of Education recognizes the importance of good nutrition and the impact on student learning. The Board of Education recognizes that, on occasion, students may not have enough funds to pay for a meal. To ensure that students do not go hungry, and minimize the fiscal burden to the District, the Board will allow students who do not have enough funds to “charge” the cost of meals to be paid back at a later date subject to the terms in this policy.

1. Elementary School and Middle School students may charge meals without limit;
2. High School students may charge up to \$30.
3. Only regular reimbursable meals may be charged, excluding extras, à la carte items, and snacks;
4. All elementary and middle school student communications regarding unpaid meal charges shall be directly and solely with the parent/guardian (“parent”). No student in elementary or middle school will be told of unpaid meal charges.
5. A computer-generated point of sale system which identifies and records all meals, allows for automatic replenishment, as well as collects repayments will be used. Parents are encouraged to utilize the automatic replenishment option; and
6. Charged meals must be counted and claimed for reimbursement on the day that the student charged (received) the meal, not the day the charge is paid back. When charges are paid, these monies may not be considered “à la carte” transactions.

High School students eligible for free meals shall not be denied a reimbursable meal, even if they have accrued a negative balance from other cafeteria purchases. No student with unpaid charges will be prohibited from purchasing food if they have money that day.

When a student’s account balance is a negative balance and a meal is thereafter charged, the District will discreetly notify the parent of the balance, the process to refill the account, and the District’s policy on charging school meals. This notification will continue regularly until the account is replenished. Parents must repay all unpaid charges remaining at the end of the year or before their child leaves the district, whichever occurs first.

The District shall also discreetly notify parents of students with ongoing negative balances of the application process for free and/or reduced price meals. If a parent regularly fails to provide meal money and does not qualify for free or reduced price meals, the District may take other actions as appropriate, including notifying the local department of social services if neglect is suspected.

The District will consider the written request of a parent/guardian that his/her child not be permitted to charge school meals and not be provided with school meals or alternate meals, as long as the parent/guardian assures the District, in writing, that his/her child will bring lunch or will have money to purchase lunch each day. If the request is granted and the District becomes aware that a child does not have a lunch meal or the ability to purchase a school meal on a regular basis, the District will notify the parent/guardian of the circumstance and will take other actions as appropriate.

The school District shall notify parents/guardians in writing on an annual basis, at the start of the school year, and to families transferring into the district during the year, of the requirements of this policy. The policy shall also be published on the District website and may be included, as appropriate, in other District publications. All staff involved in implementing and enforcing this policy shall also be notified of these requirements and their responsibilities.

Unpaid Meal Charges and Debt Collection

Unpaid meal charges shall be considered “delinquent” in accordance with the District’s accounting practices. The District shall attempt to recover unpaid meal charges before the end of the school year, but may continue efforts into the next school year. The District shall notify parents of unpaid meal charges at regular intervals, and may engage in collection activities. The District shall offer repayment plans, and may take other actions that do not result in harm or shame to the child, until unpaid charges are paid.

Account Balances

Remaining funds will be carried over to the next school year. When students leave the District or graduate, the District will attempt to contact the parents to return remaining funds. Parents may request, in writing, that funds be transferred to other students (e.g., siblings) or to unpaid accounts. Unclaimed funds remaining after three months may be absorbed by the school meal account.

Staff

Staff members are allowed to purchase food from the District's food services. However, all purchases must be paid for at the point of sale in cash or credit/debit card. Staff members are not allowed to charge meals to be repaid later.

Cross-ref: Policy 5660 (School Food Service Program [Lunch and Breakfast])

Ref: 42 USC §1779 (Child Nutrition Act of 1966)
42 USC §§1758(f)(1); 1766(a) (National School Lunch Act)
2 CFR §200.426 (accounting for debt in federal programs)
7 CFR §§210.9 210.12; 210.19; 220.13; 245.5 (accounting in federal school meal programs)
Healthy, Hunger-Free Kids Act (Public Law 111-296), §143
USDA Report to Congress, Review of Local Policies on Meal Charges and Provision of Alternate Meals, June 2016, www.fns.usda.gov/sites/default/files/cn/unpaidmealcharges-report.pdf
Unpaid Meal Charges: Local Meal Charge Policies, USDA FNS Memo SP 46-2016 (07/08/16), www.fns.usda.gov/unpaid-meal-charges-local-meal-charge-policies
Unpaid Meal Charges: Guidance and Q&A, USDA FNS Memo SP 57-2016 (09/16/16), <https://fns-prod.azureedge.net/sites/default/files/cn/SP57-2016os.pdf>
Unpaid Meal Charges: Guidance and Q&A, USDA FNS Memo SP 23-2017 (03/23/17), <https://fns-prod.azureedge.net/sites/default/files/cn/SP23-2017os.pdf>
Unpaid Meal Charges: Clarification on Collection of Delinquent Meal Payments, USDA FNS Memo SP 47-2016 (07/08/16), www.fns.usda.gov/sites/default/files/cn/SP47-2016os.pdf
Overcoming the Unpaid Meal Challenge - Proven Strategies from Our Nation's Schools, USDA FNS Guidance Document (May 2017), <https://fns-prod.azureedge.net/sites/default/files/cn/SP29-2017a1.pdf>
Student Meal Charge Policy, NYSED Guidance Memo, (5/30/17), <http://www.cn.nysed.gov/content/student-meal-charge-policy>

Adoption date: 12/20/17

Revised:

9.12 Request for Approval of Letter Drafted by the Legislative Action Committee to Congressman John J. Faso

Recommendation – that the following resolution be approved:

BE IT RESOLVED that the New Paltz Central School District Board of Education does hereby approve a letter drafted by the Legislative Action Committee on behalf of the Board of Education to Congressman John J. Faso regarding school safety and gun violence. A copy of said letter shall be incorporated by reference within the minutes of this meeting. The Board of Education further directs the District Clerk to send the letter to the office of Congressman John J. Faso immediately following this meeting.

The Honorable John J. Faso
United States Congress
House of Representatives, 19th District-NY
721 Broadway
Kingston, NY 12401

March 19, 2018

Dear Congressman Faso:

On behalf of the New Paltz Central School District, we thank you for your letter dated February 21, 2018 in response to our Board of Education President, Michael O'Donnell regarding the tragic mass shooting at Marjory Stoneman Douglas High School in Parkland, Florida on February 14, 2018. Like many school districts across the nation, the New Paltz Central School District recently convened a safety forum to bring our families, school administration and local law enforcement together to meet and, share our profound concerns around gun violence and strengthen our action plans for school safety.

In your letter, you express your support for a number of legislative actions in an effort to prevent gun violence, and specifically school shootings:

- Fix NICS legislation,
- Review existing background requirements and close gaps in the current system,
- Regulate semi-automatic weapons that function as automatic ones with similar restrictions,
- Ban bump stocks, and
- Raise the age for purchase and possession of semi-automatic weapons to 21.

These measures are long overdue and they must be pursued with urgency. But it is not nearly enough. Your letter also solicited our "thoughts as to how school security can be enhanced." Taking a cue from our own New Paltz Chief of Police, Joseph Snyder, we understand that the most effective safety measures are ones taken to disrupt or prevent a shooting from happening in the first place.

On the February 27, 2018 edition of Washington Journal on C-SPAN (<https://www.c-span.org/video/?441590-3/washington-journal-representative-john-faso-discusses-gun-control-school-safety>), you spoke on gun control and school safety. We are alarmed by your over-emphasis on mental illness as a causal factor of gun violence in general. This misperception unfairly and inaccurately stigmatizes those suffering with mental health issues. Consider the work of the Consortium of Risk-Based Firearm Safety, leaders in the mental health profession dedicated to evidence-based proposals to prevent gun violence. (<https://www.jhsph.edu/research/centers-and-institutes/johns-hopkins-center-for-gun-policy-and-research/publications/GPHMI-State.pdf>), "While most violence is not committed by individuals diagnosed with a mental illness, factors such as alcohol abuse, drug abuse, and violent behavior are strongly associated with perpetration of violence." The Consortium's research-based recommendations seek to "expand firearm prohibitions to include groups of people who meet specific, evidence-based criteria associated with increased risk of committing violence." Closing gaps in the current system should include Gun Violence Restraining Orders (GRVOs) or Extreme Risk Protection Orders, which prohibit firearms in the hands of those most likely to use them to inflict harm as the Lautenberg Amendment attempts. Had such an order been in place for the Parkland shooter -- who displayed a known history of violence towards himself and others, and specifically harassed women -- he would not have been legally able to purchase firearms.

You also repeated that crimes are more often perpetrated by those with guns obtained illegally. This is a misstatement, and a grievous one with respect to school shootings. Please refer to *Mother Jones Magazine's* ongoing research tracking mass shooting data: <https://www.motherjones.com/politics/2012/07/mass-shootings-map/>. Of mass shootings from 1982-2012, three-quarters of the shooters obtained their firearms **legally**.

And during that time period, more than half of those weapons used were high-capacity magazines, semi-automatic, or both — 48 of those 143 weapons would have been outlawed by the Assault Weapons Ban of 2013. It is finally time to consider that military-grade, assault-style, semi-automatic guns are among those Justice Scalia would deem "dangerous and unusual" in his majority opinion in his decision in *District of Columbia v. Heller*, 554 U.S. 570 (2008). As the Sandy Hook Advisory ~~Commission~~ Commission asserts, "...although a divided (5-4) United States Supreme Court held in [*Heller*], that the Second Amendment right to bear arms is a personal right, it also held the right is not absolute. The Supreme Court also acknowledged in *Heller* that society has the right to regulate gun ownership, possession and use within constitutionally permissible limits [...] The Commission believes that "assault weapons" like the AR - 15, as well as large capacity magazines ("LCM's") often used with those weapons, have no legitimate place in the civilian population [...] By contrast, the Commission finds that the significant benefit to society from eliminating civilian ownership and possession of assault weapons and LCM's can be realized with only a minimal burden on persons who want to hunt, engage in target practice or use weapons for self - defense. They remain free to engage in those activities with a vast array of long guns and handguns (http://www.shac.ct.gov/SHAC_Final_Report_3-6-2015.pdf)."

Congressman, renew the ban and support H.R. 5087, the Assault Weapons Ban of 2018.

Finally, fund and publish research undertaken by the Center for Disease Control and Prevention to understand fully the public health consequences of firearms by making it a direct focus and overturning the Dickey Amendment. Although firearm violence is one of the leading causes of death in the United States, it is also one of the most poorly researched, according to a January 2017 study published in the *Journal of the American Medical Association*. "In relation to mortality rates, gun violence research was the least-researched cause of death and the second-least-funded cause of death after falls," the study's authors wrote. <https://jamanetwork.com/journals/jama/fullarticle/2595514>. But when gun violence has been researched by private institutions like the Harvard Injury Control Research Center (<https://www.hsph.harvard.edu/hicrc/firearms-research/guns-and-death/>) evidence shows a clear connection between gun ownership, gun availability, homicides, and violent death.

Congressman Faso, this is what you can do in Congress to help keep our children safer:

- Support Gun Violence Restraining Orders (GVROs),
- Support enhanced and universal, mandatory and complete background checks to include all gun sales and parallel tracking to include data on those with domestic violence restraining orders and convictions,
- Support H.R. 5087 the Assault Weapons Ban of 2018, and
- Support H.R. 1478 the Gun Violence Research Act and overturn the 1996 Dickey Amendment.

Our constituent voices -- including those of our very own students, as evidenced by the unprecedented national walkout action of March 14 -- are further amplified by the recommendations of the Interdisciplinary Group on Preventing School and Community Violence, a current and growing group of national organizations of academics, educators and mental health professionals sponsored by the University of Virginia's Curry School of Education (<https://curry.virginia.edu/prevent-gun-violence>). All of us see the prevention of gun violence in the United States in terms of a public health crisis. The Centers for Disease Control includes "Prevention" in its namesake and purview. Gun violence as a public health crisis demands a focus on improved tracking of patterns of root causes and behaviors, raising public awareness of risks, and modification of environmental risk factors -- and federal funding to substantiate informed recommendations that lead to congressional action.

Here are our thoughts: we need to think less of "hardening schools" and to do more to gather research and information to meet and act on this public health crisis effectively. In the absence of robust federally-supported research on gun violence, our elected representatives give unjustified persistence to misperceptions, the consequences of which keep our communities in fear and in danger.

Respectfully,

Board of Education
New Paltz Central School District
19th District - New York

9.13 Request for Approval of Letter Drafted by the Legislative Action Committee to the Benjamin Center Requesting Study of Proposed State Legislation A7380

Recommendation – that the following resolution be approved: **BE IT RESOLVED** that the New Paltz Central School District Board of Education does hereby approve a letter drafted by the Legislative Action Committee on behalf of the Board of Education to the Benjamin Center requesting a study to examine shifty New York school funding away from property taxes. A copy of said letter shall be incorporated by reference within the minutes of this meeting. The Board of Education further directs the District Clerk to send the letter to the office of Gerald Benjamin of the Benjamin Center.

To: Gerald Benjamin and the staff of the Benjamin Center
From: Board of Education, New Paltz Central School District
Re: Request for study of proposed state legislation A7380

The efficacy and sustainability of the local property tax as the primary source of school revenue, long a matter of education and tax policy debate, has become of increasing concern in recent years. A raft of unfunded mandates, escalations in cost drivers, and levy caps have increasingly impinged upon both Board of Education autonomy as a taxing entity, and the public's ability to provide ever-increasing local revenue demands. This practice is not income sensitive, and in many cases, forces families to move.

With these challenges in mind, New York State Assembly members Kevin Cahill and Fred Thiele submitted draft legislation A7380. This legislation is aimed at ending the existing property tax-dependent school funding system. The proposed bill replaces school property tax with income-sensitive taxation, which provides revenue to the state general fund, which would then be distributed by formula to all school districts. Individual districts would then be empowered to create up to 20% additional local funding.

The Legislative Action Committee undertook study of this bill in early 2016 (see attached), and the LAC chair at that time met with Assembly members Cahill and Thiele to share those observations in the hope of helping to advance the legislative process. Both Assembly members concurred that the bill, as currently written, is a "study bill," and not ready for deliberation and adoption. Both also concurred that no resources are available to their offices by which further study could be undertaken.

Towards that end, we are asking that The Benjamin Center undertake a study of A7380 and make recommendations for its improvement. We feel that your mission and expertise make the Benjamin Center perfectly suited to undertake this study.

In the spring of 2016, Assembly members Cahill and Thiele welcomed the idea of the Benjamin Center conducting such a study, and offered to send letters of support. We anticipate contacting them at this time, and hope that their letters will be transmitted shortly.

Thank you very much for your consideration, and please feel free to communicate with us if there is anything we can do to assist in this process.

Board of Education, New Paltz Central School District

10. ADJOURN