

NEW PALTZ CENTRAL SCHOOL DISTRICT  
BOARD OF EDUCATION WORKSHOP MEETING

December 12, 2018

5:30 PM – Executive Session Subject to Board Approval

7:00 PM – High School

**2018-2019 Board of Education Focus Areas**

- Mental Health – Continuum of Well-Being
- Racial Equity
- Communications

1. CALL MEETING TO ORDER/ROLL CALL
2. PLEDGE TO THE FLAG
3. AGENDA CHANGES
4. SPOTLIGHT ON PROGRAM: Lenape Elementary School
  - Kindness, Respect, and Responsibility Gradient Signs: Fifth Grade students will present art projects inspired by the Lenape Guiding Principles for creating a safe, cooperative environment to support student growth.

5. 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.

6. STUDENT REPRESENTATIVE REPORT
  - Lily Sackett
7. SUPERINTENDENT’S REPORTS & DISCUSSION ITEMS
  - SUPERINTENDENT’S COMMENTS
    - Code of Conduct
  - SUPERINTENDENT’S REPORTS
    - Ulster BOCES Program Review: Dr. Charles Khoury
8. BOARD COMMUNICATIONS
  - Capital Project Update: Bill Wisbauer, TetraTech and Luis Rodriguez, The Palombo Group
  - 2019-2020 School Calendar
  - Acceptance of Belief/Good Neighbors Statement
  - Equity Fellows
9. COMMITTEE REPORTS
  - Racial Equity Initiative Advisory Committee: Sophia Skiles, BOE Representative
  - Facilities Committee: Teresa Thompson, Chair
  - Audit Committee: Matthew Williams, Chair

10. MINUTES OF MEETING

Recommendation - that the New Paltz Central Schools Board of Education accept the minutes of the Regular Business Meeting of November 28, 2018.

11. PERSONNEL (CONSENT AGENDA)

**11.1 Administrative Internship**

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 appoint Sarah Sebald as a non-paid Administrative Intern effective December 3, 2018 through July 31, 2019.

**11.2 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 11, 2018 Organizational Meeting:

Name	Effective Dates
Aliyah Cohn	12/13/2018 – 6/30/2019
Katherine Pessecow	12/13/2018 – 6/30/2019
Christina Gabriele	12/13/2018 – 6/30/2019

**11.3 Instructional Appointment – Leave Replacement**

BE IT RESOLVED, that the New Paltz Central Schools Board of Education, upon the recommendation of Maria C. Rice, Superintendent of Schools, does hereby approve the leave replacement appointment of the following instructional employee for the 2018/2019 school year:

Name	Title	Effective Dates	Step/Salary
Kathryne Gruskin	Elementary Teacher	12/06/2018 - 1/4/2019	BA Step 1, \$54,130 (pro-rated)

**11.4 Instructional Leave of Absence - Extension**

Recommendation that the New Paltz Central Schools Board of Education, upon the recommendation of Maria C. Rice, Superintendent of Schools, does hereby approve an extended unpaid leave of absence for the following instructional employee:

Name	Title	Original Effective Dates	Extension
Donna Gallo	Science Teacher	9/1/17 – 12/31/18	1/1/19 – 4/30/19 (unpaid)

**11.5 Request for Approval of Leave of Absence - Instructional**

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 of absence for the following employee:

Name	Title	Effective Dates
Lisa Watkins	School Social Worker	3/11/19 – 3/29/19

**11.6 Request for Approval of Standard Work Day and Reporting Resolution**

Recommendation - that the following resolution be approved: BE IT RESOLVED, that the Board of Education of the New Paltz Central School District/Location Code 75103 hereby establishes the following as standard work days for appointed officials and will report the following days worked to the New York State and Local Employees’ Retirement System based on the time keeping system records or the record of activities maintained and submitted by these officials to the District Clerk:

Title	Name	Social Security Number (Last 4 Digits)	Registration Number	Standard Work Day (Hrs/ Day)	Term Begins/ Ends	Participates In Employer’s Time Keeping System (Yes/No)	Days/ Month (Based on Record of Activities)	Tier 1 (Check only if member is Tier 1)	Not Submitted (Check box if no record of activities completed or if participates in timekeeping system)
<b>APPOINTED OFFICIALS</b>									
School Claims Auditor	Amy Ludwigson	████	████	6	7/1/18 – 6/30/19	NO		<input type="checkbox"/>	<input type="checkbox"/>

**11.7 Non-Instructional Appointments**

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

<b>Name</b>	<b>Title</b>	<b>Effective Date</b>	<b>Salary</b>
Michael Perneszi	Custodial Worker	01/01/2019	\$30,000/yr (pro-rated)
Richard Gallina	Custodial Worker	01/01/2019	\$30,000/yr (pro-rated)
Brett Shaw	School Bus Attendant	12/13/2018	\$13.50/hr
Joyce Etes	School Bus Attendant	12/14/2018	\$13.50/hr

**11.8 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:

<b>Name</b>	<b>Title</b>	<b>Effective Date</b>	<b>Salary</b>
Jessi Ronk	Substitute School Monitor	10/10/2018 -12/31/2018	\$11.00
Jessi Ronk	Substitute School Monitor	01/01/2019	\$11.10
Heather MacLean	Substitute School Registered Nurse	12/16/2018	\$120/day

**11.9 Correcting Resolution - Non-Instructional Appointment - Salary**

The New Paltz Central Schools Board of Education, upon the recommendation of Maria C. Rice, Superintendent of Schools, does hereby correct from Personnel Item 11.7 approved on November 14, 2018 the salary of the following employee:

<b>Name</b>	<b>Title</b>	<b>Effective Date</b>	<b>Salary</b>
Stephen Lopez	School Monitor	11/15/2018	\$11.10/hr

**11.10 Non-Instructional Resignations for the Purpose of Retirement**

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 accept the resignation of the following non-instructional employees for the purpose of retirement:

<b>Name</b>	<b>Title</b>	<b>Effective Date</b>	<b>Years in District</b>
Donna Fischer	School Bus Driver	12/22/2018	23
Linda Nemer	School Bus Attendant	12/22/2018	23

**12. OLD BUSINESS**

**12.1 Second Reading of Policy 6121 Sexual Harassment of District Personnel**

2018 6121  
1 of 3

Personnel

**SUBJECT: SEXUAL HARASSMENT OF DISTRICT PERSONNEL**

The Board of Education recognizes that harassment of employees (including all staff, applicants for employment, both paid and unpaid interns, exempt and non-exempt status, part-time, seasonal, and temporary workers, regardless of immigration status) and certain “non-employees” (which includes contractors, subcontractors, vendors, consultant and other persons providing services pursuant to a contract, or their employees) on the basis of sex, gender, gender presentation, and/or sexual orientation is abusive and illegal behavior that harms targets and negatively impacts the school culture by creating an environment of fear, distrust, intimidation and intolerance. The Board further recognizes that preventing and remedying such harassment in schools is essential to ensure a healthy, nondiscriminatory environment in which employees and “non-employees” can work productively.

**Sexual Harassment**

Sexual harassment is a form of sex discrimination and is unlawful under federal, state, and (where applicable) local law. Sexual harassment includes harassment on the basis of gender or gender presentation, or self-identified sex, sexual orientation, gender identity, gender expression, and transgender status.

Sexual harassment includes unwelcome conduct which is either of a sexual nature, or which is directed at an individual because of that individual's sex, when:

- a. submission to that conduct is made either explicitly or implicitly a term or condition of an individual's employment;

- b. submission to or rejection of such conduct is used as the basis for decisions affecting an individual's employment; or
- c. the conduct has the purpose or effect of unreasonably interfering with an employee's or "non-employee's" work or creating an intimidating, hostile or offensive work environment, even if the complaining individual is not the intended target of the sexual harassment;

Sexual harassment can include unwelcome sexual advances, requests for sexual favors, and other verbal, nonverbal, or physical conduct of a sexual nature, or verbal, nonverbal or physical aggression, intimidation or hostility that is based on gender presentation and sexual stereotypes.

### **Prohibited Conduct**

The Board is committed to providing an educational and working environment that promotes respect, dignity, and equality and that is free from all forms of sexual harassment. To this end, the Board condemns and strictly prohibits all forms of sexual harassment on school grounds, school buses and at all school-sponsored activities, programs and events, including those that take place at locations outside the District, or outside the school setting if the harassment impacts the individual's employment in a way that violates their legal rights, including when employees and "non-employees" travel on District business, or when harassment is done by electronic means (including on social media). Sexual harassment is considered a form of employee misconduct.

Retaliation against individuals who complain of sexual harassment or who testify or assist in any investigation or proceeding involving sexual harassment is unlawful. Remedial and/or disciplinary action will be taken against all those who engage in sexual harassment, and against supervisory and managerial personnel who knowingly allow such behavior to continue or engage in retaliation.

Sexual harassment may subject the District to liability for harm done to targets. Harassers may also be individually subject to civil liability if sued in a court of law or criminal liability if prosecuted.

Under various state and federal laws, employees and "non-employees" have legal protections against sexual harassment in the school environment as described above. Those laws are listed in the references section. Additionally, local laws (e.g., county, city, town, village) may apply to the District. The District's Code of Conduct also addresses appropriate behavior in the school environment. Sexual harassment can occur between persons of all ages and genders.

In order for the Board to effectively enforce this policy and to take prompt corrective measures, it is essential that all targets of sexual harassment and persons with knowledge of sexual harassment report the harassment immediately. The District will promptly investigate all complaints of sexual harassment, whether formal or informal, verbal or written. To the extent possible, all complaints will be treated in a confidential manner. Limited disclosure may be necessary to complete a thorough investigation. If the complainant reports that they feel unsafe at school due to the nature of the complaint, the District will determine if accommodations need to be made until the issue is resolved.

Complaints will be investigated based upon the totality of circumstances noting that not all unacceptable conduct will rise to the level of sexual harassment. Behaviors must be sufficiently severe and/or pervasive (and may even be based upon a single severe incident), and objectively offensive in the context of this policy to give rise to findings of sexual harassment.

Managers and supervisors are required to report any complaint that they receive, or any harassment that they observe to a Title VII Compliance Officer.

If, after appropriate investigation that should be conducted within a 30 calendar day time period, absent exigent circumstances, the District finds that an employee, "non-employee" or a third party has violated this policy, prompt corrective action will be taken in accordance with the applicable collective bargaining agreement, contract, District policy and state law. Individual nondisclosure agreements may only be used as permitted by law, described in the accompanying regulation. Mandatory arbitration clauses are prohibited in all District contracts and agreements.

All complainants and those who participate in sexual harassment complaints or the investigation of a complaint of sexual harassment have the right to be free from retaliation of any kind, when they do so with a good faith belief that sexual harassment has occurred. Such prohibited retaliation can include, but is not limited to, discipline, discrimination, demotion, denial of privileges, or any action that would

keep a person from coming forward to make or support a sexual harassment claim. Such actions need not be job- or education-related, or occur in the workplace or educational environment, to constitute unlawful retaliation.

The Superintendent of Schools is directed to develop and implement regulations for reporting, investigating and remedying allegations of sexual harassment. These regulations are to be attached to this policy. In addition, training programs shall be

established annually for employees, to raise awareness of the issues surrounding sexual harassment and to implement preventative measures to help reduce incidents of sexual harassment.

This policy shall be posted in a prominent place in each District facility, on the District's website, and shall also be published in staff informational materials, employee handbooks, and other appropriate school publications.

A committee of administrators, teachers, parents and the school attorney shall be convened periodically to review this policy's effectiveness and compliance with applicable state and federal law, and to recommend revisions to the Board of Education.

### External Remedies

In addition, targets have the right to register sexual harassment complaints with the U.S. Department of Education's Office for Civil Rights (OCR). The OCR can be contacted at (800) 421-3481, 400 Maryland Avenue SW, Washington, DC 20202-1100, or at <https://www2.ed.gov/about/offices/list/ocr/docs/howto.html>.

Employee targets also have the right to register complaints with the federal Equal Employment Opportunity Commission (EEOC) and the New York State Division of Human Rights (DHR). The DHR can be contacted at (888) 392-3644, [www.dhr.ny.gov/complaint](http://www.dhr.ny.gov/complaint), or at 1 Fordham Plaza, Fourth Floor, Bronx, NY 10458. The EEOC can be contacted at (800) 669-4000, <https://www.eeoc.gov/employees/howtofile.cfm>, [info@eeoc.gov](mailto:info@eeoc.gov), or at 33 Whitehall Street, 5<sup>th</sup> Floor, New York, NY 10004 or 300 Pearl Street, Suite 450, Buffalo, NY 14202.

Nothing in these regulations shall be construed to limit the right of the complainant to file a lawsuit in either state or federal court, or to contact law enforcement officials if the sexual harassment involves unwanted physical touching, coerced physical confinement or coerced sex acts, which may constitute a crime. No District contract or collective bargaining agreement entered into after July 11, 2018 may include a binding arbitration clause for sexual harassment requiring arbitration before bringing the matter to court.

#### Ref:

Education Amendments of 1972, Title IX, 20 U.S.C. §1681 *et seq.*  
Title VII of Civil Rights Act (1964), 42 U.S.C. §2000-e; 34 CFR §100 *et seq.*  
Executive Law §296-d (prohibition of sexual harassment of non-employees)  
Labor Law §201-g (required sexual harassment policy and training)  
Civil Practice Law and Rules §§5003-b (nondisclosure agreements optional); 7515 (mandatory arbitration prohibited)  
General Obligations Law §5-336 (nondisclosure agreements optional)  
*Davis v. Monroe County Board of Education*, 526 U.S. 629, 652 (1999)  
*Gebser v. Lago Vista Independent School District*, 524 U.S. 274 (1998)  
*Faragher v. City of Boca Raton*, 524 U.S. 775 (1998)  
*Burlington Industries v. Ellerth*, 524 U.S. 742 (1998)  
*Oncala v. Sundowner Offshore Services, Inc.*, 523 U.S. 75 (1998)  
*Franklin v. Gwinnett County Public Schools*, 503 U.S. 60 (1992)  
*Meritor Savings Bank, FSB v. Vinson*, 477 U.S. 57 (1986)  
Office for Civil Rights *Revised Sexual Harassment Guidance (January 19, 2001)*  
Office for Civil Rights, *Dear Colleague Letter: Sexual Harassment Issues (2006)*  
Office for Civil Rights, *Dear Colleague Letter: Bullying (October 26, 2010)*

Adopted: **XX/XX/2018**

### 12.2 Second Reading of Policy 1511 Board Member Communications

2017 1511  
1 of 3

By-Laws

#### SUBJECT: BOARD MEMBER COMMUNICATIONS

The Board of Education acknowledges the importance of clear lines of communication and authority to promote transparency, consistency and responsiveness among themselves and with the public. Board of Education members will communicate primarily through the Board President and Superintendent of Schools.

The Board further acknowledges that effective communication requires knowledge of the means and methods of communication and how to use them responsibly. Along with traditional media and print communication tools, communication may be made through video, electronic/digital means, and Internet-based vehicles (e.g., social media).

In recognition of the myriad and changing communication platforms, technologies and on-line communities available, and the changing behavioral norms they bring, this policy will provide Board members with the tools to communicate effectively and responsibly on behalf of the District.

**1. Communication as an Individual, not as a Representative of the Board.** Members of the Board have legal authority only when acting as a body at a properly convened meeting. Individual Board members have no authority over District affairs unless the Board has explicitly delegated such authority. The Board President shall have the authority to speak on behalf of the Board. This authority may be delegated to another Board member on a specific issue. Individual Board members are free to speak publicly about District matters but must not divulge confidential information and must clarify that their statements reflect their own views and not necessarily the official position of the Board. The Board will not be bound in any way by an individual's statement or action unless the Board, through an adopted policy or by a majority vote of Board membership, has delegated this authority to the individual member. Without the above statement, any individual Board member's statements would be deemed as outside the scope of their office and the individual Board member may be denied statutory defenses and indemnification.

**2. Quorum of the Board.** The Board of Education shall conduct its deliberations and voting upon resolutions and policies only during a duly convened public meeting, except as provided by law. Board members may confer with one another regarding School District business by telephone, via mail or electronic mail as long as such communications do not result in a collective decision. The use of telephone conference calls, instant e-mail or communications in a chat room among a quorum or more of members of the Board of Education for deliberation or decision making regarding School District business is strictly prohibited.

**3. Board Members Digital Conduct.** Board members should assume that all email/digital communications are subject to disclosure under the Freedom of Information Law, may be subject to disclosure in litigation and are subject to the records retention requirements of the District. Board members, therefore, are required to use the District's designated email system, including the District provided email address for all emails regarding District business. Email communications among Board members may be used for housekeeping purposes, including but not limited to communicating agenda items, meeting times or dates, requesting or communicating factual information, analyzing information, etc.. Email by Board members for communicating information or making inquiries regarding District personnel, contractors or students because of the risk of improper disclosure of confidential information is not allowed. Posting information that has not been verified and made public by the District or outside posting anonymously about District business is prohibited. The Board member's postings would be deemed as outside the scope of their office and the Board member may be denied statutory defenses and indemnification.

**4. Direct Complaints or Concerns.** Complaints about District personnel, programs and operations must be handled and resolved as close to their origin as possible. Any complaint or concern made to a Board member, whether verbally, in writing, through electronic/digital means or social media technologies, should be directed to the Superintendent or other appropriate administrator according to the chain of command (teacher, principal, superintendent).

**5. Opinions on Pending Matters.** It is expected that the Board of Education, when hearing grievances or other disputes, will be neutral, will listen to all viewpoints and will make a decision based upon all available information. If, for example, a Board member posts comments or opinions on social media or other forms of communication, prior to the Board having deliberated and made a decision, the Board member's neutrality will be called into question. This is particularly important where an appeal to the Board is available to the complainant and would require that the Board member recuse him/herself from the decision making process.

**6. Confidential Matters in Executive Session or Board Packet Materials.** It is imperative that Board members post/share only content that has already been released to the public such as information discussed at or presented at a public meeting or that is posted on the District website. It is appropriate to use links to the District website when posting information. A breach of confidentiality regarding a matter that legitimately may be discussed in executive session could result in the Board member's removal from the Board. If confidential materials are lost or stolen, it must be reported to the district immediately.

**7. Official Record of the Board Meetings.** Only the official District video of the Board meeting and the approved Minutes of the Board meeting are official records of the District.

**8. Loss or Theft of a District-Issued or Personal Electronic Device.** Board members must safeguard all electronic devices used to receive or send information related to the District and its operations, whether provided by the District or a personal electronic device, to ensure that all District information received by the Board member is secure. It is imperative that Board members immediately report to the District any potential security breach so that proper steps can be taken to minimize the impact and provide any necessary notification to affected persons.

**9. Acceptable Use Policy.** Any use of the District's technology, including but not limited to, the District's network and electronic devices, must be in accordance with the District's Acceptable Use Policy and any applicable laws, regulations and policies.

Cross-Ref: Policy #1110, School District Legal Status  
Policy #1120, Board of Education Authority and Membership  
Policy #3110, News Media Relations  
Policy #3230, Complaints and Grievances  
Policy #6110, Code of Ethics for All District Personnel  
Policy #6111, Board-Staff Communications  
Policy #6471, Computer Network and Internet Acceptable Use Policy

Adopted: 7/16/08

Revised: 3/1/17

Revised: XX/XX/2018

### 13. NEW BUSINESS

#### **13.1 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. 14206, 14344, 10359, 12316, 12368, 14345, 12808, 14387, 14395, 14178, 14318, 14720, 12389, 12442, 11496, 12252

#### **13.2 Request for Approval to Sell/Dispose of Surplus Equipment**

Recommendation – that the following resolution be approved: BE IT RESOLVED that the Board of Education declares the following equipment as excess, unneeded property and authorize the sale/disposition of the equipment.

Model Year 2000

Gehl SL6635 SXT SERIES II Skid Steer Loader

Model Year 2000

Skid Steer Back Hoe Attachment

Bradco BH 609

#### **13.3 Request for Approval of Settlement Agreement**

BE IT RESOLVED, that the New Paltz Central School District Board of Education does hereby approve a Settlement Agreement dated November 21, 2018 in the matter of Student No. 10098.

#### **13.4 Request for Approval of Donation**

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 accept a donation to the New Paltz Central School District from the New Paltz Athletic Association for one (1) Boost 8 foot Digital Display Scorer's Table with table cover, iPad, and possession arrow with base. The board further directs the District Clerk to send a letter of thanks to the New Paltz Athletic Association for their donation.

#### **13.5 Request for Approval to Establish Student Scholarship Award**

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 establishment of the New Paltz Health and Nutrition Scholarship Award.

#### **13.6 Request for Approval to Establish Student Scholarship Award**

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 establishment of the Nadia Dimasi Memorial Scholarship Award (Class of 1994).

Workshop Meeting Agenda

December 12, 2018

**13.7 Request for Approval to Establish Student Scholarship Award**

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 establishment of the John Magaletta Golf Scholarship Award.

- 14. OTHER DISCUSSION
- 15. PUBLIC COMMENTS
- 16. EXECUTIVE SESSION – SUBJECT TO BOARD APPROVAL
- 17. ADJOURN