

Minutes – Business Meeting – Board of Education – New Paltz Central High School – July 12, 2012 – 7:00 PM

**CALL MEETING TO ORDER**

CALL TO ORDER

Meeting was called to order at 7:16 PM by Patrick Rausch, Board President.

BOARD MEMBERS PRESENT: Stephen Bagley  
 Brian Courmoyer  
 Ruth Quinn  
 Patrick Rausch  
 Roderick Dressel, Jr.

QUORUM CHECK

EXCUSED Dominick Profaci  
 Edgar Rodriguez

ALSO PRESENT: Maria Rice, Superintendent of Schools

**ROLL CALL** The roll was called as reflected above.

ROLL CALL

**PLEDGE TO THE FLAG**

PLEDGE

ALSO PRESENT: Maria Rice, Superintendent of Schools  
 Richard Linden, Assistant Superintendent for Business  
 Elena Maskell, District Clerk  
 Members of the Public and Press

**AGENDA CHANGES**

AGENDA CHANGES

Motion made by Mr. Bagley and seconded by Mr. Courmoyer to approve the following agenda changes:

**BOARD COMMUNICATIONS**

**CHANGE** date of resolution 5.1 from June 30, 2012 to June 30, 2013.

**PERSONNEL**

**ADD** the following New Personnel Agenda Item **9.12 Instructional Appointment**

**9.12 Instructional Appointment**

Recommendation that the New Paltz Central Schools Board of Education upon the recommendation of Maria C. Rice, Superintendent, does hereby appoint the following substitute guidance counselor with remuneration as per rates established at the July 11, 2012 Organizational Meeting:

Name	Title	Effective Date	Hours
Andrea Fugazot	Substitute Guidance Counselor	7/12/12	Maximum 6 days

**ADD** the following New Personnel Agenda Item **9.13 Instructional Probationary Appointment**

**9.13 Instructional Probationary Appointment**

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 instructional employee, with remuneration as per NPUT contract.

Name	Title	Effective Date	Salary/Step
Kara Seim	Social Studies Teacher	9/1/12 - 8/31/15	MA Step B \$63,400

**NEW BUSINESS**

**REMOVE** New Business Agenda Item **11.3 Request for Approval to Accept a Gift from Ruth and Terrance Quinn** in its entirety from the agenda.

**ADD** New Agenda Item Under New Business **11.8 Request for Approval to Adopt the New Paltz Central School District 2011-2012 Annual Professional Performance Review (APPR) Plan**

**11.8 Request for Approval to Adopt the New Paltz Central School District 2011-2012 Annual Professional Performance Review (APPR) Plan**

Recommendation - that the New Paltz Central Schools Board of Education, upon the recommendation of Maria C. Rice, Superintendent of Schools, does hereby adopt the 2012-2013 Annual Professional Performance Review Plan as presented to the Board. A copy of said Plan shall be incorporated by reference within the minutes of this meeting.

All in favor with none opposed. Motion carried 5-0.

**PUBLIC COMMENTS**

**PUBLIC COMMENT**

Donald Kerr                      New Paltz

**SUPERINTENDENT'S REPORTS & DISCUSSION ITEMS**

**SUPT REPORT**

Mrs. Rice stated graduation was very successful albeit hot. Mrs. Rice stated that SUNY New Paltz allows the middle school to use their health center for graduation, and it is a possibility for the high school graduation if there is inclement weather. They are looking into that for the future.

Superintendent Rice stated the district is working diligently to rules and regulations of Race to the Top. The district is now required to submit the APPR through electronic format with an approval of no later than January 17 in order to avoid penalties. The turnaround time is 6-8 weeks and in order to get the information in a timely fashion, Superintendent Rice is asking for approval tonight. Superintendent Rice stated the information will be available on the website in a clear and concise fashion.

**BOARD COMMUNICATIONS**

**BOARD COMMUNICATION**

**PROPOSED COMPREHENSIVE BOARD CALENDAR**

Discussion ensued regarding the board calendar for 2012-2013. It was discussed to have one regular meeting each month with a second shortened meeting followed by a team building retreat. Mrs. Rice suggested having the shortened meetings in the District Office. Motion made by Ms. Quinn and seconded by Mr. Cournoyer to accept the board calendar as amended. Discussion ensued regarding the Board Retreat scheduled for August first. One of the Board Members cannot make that date, so it was decided that July 25<sup>th</sup> is the first choice to reschedule and the second choice is July 24<sup>th</sup>. The District Clerk will call NYSSBA to see if any of those dates are available. All in favor with none opposed. Motion carried 5-0.

**LEGISLATIVE ACTION ADVISORY COMMITTEE**

Discussion ensued regarding continuing the Legislative Action Committee. Mr. Rausch suggested soliciting for community members for this committee. Motion made by Ms. Quinn and seconded by Mr. Cournoyer to approve the following resolution:

5.1        BE IT RESOLVED that the Board of Education create a Legislative Action Advisory Committee to run through June 30, 2013 to be composed of three board members and two community members.

All in favor with none opposed. Motion carried 5-0.

**APPOINT MEMBERS TO BOARD COMMITTEES**

Mr. Rausch presented a list appointing members to committees. Mr. Rausch stated he tried to mix new members with more seasoned ones to balance the committees out. Mr. Rausch stated all committees are appointed as below.

Audit and Finance Committee

Steve Bagley, Chair  
Patrick Rausch  
Nick Profaci  
(plus two existing community members)

Facilities Committee

Patrick Rausch, Chair  
Edgar Rodriguez  
Nick Profaci  
(plus three existing community members)

Policy Committee

Rod Dressel, Chair  
Steve Bagley  
Brian Cournoyer

**Advisory Committee Appointments**

Legislative Action Advisory Committee

Edgar Rodriguez, Chair  
Brian Cournoyer  
Ruth Quinn  
(plus two community members, one may be returning)

District Committee Appointment for HAC - Ruth Quinn

DISCUSSION AND POSSIBLE RESOLUTION FOR GOVERNOR CUOMO TO VETO BILL

Motion made by Ms. Quinn and seconded by Mr. Cournoyer to approve the following resolution with a change to paragraph four. Ms. Quinn suggested replacing the fourth paragraph in its entirety with the following language:

And WHEREAS the legislation leaves districts with high ethnic and religious population subject to paying for private segregated settings, jeopardizing funds budgeted for other special education students and the general education population of the district; ignoring the fact that under the tax cap, unexpected funds must be taken from existing programs and services, hurting other students.

The resolution in its entirety will now read:

5.2 WHEREAS, a last minute legislative effort has resulted in passage of a bill that would heap new financial and administrative burdens on our school districts by requiring Committees on Special Education to take a student's home life and cultural environment into account when making special education placements and require reimbursement within 30 days of tuition payments made by parents for unapproved placements.

And WHEREAS, The bill may well violate federal IDEA requirements and according to the Poughkeepsie Journal, "leave local school districts exposed to a myriad of lawsuits and soaring special educational costs."

And WHEREAS, this legislation came without sufficient time for due consideration, leaving schools blindsided with new costs after their budgets were decimated to stay under the tax cap.

~~And WHEREAS, the legislation leaves districts with high ethnic and religious populations subject to outlandish parental demands, jeopardizing funds budgeted for other special education students and the general education population of the district; ignoring the fact that under the tax cap, unexpected funds must be taken from existing programs and services, hurting other students.~~

And WHEREAS the legislation leaves districts with high ethnic and religious population subject to paying for private segregated settings, jeopardizing funds budgeted for other special education students and the general education population of the district; ignoring the fact that under the tax cap, unexpected funds must be taken from existing programs and services, hurting other students.

And WHEREAS, there are better ways to make sure that parents don't wait too long for reimbursement when it's found to be warranted, streamlining how placement challenges are settled and being culturally sensitive when making placements. Allowing parents to demand private school placement when an appropriate public school programs exists is detrimental to other students and the taxpaying communities that support our schools.

And WHEREAS, if the State of New York believes this is appropriate, it needs to provide the funding from its larger tax base and not expect local taxpayers to pay for a program that is not based on educational concerns.

And WHEREAS, the bill is legally flawed, as Committees on Special Education do not have the authority to reimburse parents for private, unapproved placements within 30 days as required under the bill. They may only do so only when directed by a hearing officer.

And WHEREAS, this amounts to New York State's first voucher program and one for only the wealthy, as only wealthy parents can afford to pay private, non-approved tuition payments and wait for reimbursement.

And WHEREAS, this is a voucher program intended to segregate our children. New York State has always been a leader in integrating all of our children, irrespective of race, culture or special needs. Now, we are not only allowing a return to segregation, we are encouraging it by paying wealthy parents to use high cost, private services based on culture and not the appropriate educational services needed by the student to separate student, depriving them of the advantages of a shared social experience.

Therefore, be it RESOLVED that the Board of Education calls on Governor Andrew Cuomo to veto this onerous and inappropriate legislation.

All were in favor with none opposed. Motion carried 5-0.

**COMMITTEE REPORTS**

**CMTE REPORTS**

AUDIT COMMITTEE – Mr. Bagley gave an update on the last Audit Committee meeting. Mr. Bagley stated the committee did not know that Suzi Popieluszko was being laid off, and had some concerns about the communication of that. Mr. Bagley stated the committee was concerned with how the claims auditor process will be happening at the new Central Business Office. Mrs. Rice stated that part of the process with the CBO was to provide the Audit Committee with the same monthly log the committee is accustomed to.

FACILITIES COMMITTEE – Minutes were provided to members for their review.

**MINUTES OF MEETING**

**MINUTES**

Motion made by Mr. Bagley and seconded by Ms. Quinn that the Board of Education approve the following resolution: **BE IT RESOLVED** that the New Paltz Central Schools Board of Education accept the minutes of the Regular Business Meeting of June 20, 2012. Motion carried 5 - 0 with 5 members voting.

**FINANCIAL REPORTS** None

**FINANCIAL REPORTS**

**PERSONNEL (CONSENT AGENDA)**

**PERSONNEL**

Motion made by Ms. Quinn and seconded by Mr. Courmoyer that the Board of Education approve the following personnel (consent agenda) resolutions 9.1 through 9.13:

**9.1 Instructional Appointment - Substitutes**

Recommendation that the New Paltz Central Schools Board of Education upon the recommendation of Maria C. Rice, Superintendent, does hereby appoint the following substitute teachers with remuneration as per rates established at the July 11, 2012 Organizational Meeting, effective 9/1/12 - 6/30/13:

**Name**

- Lauren Papot
- Shannon Flynn
- Patricia Matter
- Jesus Galvan
- Teresa Abramshe
- Justin Duchin

**9.2 Instructional Summer School Substitute Appointments**

Recommendation that the New Paltz Central School District Board of Education upon the recommendation of Maria C. Rice, Superintendent, does hereby appoint the following summer school substitute employees with remuneration as per the rate to be established at the July 11, 2012 Organizational Meeting:

**Name**

- Matthew Elkin

**9.3 Instructional Appointment - Mentors**

Recommendation - that the New Paltz Schools Board of Education, upon the recommendation of Maria C. Rice, Superintendent of Schools, does hereby appoint the following instructional employee as a mentor for the 2012-2013 school year with remuneration, as per NPUT contract:

**Name**

- Don Bartlett

**9.4 CSE Evaluations/Meetings**

Recommendation – that the New Paltz Central Schools Board of Education, upon the recommendation of Maria C. Rice, Superintendent of Schools, does hereby appoint as needed the following employees for CSE Evaluations/Meetings with remuneration as per union contracts effective July 12, 2012 – August 31, 2012:

Name	Title
Barbara Weiner	CSE Meetings/Special Ed. Teacher
Meri Lederer	CSE Meetings/Social Worker

**9.5 Correcting Resolution**

Recommendation - that the New Paltz Central Schools Board of Education, upon the recommendation of Maria C. Rice, Superintendent of Schools, does hereby approve a correcting resolution to change the title of Mary Lou Milano from Substitute Aide to Aide, from a resolution previously approved at the June 20, 2011 Board Meeting.

**9.6 Non-Instructional Appointment**

Recommendation that the New Paltz Central Schools Board of Education, upon the recommendation of Maria C. Rice, Superintendent, does hereby appoint the following employee for the 2012-2013 school year:

<b>Name</b>	<b>Position</b>	<b>Stipend</b>
Christine Sutton	Substitute Caller	\$8,000

**9.7 Non-Instructional Resignation**

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 non-instructional employee:

<b>Name</b>	<b>Title</b>	<b>Effective Date</b>
Elani Ackhart	School Lunch Cashier	7/11/12

**9.8 Non-Instructional Leave of Absence**

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

<b>Name</b>	<b>Title</b>	<b>Effective</b>
Kimberly Carroll	Teacher Aide	9/1/12 – 6/30/13

**9.9 Non-Instructional Appointments**

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:

<b>Name</b>	<b>Title</b>	<b>Effective Date</b>	<b>Salary</b>	<b>Hours</b>
Elani Ackhart	Food Service Helper	7/12/12	\$12.60/hr	4 hours per day
Carol Barrett	Sub. Clerical	5/1/12	\$12.00/hr	as needed
Sandra Boland	School Bus Driver	7/1/12 – 8/31/12	\$23.60/hr	as needed
Jennifer Saladino	School Bus Driver	7/1/12 – 8/31/12	\$23.60/hr	as needed
Patricia Peck	Sub. School Bus Driver	7/1/12 – 8/31/12	\$20.00/hr	as needed
James Williams	Sub. School Bus Driver	7/1/12 – 8/31/12	\$20.00/hr	as needed

**9.10 Fall Coaching Appointments**

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 employees:

<b>Name</b>	<b>Title</b>	<b>Salary</b>
Glenn Eckert	Cross Country Boys Varsity	\$4,771.00
Ann Gregory	Cross Country Girls Varsity	\$4,771.00
Andrea Fugazot	Cross Country Assistant	unpaid
Patrick Barberio	Mod Cross Country Girls	\$2,340.00
Michael Vance	Mod Cross Country Boys	\$2,340.00
William DeFino	Football JV	\$3,280.00
Michael Gulitti	Football JV	\$3,280.00
Ronald Constable	Football Modified	\$2,340.00
Mark Pizzarello	Football Modified	\$2,340.00
Thomas Tegeler	Football Varsity	\$5,248.00
Kieran Bell	Golf Varsity Boys	\$3,860.00
Roger Norcross	Soccer Boys JV	\$3,280.00
Eliezer Espinosa	Soccer Boys Modified	\$2,340.00
Stuart Robinson	Soccer Boys Varsity	\$3,860.00
Jeffrey Salt	Soccer Girls Assistant	unpaid
JoAnne Metzger	Soccer Girls Varsity	\$3,860.00
Matthew Suits	Swimming Girls Varsity	\$3,860.00
Elisa Staub	Tennis Girls Varsity	unpaid
Scott Taylor	Tennis Girls Varsity	\$3,860.00
Kristen Conrad	Volleyball Girls Modified	\$2,340.00
Erin O’Sullivan	Volleyball Girls Varsity	\$3,860.00

**9.11 Certification of Lead Evaluator**

Recommendation – that the New Paltz Central Schools Board of Education, upon the recommendation of Maria C. Rice, Superintendent of Schools, does hereby approve the following:

BE IT RESOLVED that pursuant to the requirements of Education Law Section 3012-c and Part 30-2.9 of the Regents Rules, Maria C. Rice, Superintendent, having completed all of the required training is to be certified by this Board of Education as “Lead Evaluator” for building principals.

**9.12 Instructional Appointment**

Recommendation that the New Paltz Central Schools Board of Education upon the recommendation of Maria C. Rice, Superintendent, does hereby appoint the following substitute guidance counselor with remuneration as per rates established at the July 11, 2012 Organizational Meeting:

Name	Title	Effective Date	Hours
Andrea Fugazot	Substitute Guidance Counselor	7/12/12	Maximum 6 days

**9.13 Instructional Probationary Appointment**

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 instructional employee, with remuneration as per NPUT contract.

Name	Title	Effective Date	Salary/Step
Kara Seim	Social Studies Teacher	9/1/12 - 8/31/15	MA Step B \$63,400

MOTION carried 5 - 0 with 5 members voting.

**OLD BUSINESS**

OLD BUSINESS

**NEW BUSINESS**

NEW BUSINESS

Motion made by Mr. Bagley and seconded by Ms. Quinn that the Board of Education approve the following resolution:

**11.1 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: 10349, 10964, 12047, 10932, 10892, 10949.

All in favor with none opposed. Motion carried 5-0.

Motion made by Ms. Quinn and seconded by Mr. Bagley to approve the following resolution:

**11.2 Request for Approval to Accept a Gift From Julia and Benjamin Fishman**

Recommendation – that the following resolution be approved: BE IT RESOLVED, that the Board of Education, upon the recommendation of Superintendent Maria C. Rice, does hereby accept a gift from Julia and Benjamin Fishman in the amount of \$32.00, representing an estimated 1% difference in their school taxes between the 4.4% and 3.4% budgets. The Board of Education further directs the District Clerk to send a letter of appreciation to Mrs. and Mr. Fishman for their gift.

All in favor with none opposed. Motion carried 5-0.

**11.3 Removed in its entirety from agenda.**

Motion made by Ms. Quinn and seconded by Mr. Cournoyer to approve the following resolution:

**11.4 Request for Acceptance of Gift 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 a gift from the New Paltz Central School District Foundation for Student Enhancement in the amount of \$267.00 to be awarded to the High School Classroom in the Field Project. The Board of Education further directs the District Clerk to send a letter of appreciation to NPCSD Foundation for Student Enhancement for their gift.

All in favor with none opposed. Motion carried 5-0.

Mr. Rausch asked members to approve the following three policies that need to be passed according to the law with the caveat that they go directly to the Policy Committee for review. Motion made by Mr. Cournoyer and seconded by Mr. Bagley to approve New Business Agenda Items 11.5 through 11.7:

**11.5 First Reading and Approval of New Policy 3422: Dignity for All Students**

**SUBJECT: DIGNITY FOR ALL STUDENTS: PROHIBITING DISCRIMINATION AND HARASSMENT OF STUDENTS**

The Board of Education (“Board”) is committed to providing a safe and productive learning environment within its schools. In accordance with New York State’s “Dignity for All Students Act” (“DASA”) the Board is committed

to promptly addressing incidents of harassment and/or discrimination of students that impede students' ability to learn. This includes bullying, taunting or intimidation in all their myriad forms.

To this end, the Board condemns and strictly prohibits all forms of discrimination, such as harassment, hazing and bullying on school grounds, school buses and at all school-sponsored activities, programs and events. No student shall be subjected to harassment by employees or students on school property or at a school function. Nor shall any student be subjected to discrimination based on the student's actual or perceived race, color, weight, national origin, ethnic group, religion, religious practice, disability, sexual orientation, gender, or sex, by school employees or students on school property or at a school function.

Discrimination, harassment, hazing or bullying that takes place at locations outside of school grounds which can be reasonably expected to materially and substantially interfere with the requirements of appropriate discipline in the operation of the school or impinge on the rights of other students is prohibited, and may be subject to disciplinary consequences.

In addition, the District reserves the right to discipline students who engage in harassment of students off school property under circumstances where such off-campus conduct would be violative of the student code of conduct.

**Policy Definitions:**

- *School Property* means in or within any building, structure, athletic playing field, playground, parking lot, or land contained within the real property boundary line of a public elementary or secondary school; or in or on a school bus (Education Law §11[1]).
- *School Bus* means every motor vehicle owned by a public or governmental agency or private school and operated for the transportation of pupils, children of pupils, teachers and other persons acting in a supervisory capacity, to or from school or school activities, or, privately owned and operated for compensation for the transportation of pupils, children of pupils, teachers and other persons acting in a supervisory capacity to or from school or school activities (Education Law §11[1] and Vehicle and Traffic Law §142).
- *School Function* means a school sponsored extracurricular event or activity (Education §11[2]).
- *Disability* means (a) a physical, mental or medical impairment resulting from anatomical, physiological, genetic or neurological conditions which prevents the exercise of a normal bodily function or is demonstrable by medically accepted clinical or laboratory diagnostic techniques or (b) a record of such an impairment or (c) a condition regarded by others as such an impairment, provided, however, that in all provisions of this article dealing with employment, the term must be limited to disabilities which, upon the provision of reasonable accommodations, do not prevent the complainant from performing in a reasonable manner the activities involved in the job or occupation sought or held (Education Law §11[4] and Executive Law §292[21]).
- *Employee* means any person receiving compensation from a school district or employee of a contracted service provider or worker placed within the school under a public assistance employment program, pursuant to title nine(B) of article five of the Social Services Law, and consistent with the provisions of such title for the provision of services to such district, its students or employees, directly or through contract, whereby such services performed by such person involve direct student contact (Education Law §§11[4] and 1125[3]).
- *Sexual Orientation* means actual or perceived heterosexuality, homosexuality, or bisexuality (Education Law §11[5]).
- *Gender* means actual or perceived sex and includes a person's gender identity or expression (Education Law §11[6]).
- *Harassment* means the creation of a hostile environment by conduct or by verbal threats, intimidation or abuse that has or would have the effect of unreasonably and substantially interfering with a student's educational performance, opportunities or benefits, or mental, emotional or physical wellbeing; or conduct, verbal threats, intimidation or abuse that reasonably causes or would reasonably be expected to cause a student to fear for his or her physical safety; such conduct, verbal threats, intimidation or abuse includes but is not limited to conduct, verbal threats, intimidation or abuse based on a person's actual or perceived race, color, weight, national origin, ethnic group, religion, religious practice, disability, sexual orientation, gender or sex (Education Law§11[7])
- *Hazing* is an induction, initiation or membership process involving harassment which produces public humiliation, physical or emotional discomfort, bodily injury or public ridicule or creates a situation where public humiliation, physical or emotional discomfort, bodily injury or public ridicule is likely to occur.

**Reporting and Investigation:**

Any student who believes that s/he is being subjected to harassment, as well as any other person who has knowledge of or witnesses any possible occurrence of harassment, shall report the harassment to any staff member or to the Building Principal.

A staff member who witnesses harassment or who receives a report of harassment shall inform the Building Principal. The Building Principal to whom the report is made must immediately notify the same to the Superintendent of Schools in writing of such report and unless otherwise stated in the policy shall promptly investigate the complaint and take appropriate action to include, as necessary, referral to the next level of supervisory authority and/or other official designated by the District to investigate allegations of harassment.

The Building Principal shall maintain a log of bullying incidents as a record for the purpose of tracking repeat offenders, as well as identifying trends. The Building Principal shall report their findings periodically, but no less than quarterly, to the Superintendent of Schools or designee, who shall report to the Board annually regarding bullying incidents on a building-wide and District-wide basis. In addition, all reported incidents of bullying must be documented in the file of a student being accused of the conduct. Written records should also capture what action, if any, was taken, or why no action was taken. These reports shall remain in the student's file and will travel with the student from elementary school to high school. If a staff person is unsure of the reporting procedure, he/she is expected to inquire about how to proceed by speaking with their supervisor. Incidents will be included in the Violent and Disruptive Incident Reporting (VADIR) system when applicable.

The results of the investigation shall be reported back to both the target and the accused in accordance with the accompanying regulation. If either of the parties disagrees with the results of the investigation, they can appeal the findings in accordance with the regulations.

The Superintendent shall designate one or more staff members in each school building to be thoroughly trained to handle human relations in the areas of race, color, weight, national origin, ethnic group, religion, religious practice, disability, sexual orientation, gender and sex. Where there are separate policies covering forms of discrimination as referred above, the investigating of alleged harassment of such nature shall be conducted solely pursuant to those policies (i.e.: Title VI, Title IX, Disability Discrimination).

The Board shall appoint a Dignity Act Coordinator for each school building consistent with the requirements of Chapter 482, Laws of 2010 and Commissioner's regulations at 8 N.Y.C.R.R. 100.2(jj).

In furtherance of this Policy, the Superintendent is authorized and directed to prepare guidelines that shall be approved by the Board:

1. To be used in school training programs to discourage the development of discrimination or harassment, and that are designed to:
  - a. raise the awareness and sensitivity of school employees to potential discrimination or harassment, and
  - b. enable employees to prevent and respond to discrimination or harassment.
2. Relating to the development of nondiscriminatory instructional and counseling methods.

**Retaliation:**

The Board prohibits any retaliatory behavior directed against complainants, victims, witnesses, and/or any other individuals who participate in the investigation of allegations of harassment. Follow-up inquiries and/or appropriate monitoring of the alleged harasser and victim shall be made to ensure that harassment has not resumed and that those involved in the investigation of allegations of harassment have not suffered retaliation.

Furthermore, any person having reasonable cause to suspect that a student has been subjected to discrimination or harassment by an employee or another student, on school grounds or at a school function who reasonably and in good faith reports such information to school officials, to the Commissioner of Education, to law enforcement officials, shall be free from retaliation of any kind.

**Dissemination, Monitoring, Review, and Reporting**

This policy, or a plain language summary, shall be published in the District Code of Conduct, and other information sent to students, parents and employees, as well as posted on the district's website. A bullying complaint form will be available on the district's website. The district will ensure that the process of reporting bullying is clearly explained.

Each year, as part of the annual review of the Code of Conduct, this policy will be reviewed to assess its effectiveness and compliance with state and federal law and changes will be made, as needed.

The Board will receive the annual VADIR report, for each building and for the district as whole, with particular attention to the trends in the incidence of bullying. In addition, the Board will receive on an annual basis a more detailed report of the number of bullying incidents that occur, disaggregated by school, student demographic information and type

of incident. Based on the review of the data, the Board may consider further action, including but not limited to modification of this policy and additional training.

The district will ensure that reporting of information to the public will be in a manner that complies with student privacy rights under the Family Educational Rights and Privacy Act (FERPA).

Refer also to Policies:

Ref:

Dignity for All Students Act, Education Law, §§10 – 18

Americans with Disabilities Act, 42 U.S.C. §12101 *et seq.*

Title VI, Civil Rights Act of 1964, 42 U.S.C. §2000d *et seq.*

Title VII, Civil Rights Act of 1964, 42 U.S.C. §2000e *et seq.*; 34 CFR §100 *et seq.*

Title IX, Education Amendments of 1972, 20 U.S.C. §1681 *et seq.*

§504, Rehabilitation Act of 1973, 29 U.S.C. §794

Individuals with Disabilities Education Law, 20 U.S.C §§1400 *et seq.*

Executive Law §290 *et seq.* (New York State Human Rights Law)

Education Law §§313(3), 3201, 3201-a

*Tinker v. DesMoines Independent Community School Dist.*, 393 US 503, (1969) *Davis v. Monroe County Board of Education*, 526 U.S. 629 (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)

### **11.6 First Reading and Approval of New Policy 7522: Concussion Management Policy**

#### **SUBJECT: CONCUSSION MANAGEMENT POLICY**

New Paltz Central School District has always taken the approach that student safety is of the highest priority.

The Board of Education and the New Paltz School District recognizes that concussions and head injuries are commonly reported injuries in children and adolescents who participate in sports and recreational activities and can have serious consequences if not managed carefully. Therefore, the District adopts the following policy to support the proper evaluation and management of head injuries.

Concussion is a mild traumatic brain injury. Concussion occurs when normal brain functioning is disrupted by a blow or jolt to the head. Recovery from a concussion will vary. Avoiding re-injury until fully recovered are the cornerstones of proper concussion management.

While district staff will exercise reasonable care to protect students, head injuries may still occur. Physical education teachers, coaches, nurses, and other appropriate staff will receive training to recognize the signs, symptoms and behaviors consistent with a concussion. Any student exhibiting those signs, symptoms, or behaviors while participating in a school sponsored class, recess, extracurricular activity, or intramural/interscholastic athletic activity **shall be immediately removed** from the game or activity and be evaluated as soon as possible by an appropriate health care professional. The coach, school nurse, or other District employee in charge of or supervising the activity will notify the student's parents or guardians.

If a student sustains a concussion at a time other than when engaged in a school-sponsored activity, the district requires the parent/legal guardian to report the condition to the appropriate school nurse so that the district can support the proper management of the condition.

In the event of any concussion, regardless of where it was sustained, **the student shall not return to school or activity until he/she is symptom free for at least 24 hours**, has been evaluated by and provides written authorization from an appropriate health care professional. The school's chief medical officer or their designee will have the final decision on return to activity including recess, physical education class and after-school sports. Any student who continues to exhibit signs or symptoms upon return to activity must be removed from play and reevaluated by his/her health care provider.

The district will establish a concussion management team which may consist of, but not be limited to the Athletic Director, School Physician, School Nurse, and representatives from the administration, faculty and coaching staff. Any changes or

modifications to the policy and procedures will be reviewed with the athletic department staff and appropriate school personnel verbally and in writing.

Those who come in contact with our students including but not limited to school nurses, physical education teachers, coaches, and athletic trainers will be required to complete biennially a course related to recognizing the symptoms of a mild traumatic brain injury, and monitoring and seeking proper medical treatment for pupils who suffer one. The school district will provide education to the public on mild traumatic brain injury in student handbooks, athletic codes of conduct and on the website.

The Superintendent, in consultation with appropriate district staff, including the chief school medical officer, will develop regulations and protocols to guide the return to activity.

#### **11.7 First Reading and Approval of Policy 8271: Internet Safety/Internet Content Filtering Policy**

##### **SUBJECT: INTERNET SAFETY/INTERNET CONTENT FILTERING POLICY**

In compliance with the Children's Internet Protection Act (CIPA) and Regulations of the Federal Communications Commission (FCC), the District has adopted and will enforce this Internet safety policy that ensures the use of technology protection measures (i.e., filtering or blocking of access to certain material on the Internet) on all District computers with Internet access. Such technology protection measures apply to Internet access by both adults and minors with regard to visual depictions that are obscene, child pornography, or, with respect to the use of computers by minors, considered harmful to such students. The District will provide for the education of students regarding appropriate online behavior including interacting with other individuals on social networking websites and regarding cyberbullying awareness and response. Further, appropriate monitoring of online activities of minors, as determined by the building/program supervisor, will also be enforced to ensure the safety of students when accessing the Internet.

Further, the Board of Education's decision to utilize technology protection measures and other safety procedures for staff and students when accessing the Internet fosters the educational mission of the schools including the selection of appropriate teaching/instructional materials and activities to enhance the schools' programs; and to help ensure the safety of personnel and students while online.

However, no filtering technology can guarantee that staff and students will be prevented from accessing all inappropriate locations. Proper safety procedures, as deemed appropriate by the applicable administrator/program supervisor, will be provided to ensure compliance with the CIPA.

In addition to the use of technology protection measures, the monitoring of online activities and access by minors to inappropriate matter on the Internet and World Wide Web *may* include, but shall not be limited to, the following guidelines:

- a) Ensuring the presence of a teacher and/or other appropriate District personnel when students are accessing the Internet including, but not limited to, the supervision of minors when using electronic mail, chat rooms, instant messaging and other forms of direct electronic communications. As determined by the appropriate building administrator, the use of e-mail, and social networking websites, may be blocked as deemed necessary to ensure the safety of such students;
- b) Monitoring logs of access in order to keep track of the web sites visited by students as a measure to restrict access to materials harmful to minors;
- c) In compliance with this Internet Safety Policy as well as the District's Responsible Use Policy, unauthorized access (including so-called "hacking") and other unlawful activities by minors are prohibited by the District; and student violations of such policies may result in disciplinary action; and
- d) Appropriate supervision and notification to minors regarding the prohibition as to unauthorized disclosure, use and dissemination of personal identification information regarding such students.

The determination of what is "inappropriate" for minors shall be determined by the District and/or designated school official(s). It is acknowledged that the determination of such "inappropriate" material may vary depending upon the circumstances of the situation and the age of the students involved in online research.

The terms "minor," "child pornography," "harmful to minors," "obscene," "technology protection measure," "sexual act," and "sexual contact" will be as defined in accordance with CIPA and other applicable laws/regulations as may be appropriate and implemented pursuant to the District's educational mission.

Under certain specified circumstances, the blocking or filtering technology measure(s) may be disabled for adults engaged in bona fide research or other lawful purposes. The power to disable can only be exercised by an administrator, supervisor, or other person authorized by the School District.

The School District shall provide certification, pursuant to the requirements of CIPA, to document the District's adoption and enforcement of its Internet Safety Policy, including the operation and enforcement of technology protection measures (i.e., blocking/filtering of access to certain material on the Internet) for all School District computers with Internet access.

### **Internet Safety Instruction**

In accordance with New York State Education Law, the School District may provide, to students in grades K through 12, instruction designed to promote the proper and safe use of the Internet. The Commissioner shall provide technical assistance to assist in the development of curricula for such course of study which shall be age appropriate and developed according to the needs and abilities of students at successive grade levels in order to provide awareness, skills, information and support to aid in the safe usage of the Internet.

Under the *Protecting Children in the 21st Century Act*, students will also be educated on appropriate interactions with other individuals on social networking websites and cyberbullying awareness and response.

The District shall also provide age appropriate instruction to students regarding appropriate online behavior including but not limited to interacting on social networks, websites and chat rooms, and cyberbullying awareness and response. Such instruction will be provided even if the District prohibits students from accessing social networking sites and chat rooms on District technology.

### **Access to Inappropriate Content/Material and Use of Personal Technology or Electronic Devices**

Despite the existence of District policy, regulations and guidelines, it is impossible to completely prevent access to content or material that may be considered inappropriate for students. Students may have the ability to access such content or material from their home, other locations off school premises and/or with a student's own personal technology or electronic device on school grounds or at school events.

The District is not responsible for inappropriate content or material accessed via a student's own personal technology or electronic device or via an unfiltered Internet connection received through a student's own personal technology or electronic device.

Student use of the District's computer system (DCS) is conditioned upon written agreement by all students and their parents/guardians that student use of the DCS will conform to the requirements of this policy and any regulations adopted to ensure responsible use of the DCS. All such agreements shall be kept on file in the District Office.

### **Notification/Authorization**

The District's Responsible Use Policy and accompanying Regulations will be disseminated to parents and students in order to provide notice of the school's requirements, expectations, and student's obligations when accessing the Internet.

The District's Internet Safety/Internet Content Filtering Policy must be made available to the FCC upon request. Furthermore, appropriate actions will be taken to ensure the ready availability to the public of this policy as well as any other District policies relating to the use of technology.

47 United States Code (USC) Sections 254(h) and 254(l)  
47 Code of Federal Regulations (CFR) Part 54  
Education Law Section 814

NOTE: Refer also to Policy #7315 -- Student Use of Computerized Information Resources ( Responsible Use Policy)  
*District Code of Conduct on School Property*

Adopted: 7/16/08  
Revised: 2/01/12  
Revised: 7/11/12

All in favor with none opposed. Motion carried 5-0.

Motion made by Mr. Bagley and seconded by Mr. Cournoyer to approve the following resolution:

**11.8 Request for Approval to Adopt the New Paltz Central School District 2011-2012 Annual Professional Performance Review (APPR) Plan**

Recommendation - that the New Paltz Central Schools Board of Education, upon the recommendation of Maria C. Rice, Superintendent of Schools, does hereby adopt the 2012-2013 Annual Professional Performance Review Plan as presented to the Board. A copy of said Plan shall be incorporated by reference within the minutes of this meeting.

All in favor with none opposed. Motion carried 5-0.

**OTHER DISCUSSION**

OTHER DISCUSSION

**PUBLIC COMMENTS** - None

PUBLIC COMMENT

**ADJOURN**

ADJOURN

With no need for an Executive Session, a motion was made by Mr. Bagley and seconded by Ms. Quinn that the Board adjourn at 8:17 PM. Motion carried 5 - 0 with 5 members voting.

Respectfully submitted,

---

Elena Rae Maskell  
District Clerk