

**WYANDANCH UNION FREE SCHOOL DISTRICT  
BOARD OF EDUCATION MINUTES OF  
WORK SESSION  
HELD ON APRIL 14, 2021  
CENTRAL ADMINISTRATION BUILDING  
1445 DR. MARTIN LUTHER KING, JR. BOULEVARD  
WYANDANCH, NEW YORK 11798**

**THIS MEETING WAS VIA LIVESTREAM ON ZOOM AND FACEBOOK LIVE.**

The meeting was called to order by President Crawford at 7:09 PM and asked for a moment of silence.

**Roll Call:** Performed by Christian D. Code, District Clerk

**Trustees Present:** James Crawford, Latesha Walker, Shirley Baker, Ronald Fenwick, Jarod Morris, Charlie Reed, Yvonne Robinson

**Others Present:** Dr. Gina Talbert, Kester Hodge, Carl Baldini, Dan Somaiah, Dr. Christine Jordan, Shamika Simpson, Al Chase, Lisa Hutchinson, Esq., Torrey Chin, Esq., Monte Chandler, Esq., Christian D. Code, Winsome Ware, Montgomery Granger, Administrators, and Community

**ADOPT THE AGENDA**

**Motion by Walker, second by Robinson to adopt the agenda. Motion carried 7-0-0**

**WELCOME BY BOARD  
PRESIDENT**

President Crawford welcomed everyone to the virtual work session and thanked everyone for attending. He also thanked the community for the support and patience in an effort to move the District forward.

**READING OF MISSION  
STATEMENT**

President Crawford asked Vice President Latesha Walker to recite the mission statement:

*“Inspire the passion for learning and educating all students to achieve their full potential.”*

## **SUPERINTENDENT'S PRESENTATIONS**

### **Budget Workshop**

**Dr. Talbert shared with the community that the District will review with the Board and community members, the line-by-line budget. Mr. Al Chase, New York State Appointed Fiscal Monitor and Mr. Dan Somaiah, School Business Official led the workshop. The workshop was followed by a healthy question and answer portion.**

## **EXECUTIVE SESSION**

**Motion by Walker, seconded by Morris to move into Executive Session at 7:51 PM to discuss the employment of particular persons and to receive legal counsel.**

**Motion carried 7-0-0**

## **RECONVENE**

**Motion by Fenwick, seconded by Morris to reconvene at 10:59 PM.**

**Motion carried 7-0-0**

## **SUPERINTENDENT'S RECOMMENDATIONS**

**Dr. Talbert presented the Administration Resolutions for review.**

## **ADMINISTRATION RESOLUTIONS**

### **ADMIN #9-A-1 Donation**

## **BACKGROUND INFORMATION**

Ethan Sackstein a 7<sup>th</sup> grade student at Plainview Old Bethpage Mattlin Middle School has donated 30 brand new basketballs for the purpose of assisting in the District's Athletic Program.

**BE IT RESOLVED**, that the Board of Education hereby authorizes the Superintendent of Schools to accept such donation.

**ADMIN #9-A-2  
Donation**

**BACKGROUND INFORMATION**

**WHEREAS**, English teacher Mike Buttitta commenced an online fundraising initiative, Hoops for Dreams Gofundmepage, in his individual capacity for the purpose of soliciting donations for the renovation of the basketball court at the Milton L. Olive Middle School;

**BE IT RESOLVED**, that the Board of Education hereby accepts the proceeds of the Hoops for Dreams Gofundmepage as a donation in the amount of \$1,131.12 in accordance with Education Law and District policy and hereby authorizes the Superintendent of Schools to accept such donation.

**Mr. Hodge presented the Personnel Resolutions for review.**

**PERSONNEL  
RESOLUTIONS**

**PERS #9-B-1  
Extended Medical Leave of  
Absence**

**BACKGROUND INFORMATION:**

The employee named herein has requested an Extended Medical Leave of Absence from the position indicated.

**RESOLUTION:**

**BE IT RESOLVED**, upon the recommendation of the Superintendent of Schools, that the Board of Education grant an Extended Medical Leave of Absence without pay to the following employee from the position indicated for the period indicated below.

**LEAVE OF ABSENCE**

A. Brenda Sexton, Head Cook, March 16, 2021 through April 30, 2021.

**PERS #9-B-2  
Retirements**

**BACKGROUND INFORMATION:**

The employees named herein have submitted a letter of intent to retire from the position indicated.

**RESOLUTION:**

**BE IT RESOLVED**, upon the recommendation of the Superintendent of Schools, that the Board of Education accept the retirement of the following employees from the position indicated.

## **RETIREMENTS**

- A. Ellen Benedetto, Reading Teacher, 34 years of service, effective, June 26, 2021.
- B. Barbara Adams, Special Education Teacher, 22 years of service, effective June 26, 2021.
- C. Dorothy Bodt, Special Education Teacher, 19 years of service, effective June 30, 2021.
- D. Brenda Sexton, Head Cook, Elementary Teacher, 24 years of service, effective May 1, 2021.

**Motion by Walker, second by Morris to BLOCK VOTE resolutions 9-B-2 (Personnel), 9-B-3 (Personnel), 9-B-9 (Personnel), 9-C-5 (Business), 10-A-10 (Board of Education).**

**Motion carried 7-0-0**

**Motion by Morris, second by Walker to approve the BLOCK VOTE of resolutions 9-B-2 (Personnel), 9-B-3 (Personnel), 9-B-9 (Personnel), 9-C-5 (Business), 10-A-10 (Board of Education).**

**Motion carried 7-0-0**

**PERS #9-B-3  
Resignations**

## **BACKGROUND INFORMATION:**

The employees named herein have submitted a letter of intent to resign from the position indicated.

## **RESOLUTION:**

BE IT RESOLVED, upon the recommendation of the Superintendent of Schools, that the Board of Education accept the resignation of the following employees from the position indicated.

## **RESIGNATIONS**

- A. Elizabeth Avila, Substitute Teaching Assistant, effective March 22, 2021.
- B. Silvia Cruz, Part Time Monitor, effective April 2, 2021.
- C. Mayra Fernandez, Teaching Assistant, effective March 25, 2021.
- D. Christopher DeMarzo, Girls Varsity Soccer Asst. Coach, 2020-2021 School Year.
- E. Filomena Russo, JV Girls Softball Coach, effective March 11, 2021.

**Motion by Walker, second by Morris to BLOCK VOTE resolutions 9-B-2 (Personnel), 9-B-3 (Personnel), 9-B-9 (Personnel), 9-C-5 (Business), 10-A-10 (Board of Education).**

**Motion carried 7-0-0**

**Motion by Morris, second by Walker to approve the BLOCK VOTE of resolutions 9-B-2 (Personnel), 9-B-3 (Personnel), 9-B-9 (Personnel), 9-C-5 (Business), 10-A-10 (Board of Education).**

**Motion carried 7-0-0**

**PERS #9-B-4  
Extension of Probation**

**BACKGROUND INFORMATION:**

The candidate named herein is recommended for an extension of their probationary period.

**RESOLUTION:**

BE IT RESOLVED, upon the recommendation of the Superintendent of Schools, that the Board of Education approve the extension of the probationary period of the employee named herein as indicated.

**EXTENSION OF PROBATION**

- A. Stephanie Smith, Foreign Language Teacher, effective September 1, 2021 through August 31, 2022.

**PERS #9-B-5  
District-Wide Appointments**

**BACKGROUND INFORMATION:**

The candidate named herein is recommended for an appointment to the position indicated.

**RESOLUTION:**

BE IT RESOLVED, upon the recommendation of the Superintendent of Schools, that the Board of Education approve the appointment of the candidate named herein to the position indicated.

**DISTRICT-WIDE APPOINTMENTS**

- A. Giselle Seaton, Leave Replacement Elementary Teacher, MA, Step 1, at an annual salary of \$59,222.00, effective April 27, 2021 through June 26, 2021.
- B. Kimberly Martinez, Part Time Monitor, at a rate of \$14.00 per hour, for four hours per day, effective April 22, 2021.

**PERS #9-B-6  
P-TECH Academic & STEM  
Liaison Appointments**

**BACKGROUND INFORMATION:**

The candidates named herein are recommended for an appointment to the position indicated.

**RESOLUTION:**

BE IT RESOLVED, upon the recommendation of the Superintendent of Schools, that the Board of Education approve the appointment of the candidates named herein to the position indicated funded through the P-TECH Grant.

## **P-TECH ACADEMIC & STEM LIAISON APPOINTMENTS**

	Name	Position	School	Stipend	Dates
A	Mary Ellen McEntee	P-Tech Academic Liaison	Wyandanch Memorial High School	\$5,000.00	July 1, 2020 – June 30, 2021
B	David Milch	P-Tech STEM Liaison	Wyandanch Memorial High School	\$3,000.00	July 1, 2020 – June 30, 2021

### **PERS #9-B-7 P-TECH Appointments**

#### **BACKGROUND INFORMATION:**

The candidates named herein are recommended for an appointment to the position indicated.

#### **RESOLUTION:**

BE IT RESOLVED, upon the recommendation of the Superintendent of Schools, that the Board of Education approve the appointment of the candidates named herein to the position indicated funded through the PTECH Grant.

## **P-TECH APPOINTMENTS**

	Name	Position	School	Salary	Dates
A	Dr. Karl Spielmann	P-Tech Scholarship Application & College Advisor	WMHS (Virtual)	\$45/per hour includes hours of instruction and hours of planning and preparation; after school and weekends; <b>not to exceed 60 hours for the duration</b>	April 22, 2021 – June 18, 2021
B	Johnny Marcia	P-Tech Spanish III Enrichment Teacher	WMHS (Virtual)	\$45/per hour includes hours of instruction and hours of planning and preparation; after school and weekends; <b>not to exceed 60 hours for the duration</b>	April 22, 2021 – June 18, 2021
C	Nicole Robinson	P-Tech Algebra 2 Enrichment Teacher	WMHS (Virtual)	\$45/per hour includes hours of instruction and hours of planning and preparation; after school and weekends; <b>not to exceed 60 hours for the duration</b>	April 22, 2021 – June 18, 2021
D	Daniel Marciano	P-Tech Geometry Enrichment Teacher	WMHS (Virtual)	\$45/per hour includes hours of instruction and hours of planning and preparation; after school and weekends; <b>not to exceed 60 hours for the duration</b>	April 22, 2021 – June 18, 2021

**PERS #9-B-8  
MLO Living  
Environment/Algebra  
Assessment Support  
Appointments**

**BACKGROUND INFORMATION:**

The candidates named herein are recommended for an appointment to the position indicated.

**RESOLUTION:**

BE IT RESOLVED, upon the recommendation of the Superintendent of Schools, that the Board of Education approve the appointment of the candidates named herein to the position indicated funded through the SIG-Targeted Support Grant.

**MLO LIVING ENVIRONMENT/ALGEBRA ASSESSMENT  
SUPPORT APPOINTMENTS**

	Name	Position	School	Stipend	Dates
A	Desiree Pressley	Living Environment Assessment Support Teacher	MLO (Virtual)	\$45/per hour includes 8 hours of instruction and 3 hours of planning and preparation; 3PM-4PM - <b>not to exceed 11 hours for the duration.</b>	May 17, 18, 19, 20, 25 and June 1, 2, 3, 2021
B	Amy Belkin	Living Environment Assessment Support Teacher	MLO (Virtual)	\$45/per hour includes 8 hours of instruction and 3 hours of planning and preparation; 3PM-4PM - <b>not to exceed 11 hours for the duration.</b>	May 17, 18, 19, 20, 25 and June 1, 2, 3, 2021
C	Leanne DiGiovanna	Algebra Assessment Support Teacher	MLO (Virtual)	\$45/per hour includes 8 hours of instruction and 3 hours of planning and preparation; 3PM-4PM - <b>not to exceed 11 hours for the duration.</b>	May 17, 18, 19, 20, 25 and June 1, 2, 3, 2021

**PERS #9-B-9  
2020-2021 Sports Appointments**

**BACKGROUND INFORMATION:**

The candidates named herein are recommended for an appointment to the positions indicated.

**RESOLUTION:**

BE IT RESOLVED, upon the recommendation of the Superintendent of Schools, that the Board of Education approve the appointment of the following candidates to the positions indicated.

## **2020-2021 SPORTS APPOINTMENTS**

	Name	Position	Stipend	Effective Dates
A	Patricia Taylor	Girls Varsity Soccer Asst. Coach	\$4,904.75	2020-2021 School Year
B	Shanavia Napper	Timer, Scorer, Chaperone/Supervisor	\$46.00sgl/\$70.00dbl	2020-2021 School Year

**Motion by Walker, second by Morris to BLOCK VOTE resolutions 9-B-2 (Personnel), 9-B-3 (Personnel), 9-B-9 (Personnel), 9-C-5 (Business), 10-A-10 (Board of Education).**

**Motion carried 7-0-0**

**Motion by Morris, second by Walker to approve the BLOCK VOTE of resolutions 9-B-2 (Personnel), 9-B-3 (Personnel), 9-B-9 (Personnel), 9-C-5 (Business), 10-A-10 (Board of Education).**

**Motion carried 7-0-0**

**PERS #9-B-10  
Permanent Status**

### **BACKGROUND INFORMATION:**

The employee named herein has successfully completed their probationary period and is recommended for permanent status in the position indicated.

### **RESOLUTION:**

BE IT RESOLVED, upon the recommendation of the Superintendent of Schools, that the Board of Education approve the successful completion of the probationary period and award permanent status for the employee named herein in the position indicated.

A. Lee Perez, School Attendance Aide, effective April 27, 2021.

**PERS #9-B-11  
Denial of Tenure**

### **BACKGROUND INFORMATION:**

The employee named herein is recommended for denial of tenure in the position indicated with the Wyandanch Union Free School District.

### **RESOLUTION:**

BE IT RESOLVED, upon the recommendation of the Superintendent of Schools that the Board of Education accept the recommendation for denial of tenure to the following employee as indicated:

A. Nicole Benincasa, Special Education Teacher, effective August 31, 2021.

**Mr. Somaiah presented the Business Resolutions for review.**



**BUSINESS  
RESOLUTIONS**

**BUS #9-C-1  
Seneca Consulting Group**

**BACKGROUND INFORMATION:**

The District is desirous of continuing with Seneca Consulting Group for the 2021-2022 Fiscal school year. Seneca Consulting is offering an Affordable Care Act Administration Agreement to include ongoing ACA Administration, IRS Reporting, Low Cost Alternative Plan RFP, and Consulting Outside Scope of Services at a cost of \$12,000.00 for the Fiscal Year 2021-2022.

**RESOLUTION:**

BE IT RESOLVED, that the Board of Education approves the Extension and Amendment of Benefits Consulting Agreement with Seneca Consulting Group for the continuation of ACA consulting services in the amount not to exceed \$12,000.00 (includes calculation for over 1,000 WUFSD employees).

FURTHER BE IT RESOLVED, that the Board of Education authorizes the Board President or the District Clerk to execute said agreement of their behalf.

**BUS #9-C-2  
Budget Transfer | 2020- 2021**

**BACKGROUND INFORMATION:**

Budget estimates are often prepared months in advance of actual expenditures. The possibility that the amount of each expenditure will be known in exact terms at the time of budget preparation is very unlikely. The Commissioner of Education in Section 170.2(1) of the Regulations of the Commissioner provides school districts with a vehicle for making necessary budget transfers in discretionary areas. This regulation allows transfers to be made between contingent expenditure codes and from non-contingent expenditure codes to contingent expenditure codes. This regulation does not allow transfers to be made from contingent expenditure codes to non-contingent codes, or between non-contingent expenditure codes. This regulation further permits the Board of Education, by resolution, to authorize the Chief School Officer to make transfers within limits established by the Board. At the Reorganization Meeting for the 2020/2021 school year, the Board of Education authorized the Chief School Officer to make transfers under \$5,000, thereby requiring transfers above that amount to be approved by the Board of Education.

**RESOLUTION:**

BE IT RESOLVED, upon the recommendation of the Superintendent of Schools, that the Board of Education approve the following 2020/2021 budget transfer:

	<b>Transfer To:</b>	<b>Transfer From:</b>
A-2630-400-15-0000 Technology-Contractual+Other	\$ 20,500.00	
A-2630-200-15-0000 Technology-Equipment		\$ 20,500.00
<b>GRAND TOTALS:</b>	<b>\$ 20,500.00</b>	<b>\$ 20,500.00</b>

**BUS #9-C-3  
RS Abrams & Company, LLP-  
Single Audit/Grants**

**BACKGROUND INFORMATION:**

R.S. Abrams & Co., LLP presented to the Board of Education the results of the firm's external audit of the District's Single Audit Report for 2019-20, and the associated Corrective Action Plan.

BE IT RESOLVED that the Board of Education approves the Single Audit Report for 2019-20 and the associated Corrective Action Plan.

FURTHERMORE, the District is authorized to file such Report with the New York State Department of Education and the Comptroller's Office as prescribed by law and statute.

The following resolutions are presented for consideration by the Board of Education in order to complete the District's requirements for filing such Single Audit Report with the New York State Department of Education and the Office of the State Comptroller:

**RESOLUTION:**

BE IT RESOLVED that the Board of Education accepts the Single Audit Report for 2019-20.

FUTHERMORE, the Board of Education accepts that Corrective Action Plan for the findings presented for the Single Audit Report for the year that ended June 30, 2020.

FURTHERMORE, the District is hereby authorized to file this Board of Education Resolution and the Corrective Action Plan along with such Report with the New York State Department of Education and the Comptroller's Office as prescribed by State statute and regulations.

**BUS #9-C-4  
RS Abrams & Company, LLP-  
RFP Award**

**BACKGROUND INFORMATION:**

In accordance with New York State Regulations, it is recommended that the district engages in an RFP for competitive procurement of External Auditing Services every 5 years. The district will select the lowest responsible bidder in the awarding of the External Audit Services for the subsequent 5 years.

**WHEREAS**, the Board of Education has agreed to renew the services of the External Auditors **R.S. Abrams**, as the winning bidder of the RFP process.

**NOW THEREFORE BE IT RESOLVED**, the Board of Education approves **R.S. Abrams** to engage in the district's external auditors as outlined in the engagement letter submitted pursuant to the RFP for the 2020-21 school year and renewable thereafter. The board authorizes the Board President to sign the agreement pending legal counsel review.

**BUS #9-C-5**  
**Budget Transfer | 2020-2021**

**BACKGROUND INFORMATION:**

Budget estimates are often prepared months in advance of actual expenditures. The possibility that the amount of each expenditure will be known in exact terms at the time of budget preparation is very unlikely. The Commissioner of Education in Section 170.2(1) of the Regulations of the Commissioner provides school districts with a vehicle for making necessary budget transfers in discretionary areas.

This regulation allows transfers to be made between contingent expenditure codes and from non-contingent expenditure codes to contingent expenditure codes. This regulation does not allow transfers to be made from contingent expenditure codes to non-contingent codes, or between non-contingent expenditure codes. This regulation further permits the Board of Education, by resolution, to authorize the Chief School Officer to make transfers within limits established by the Board. At the Reorganization Meeting for the 2020/2021 school year, the Board of Education authorized the Chief School Officer to make transfers under \$5,000, thereby requiring transfers above that amount to be approved by the Board of Education.

**RESOLUTION:**

BE IT RESOLVED, upon the recommendation of the Superintendent of Schools, that the Board of Education approve the following 2020/2021 budget transfer:

	<b>Transfer To:</b>	<b>Transfer From:</b>
A-1621-400-07-1621 B&G-Maintenance-Contractual	\$ 120,000.00	
A-1620-163-10-1665 Oper:Security Salary-Non Instruct.-MLK		\$ 60,000.00
A-1620-163-11-1665 Oper:Security Salary-Non Instruct.-MLO		\$ 25,000.00
A-1620-163-12-1665 Oper:Security Salary-Non Instruct.-HS		\$ 35,000.00
<b>GRAND TOTALS:</b>	<b>\$ 120,000.00</b>	<b>\$ 120,000.00</b>

**Motion by Walker, second by Morris to BLOCK VOTE resolutions 9-B-2 (Personnel), 9-B-3 (Personnel), 9-B-9 (Personnel), 9-C-5 (Business), 10-A-10 (Board of Education).**

**Motion carried 7-0-0**

**Motion by Morris, second by Walker to approve the BLOCK VOTE of resolutions 9-B-2 (Personnel), 9-B-3 (Personnel), 9-B-9 (Personnel), 9-C-5 (Business), 10-A-10 (Board of Education).**

**Motion carried 7-0-0**

**Mr. Baldini presented the Pupil Personnel Resolutions for review.**

**PUPIL PERSONNEL  
RESOLUTIONS**

**PPS #9-E-1  
Massapequa Public Schools  
H&W Services 2019-2020**

**BACKGROUND INFORMATION:**

The Massapequa Public Schools located at **4925 Merrick Rd., Massapequa, NY 11758** provided Health and Welfare Services during the **2019/2020** school year to a student from the Wyandanch Union Free School District who attended a non-public school located in the Massapequa Public School District.

**Compensation:**

Number of students attending: **One Student (1)**

Costs per Student **\$1,276.00 x 1 students = \$1,276.00**

**RESOLUTION:**

**BE IT RESOLVED**, upon the recommendation of the Superintendent of Schools, and having been reviewed by the General Counsel, that the Board of Education approve the agreement between the **Wyandanch UFSD** and the **Massapequa Public Schools** for the **2019-20 school year**.

**PPS #9-E-2  
Brentwood UFSD H&W Services  
2020-2021**

**BACKGROUND INFORMATION:**

The Brentwood Union Free School District located at **52 Third Avenue, Brentwood, NY 11717** provided Health and Welfare Services during the **2020/2021** school year to student(s) from the Wyandanch Union Free School District who attended a non-public school located in the Massapequa Public School District.

**Compensation:**

Number of students attending: **Three Students (3)**

Costs per Student **\$660.95 x 3 students = \$1,982.85**

**RESOLUTION:**

**BE IT RESOLVED**, upon the recommendation of the Superintendent of Schools, and having been reviewed by the General Counsel, that the Board of Education approve the agreement between the **Wyandanch UFSD** and the **Brentwood Union Free School District** for the **2020-21 school year**. **Mr. Baldini presented the Special Education Resolutions for review.**

**SPECIAL EDUCATION  
RESOLUTIONS**

**SPEC ED #9-F-1  
CPSE/CSE Placements**

**RESOLUTION**

BE IT RESOLVED, upon the recommendation of the Superintendent of Schools, that the CPSE/CSE placements be approved as listed.

**SPEC ED #9-F-2  
SEDCAR Federal IDEA Part B  
Flow Through Allocations  
2019-2020 and 2020-2021**

**BACKGROUND INFORMATION:**

This agreement between **Wyandanch UFSD** and **United Cerebral Palsy** is to provide **SEDCAR Federal IDEA Part B Flow through Allocations** for the **2019-2020** and the **2020-2021** School year as follows:

.....  
**2019-2020**

Section 611    Rate: \$1,409    Students: 1

**2019-2020 Grand Total: \$1,409**

.....  
**2020-2021**

Section 611    Rate: \$1,248    Students: 2    Total: \$2,496

Section 619    Rate:    \$504    Students: 2    Total: \$1,008

**2020-2021 Grand Total: \$3,504**

.....  
**RESOLUTION**

BE IT RESOLVED, upon the recommendation of the Acting Superintendent of Schools that the Board of Education approve the agreements between Wyandanch UFSD and the aforementioned vendors.

**SPEC ED #9-F-3  
SEDCAR Federal IDEA Part B  
Flow Through Allocations  
2020-2021**

**BACKGROUND INFORMATION:**

This agreement between **Wyandanch UFSD** and **The Opportunity Pre-School** is to provide **SEDCAR Federal IDEA Part B Flow through Allocations** for the **2020-2021** school year as follows:

.....

**Section 611    Rate: \$1,248    Students: 2    Total: \$2,496**

**Section 619    Rate:    \$504    Students: 2    Total: \$1,008**

**2020-2021 Grand Total: \$3,504**

**RESOLUTION**

BE IT RESOLVED, upon the recommendation of the Acting Superintendent of Schools that the Board of Education approve the agreements between Wyandanch UFSD and the aforementioned vendors.

**President Crawford presented the Board of Education Resolutions for review.**

**BOARD OF EDUCATION  
RESOLUTIONS**

**BOE #10-A-1  
Meeting Minutes**

**RESOLUTION**

**BE IT RESOLVED**, the Board of Education of the Wyandanch Union Free School District hereby approves the Minutes from the following meetings:

- A. Voting Session- March 17, 2021
- B. Special Session- April 5, 2021

**BOE #10-A-2  
Treasurer's Report**

**RESOLUTION**

**BE IT RESOLVED**, that the Board of Education hereby acknowledges receipt of the following reports submitted by the District Treasurer:

- A. Treasurer's Report for the month ending February 28, 2021.

B. Extra-Classroom Activities Report for the quarters ending December 31, 2020 & March 31, 2021

**BOE #10-A-3  
Budget Status Report for the  
period ended March 31, 2021**

**RESOLUTION**

**BE IT RESOLVED**, that the Board of Education hereby acknowledges receipt of the Budget Status Report for the period ended March 31, 2021.

**BOE #10-A-4  
Poll Inspectors**

**RESOLUTION**

**RESOLVED**, that the following persons shall be appointed as Inspectors to the Board of Registration (Voter Registration, Annual Budget/Trustee Vote) for the 2021-2022 school year.

Eileen Watson, Chief Inspector  
Debbie Allen, Poll Inspector  
Adriana Indiana Bumpers, Poll Inspector  
Heath Broughton, Poll Inspector  
Florence Collins, Poll Inspector  
Kathy Corbin, Poll Inspector  
Virginia Dawson-Taylor, Poll Inspector  
Marga Diaz, Poll Inspector  
Kimberly Durant, Poll Inspector  
Laurie Farber, Poll Inspector  
Hakim El-Quil, Poll Inspector  
Tyree Green, Poll Inspector  
Brenda Moore, Poll Inspector  
Michael Rivera, Poll Inspector/Spanish-speaking translator

-

**BE IT FURTHER RESOLVED**, that the appointed inspectors be compensated at an hourly rate of \$15.00 and that the Chief Inspector be compensated at an hourly rate of \$20.00.

**BE IT FURTHER RESOLVED**, that Rutha Bush is designated as Chairperson of the meeting election in accordance with Section 2026 for the Education Law. She will be compensated at a rate of \$20.00 per hour.

**BOE #10-A-5  
Policy #7611 Children With  
Disabilities- First Reading**

**RESOLUTION**

**BE IT RESOLVED**, that the Board of Education hereby approves the policy entitled *Children with Disabilities* Policy as follows:

## **SUBJECT: CHILDREN WITH DISABILITIES**

A child with a disability means a student under the age of 21 who is entitled to attend public schools and who, because of mental, physical or emotional reasons at the level of disability, where the student can only receive appropriate educational opportunities with the assistance of special education programs and/or services. A child is not considered as having a disability if his or her educational needs are due primarily to unfamiliarity with the English language; environmental, cultural or economic factors; or lack of appropriate instruction in reading or mathematics.

If the State Education Department (SED) finds that the District has inappropriate policies, procedures, or practices resulting in a significant disproportionality by race or ethnicity in the suspension, identification, classification, or placement of students with disabilities, the District will ensure that it publicly reports on the subsequent revisions to those policies, procedures, or practices.

The Board recognizes the existence of individual differences in the intellectual, social, emotional, and physical development of children attending school in the District. In recognizing these differences, the Board supports a continuum of programs and services of services offered in the least restrictive environment (LRE) for children with disabilities which includes:

- a) Not requiring any student to obtain a prescription for a drug or other substance identified as a controlled substance by the federal Controlled Substances Act as a condition of receiving services;
- b) Education in regular classes with or without support services, education in a resource room, education for part of the day in a special class, full-time education in a special class, home instruction and education in a residential setting;
- c) Providing for the education of students with disabilities with non-disabled peers to the extent appropriate;
- d) Taking the following measurable steps to recruit, hire, train, and retain highly qualified personnel to provide special education programs and services:
  - 1. Utilize established procedures for publication of all potential job openings;
  - 2. Check credentials and requirements listed on applications;
  - 3. The Human Resources Department will provide informal or formal training as needed to Director of Special Education, Principals and other interview committee members also, as needed.
  - 4. Special Education teachers are required to have subject matter knowledge appropriate to the level of instruction being provided; when teaching two or more core academic subjects exclusively to children with disabilities, the teacher will meet all requirements imposed by law or demonstrate competence in all the core academic subjects taught per state regulations;



5. Special education teachers and administrators are required to complete enhanced training in the needs of autistic children.
- e) Establishing the following guidelines for the provision of appropriate accommodations necessary to measure the academic achievement and functional performance of the student in the administration of District-wide assessments:
1. Ensure that necessary accommodations are specified on individualized education program (IEP) and implemented in accordance with the IEP;
  2. Review the need for accommodations at Committee on Special Education (CSE) evaluations/re-evaluations;
- f) To the extent feasible, using universal design principles (defined as a concept or philosophy for designing and delivering products and services that are usable by people with the widest range of functional capabilities, which include products and services that are directly usable without requiring assistive technologies and products and services that are made usable with assistive technologies) in developing and administering District-wide assessment programs by:
1. Addressing appropriate universal design principles in IEP;
  2. The Assistant Superintendent for Curriculum or his/her designee is responsible for keeping the Chairperson of the CSE/Committee on Preschool Special Education apprised of available products and services utilizing universal design principles;
  3. Ensuring that instructional materials and activities allow learning goals to be achievable by individuals with wide differences in abilities;
  4. Ensuring that flexible curricular materials and activities are built into the instructional design and operating systems;
  5. Ensuring that instruction is diversified to deliver the general education curriculum to every student and diversify ways students may respond to that curriculum.
- g) Consideration of the location of a school program(s) to a student's residence, before placement into an educational program.
- h) Adoption of written policies and procedures ensuring that students with disabilities are provided appropriate opportunities to earn a high school diploma in accordance with Commissioner's regulations.
- i) Allocation of appropriate space within the District for special education programs that meet the needs of students with disabilities.
- j) Assurance that appropriate space will be available to meet the needs of resident students with disabilities who attend special education programs provided by BOCES.

### **Provision of Special Education Services to Nonpublic School Students with Disabilities who are Parentally Placed**

The district of location is responsible for Child Find, including individual evaluations, CSE meetings, provision of special education services, and due process to parentally placed nonpublic school students attending nonpublic schools located in the geographic region of the public school district.

These requirements only pertain to students with disabilities parentally placed in elementary and secondary nonpublic schools, not to parental placements of preschool children with disabilities in private day care or preschool programs, or to CSE placements of students with disabilities in approved private schools, Special Act School Districts, state-supported or state-operated schools, or to charter schools.

The actual cost for CSE administration, evaluations, and special education services provided to a student with a disability who is a resident of New York State, but a nonresident to the district of location, may be recovered from the student's school district of residence. Because federal regulations require parental consent before any personally identifiable information about the student relating to special education is shared between officials in the public school district of location and officials in the public school district of residence, parental consent to share special education information between the two public school districts is required before billing a district of residence for the cost of special education services provided to the student by the district of location.

The school district of location must consult with nonpublic school representatives and representatives of parents of parentally placed nonpublic school students with disabilities enrolled in nonpublic elementary and secondary schools located within the boundaries of the school district. The school district must engage in consultation regarding the Child Find process and services generally; consultation is not specific to individual students. Individual services are determined by the CSE.

The consultation process must be timely and meaningful and include discussion of:

- a) Child Find;
- b) Provision of Special Education Services; and
- c) Use of Federal Funds.

The school district of location must provide, as appropriate, special education services to an eligible student who legally resides in another state and who is parentally placed in a nonpublic school located in New York State. The services to be provided to out-of-state students must be documented on a services plan that is developed by the CSE of the district of location. The services plan is the written plan that describes the specific special education and related service that the district of location will provide to the student consistent with the services that the school district of location has determined through the consultation process and in relation to the proportionate shares of federal IDEA Part B dollars, to be provided to the student.

### **Tuition Reimbursement Claims for Disabled Nonpublic School Students**

The parent must comply with the IDEA's pre-hearing notice requirement for tuition reimbursement claims. Specifically, the IDEA directs that at least ten business days before submitting

a request for an impartial due process hearing for tuition reimbursement, the parent must give the district written notice of intent to enroll the child in private school at public expense. The purpose of this requirement is to give the public school district's CSE the opportunity to meet and potentially develop a new IEP for the student that addresses the parent's concerns. A parent who does not provide written notice within ten days may have his or her request for reimbursement reduced or denied.

Individuals with Disabilities Education Act (IDEA), 20 USC § 1400 et seq.

20 USC § 9101(23)

21 USC § 812(c)

34 CFR Part 300

Education Law §§ 3004(4), 3004(5), 3208, 3242, 3602-c, 4401-4407 and 4410-6

8 NYCRR §§ 52.21, 57-3, 100.5, 100.9, 177.2, 200.2(b), 200.2(c)(2)(v), 200.4(e)(9) and 200.6(a)(1)

NOTE: Refer also to Policies #7615 -- Least Restrictive Environment  
#7650 -- Identification and Register of Children with Disabilities  
(Child Find)

Adoption Date

**BOE #10-A-6**  
**Policy # 7110 Comprehensive**  
**Student Attendance- First**  
**Reading**

### **RESOLUTION**

**BE IT RESOLVED**, that the Board of Education hereby approves the policy entitled Comprehensive Student Attendance Policy as follows:

**SUBJECT: COMPREHENSIVE STUDENT ATTENDANCE**

### **Statement of Overall Objectives**

The District is an active partner with students and parents in the task of ensuring that all students meet or exceed the New York State Learning Standards. The District recognizes that consistent school attendance, academic success, and school completion have a positive correlation, and therefore has developed, and, if necessary, will revise a Comprehensive Student Attendance Policy to meet the following objectives:

- a) Increase school completion for all students;
- b) Raise student achievement and close gaps in student performance;
- c) Identify attendance patterns in order to design attendance improvement efforts;
- d) Know the whereabouts of every student for safety and other reasons;
- e) Verify that individual students are complying with education laws relating to compulsory attendance;
- f) Determine the District's average daily attendance for state aid purposes.

## **Description of Strategies to Meet Objectives**

The District will:

- a) Create and maintain a positive school building culture by fostering a positive physical and psychological environment where the presence of strong adult role models encourages respectful and nurturing interactions between adults and students. This positive school culture is aimed at encouraging a high level of student bonding to the school, which in turn should lead to increased attendance.
- b) Develop a Comprehensive Student Attendance Policy based upon the recommendations of a multifaceted District Policy Development Team that includes representation from the Board, administrators, teachers, students, parents, and the community. The District will hold at least one public hearing prior to the adoption of this collaboratively developed Comprehensive Student Attendance Policy.
- c) Maintain accurate recordkeeping via a Register of Attendance to record attendance, absence, tardiness, or early departure of each student.
- d) Utilize data analysis systems for tracking individual student attendance and individual and group trends in student attendance problems.
- e) Develop early intervention strategies to improve school attendance for all students.
- f) Provide a plain language summary of this policy to families and student and include periodic reminders of this information through school publications and the district website.
- g) At the beginning of each school year, all faculty and staff will meet to review the attendance policy and to clarify individual roles in its implementation. New staff receive a copy upon their employment.
- h) Individual student attendance will be made available to secondary students and all parents through a password-protected portal.
- i) Copies of this policy will also be made available to any community member, upon request.
- j) The District will share this policy with local Child Protective Services (CPS) to ensure a common understanding of excused and unexcused absences, tardy, early dismissal (ATEDs) and to work towards identifying and addressing cases of educational neglect.

## **Determination of Excused and Unexcused Absences, Tardiness, and Early Departures**

Based upon the District's education and community needs, values, and priorities, the District has determined that absences, tardiness, and early departures will be considered excused or unexcused according to the following standards:

- a) **Excused:** An absence, tardiness, or early departure may be excused if due to personal illness, illness or death in the family, impassable roads due to inclement weather, religious observance, quarantine, required court appearances, attendance at health clinics, approved college visits, approved cooperative work programs, military obligations, or other reasons as may be approved by the Board.
- b) **Unexcused:** An absence, tardiness, or early departure is considered unexcused if the reason for the lack of attendance does not fall into the above categories (e.g., family vacation, babysitting, haircut, obtaining learner's permit, road test, oversleeping).

All absences must be accounted for. A written excuse, signed by a parent or person in parental relation should be presented by the student when returning to school following each absence. Extended absences due to illness will require medical documentation.

### **Student Attendance Recordkeeping/Data Collection**

The record of each student's presence, absence, tardiness, and early departure will be kept in a register of attendance in a manner consistent with Commissioner's regulations. An absence, tardiness, or early departure will be entered as "excused" or "unexcused" along with the District code for the reason.

Attendance will be taken and recorded in accordance with the following:

- a) For students in non-departmentalized kindergarten through grade 5 (i.e., self-contained classrooms and supervised group movement to other scheduled school activities such as physical education in the gym, assembly, etc.), the student's presence or absence will be recorded after the taking of attendance once per school day, provided that students are not dismissed from school grounds during a lunch period. Where students are dismissed for lunch, their presence or absence will also be recorded after the taking of attendance a second time upon the student's return from lunch. For purposes of APPR and Teacher-Student Data Linkages (TSDL), classroom attendance for all students in grades K through 12 must be recorded on a subject by subject basis for Teacher of Record Determinations.

**New Language:** For students in non-departmentalized kindergarten through grade 8 (i.e., self-contained classrooms and supervised group movement to other scheduled school activities such as physical education in the gym, assembly, etc.), the student's presence or absence will be recorded after the taking of attendance once per school day. Classroom teachers are responsible for reporting any absences to special area teachers. For those special areas where students do not report as an entire class (remedial subject areas, music lessons, etc.), attendance should be taken. Any student who is not present should be reported to the classroom teacher immediately so that the absence from school can be verified. For purposes of APPR and Teacher-Student Data Linkages (TSDL), classroom attendance for all students in grades K through 12 must be recorded on a subject by subject basis for Teacher of Record Determinations.

- b) For students in grades 6 through 12 or in departmentalized schools at any grade level (i.e., students pass individually to different classes throughout the day), each student's presence or absence will be recorded after the taking of attendance in each period of scheduled instruction.
- c) Any absence for a school day or portion thereof will be recorded as excused or unexcused in accordance with the standards articulated in this policy.
- d) In the event that a student at any instructional level from grades K through 12 arrives late for, or departs early from, scheduled instruction, the tardiness or early departure will be recorded as excused or unexcused in accordance with the standards articulated in this policy.
- e) During the COVID-19 pandemic, students who are working remotely must continue to engage with their teachers daily for attendance purposes. Secondary students may utilize the check-in for each class on portal. All students should ensure that work is completed in accordance with NYSED guidance on engaging with teachers by completing teacher-directed assignments.

A record will be kept of each scheduled day of instruction during which the school is closed for all or part of the day because of extraordinary circumstances including adverse weather conditions, impairment of heating facilities, insufficiency of water supply, shortage of fuel, destruction of or damage to a school building, or other cause as may be found satisfactory to the Commissioner of Education.

Attendance records will also indicate the date when a student withdraws from enrollment or is dropped from enrollment in accordance with Education Law Section 3202(1-a).

At the conclusion of each class period or school day, all attendance information will be compiled and provided to the designated school personnel who are responsible for attendance. The nature of the absence, tardiness, or early departure will be coded on a student's record in accordance with the established District or building procedures.

### **Student Attendance and Course Credit**

The District believes that classroom participation is related to, and affects, a student's performance and grasp of the subject matter and, as such, is properly reflected in a student's final grade. For purposes of this policy, classroom participation means that a student is in class and prepared to work.

Consequently, for each marking period, a certain percentage of a student's final grade will be based on classroom participation as well as the student's performance on homework, tests, papers, projects, etc., as determined by the building administrator or classroom teacher.

Students are expected to attend all scheduled classes. Consistent with the importance of classroom participation, unexcused student absences, tardiness, and early departures will affect a student's grade, including credit for classroom participation, for the marking period.

At the middle school/senior high school level, any student with more than 15 absences in a course may not receive credit for the course. However, students with properly excused absences, tardiness, and early departures for which the student has performed any assigned make-up work, assignments, and/or tests will not be counted as an absence for the purpose of determining the student's eligibility for course credit. District procedures will specify how student tardiness and early departures will be calculated and factored into the District's minimum attendance standard.

However, the District may not deny course credit to a student who has exceeded the allowable number of absences but taken all tests, completed missed class work, and secured a passing grade.

For summer school and courses meeting 1/2 year or 1/4 year, the same policy will apply and a calculation of the absences will be prorated accordingly.

Transfer students and students re-enrolling after having dropped out will be expected to attend a prorated minimum number of the scheduled class meetings during their time of enrollment.

Students will be considered in attendance if the student is:

- a) Physically present in the classroom or working under the direction of the classroom teacher during the class scheduled meeting time; or
- b) Working under an approved independent study program; or
- c) Receiving approved alternative instruction.

Students who are absent from class due to their participation in a school-sponsored activity must arrange with their teachers to make up any work missed in a timely manner as determined by the student's teacher. Attendance at school-sponsored events where instruction is substantially equivalent to the instruction which was missed will be counted as the equivalent of regular attendance in class.

Upon returning to school following a properly excused absence, tardiness, or early departure, it will be the responsibility of the student to consult with his or her teacher(s) regarding arrangements to make up missed work, assignments, and/or tests in accordance with the time schedule specified by the teacher.

#### Notice of Minimum Attendance Standard/Intervention Strategies Prior to the Denial of Course Credit

In order to ensure that parents or persons in parental relation and students are informed of the District's policy regarding minimum attendance and course credit, and the implementation of specific intervention strategies to be employed prior to the denial of course credit to the student for insufficient attendance, the following guidelines will be followed:

- a) Copies of the District's Comprehensive Student Attendance Policy will be available to parents or persons in parental relation and provided to students at the beginning of each school year or at the time of enrollment in the District.
- b) School newsletters and publications will include periodic reminders of the components of the District's Comprehensive Student Attendance Policy. Copies of the Attendance Policy will also be included in parent or student handbooks or posted on the District website.
- c) At periodic intervals, a designated staff member(s) will notify, by telephone, the parent or person in parental relation of the student's absence, tardiness, or early departure and explain the relationship of the student's attendance to his or her ability to receive course credit. If the parent or person in parental relation cannot be reached by telephone, a letter will be sent detailing this information.
- d) A designated staff member will review the District's Attendance Policy with students who have excessive and/or unexcused absences, tardiness, or early departures. Further, appropriate student support services within the District, as well as the possible collaboration or referral to community support services and agencies, will be implemented prior to the denial of course credit for insufficient attendance by the student.
- e) During the COVID-19 pandemic, the denial of course credit based solely upon absences will be suspended.

### **Notice of Students who are Absent, Tardy, or Depart Early Without Proper Excuse**

A designated staff member will notify by telephone the parent or person in parental relation to a student who is absent, tardy, or departs early without proper excuse. The staff member will explain the District's Comprehensive Student Attendance Policy, the District's or building level intervention procedures, and, if appropriate, the relationship between student attendance and course credit. If the parent or person in parental relation cannot be reached by telephone, the staff member will provide the notification by mail. Further, the District's Attendance Policy will be mailed to the parent or person in parental relation to promote awareness and help ensure compliance with the policy.

If deemed necessary by appropriate school officials, or if requested by the parent or person in parental relation, a school conference will be scheduled between the parent or person in parental relation and appropriate staff members in order to address the student's attendance. The student may also be requested to attend this conference in order to address appropriate intervention strategies that best meet the needs of the student.

### **Chronic Absenteeism**

Chronic absenteeism is defined as missing at least 10% of enrolled school days in a year for any reason, excused or unexcused. Chronic absenteeism differs from truancy because it emphasizes missed



instructional time rather than unexcused absences. Missed instructional time can increase a student's risk for disengagement, low achievement, and dropping out, among other things.

Students who miss at least 5% of enrolled school days in a year are at risk of becoming chronically absent. In light of this, the District will implement intervention strategies for students who miss 5% or more of the enrolled school days in a year.

### **Attendance Incentives**

In order to encourage student attendance, the District will develop and implement grade-appropriate or building-level strategies and programs including, but not limited to:

- a) Attendance honor rolls will be posted in prominent places in District buildings and included in District newsletters and, with parent or person in parental relation consent, in community publications;
- b) Monthly drawings for prizes at each grade level to reward perfect attendance;
- c) Special events (e.g., assemblies, guest speakers, field days) scheduled on days that historically have high absenteeism (e.g., Mondays, Fridays, day before vacation);
- d) Grade-level rewards at each building for best attendance;
- e) Classroom acknowledgment of the importance of good attendance (e.g., individual certificates, recognition chart, bulletin boards);
- f) Annual poster or essay contest on importance of good attendance;
- g) Assemblies collaboratively developed and promoted by student council, administration, PTA/PTO, and other community groups to promote good attendance.

### **Disciplinary Consequences**

Unexcused absences, tardiness, and early departures will result in disciplinary sanctions as described in the District's *Code of Conduct*. Negative consequences will not be imposed, however, where the absence, tardiness, or early departure is related to homelessness. Consequences may include, but are not limited to, in-school suspension, detention, and denial of participation in interscholastic and extracurricular activities. Parents or persons in parental relation will be notified by designated District personnel at periodic intervals to discuss their child's absences, tardiness, or early departures and the importance of class attendance and appropriate interventions. Individual buildings and grade levels will address procedures to implement the notification process to the parent or person in parental relation.

### **Intervention Strategy Process**

In order to effectively intervene when an identified pattern of excused absences, unexcused absences, tardiness, or early departures occur, designated District personnel will pursue the following:

- a) Identify specific element(s) of the pattern (e.g., grade level, building, time frame, type of excused absences, unexcused absences, tardiness, or early departures);
- b) Contact the District staff most closely associated with the element. In specific cases where the pattern involves an individual student, the student and parent or person in parental relation will be contacted;
- c) Discuss strategies to directly intervene with specific element;
- d) Recommend intervention to Superintendent or designee if it relates to change in District policy or procedure;
- e) Implement changes, as approved by appropriate administration;
- f) Utilize appropriate District and/or community resources to address and help remediate student unexcused absences, tardiness, or early departures;
- g) Monitor and report short and long term effects of intervention.

### **Appeal Process**

A parent or person in parental relation may request a building level review of his or her child's attendance record.

### **Building Review of Attendance Records**

The building principal will work in conjunction with the building attendance clerk and other designated staff in reviewing attendance records at the end of each term. This review is conducted to identify individual and group attendance patterns and to initiate appropriate action to address the problem of unexcused absences, tardiness, and early departures.

### **Annual Review by the Board**

The Board will annually review the building level student attendance records and if those records show a decline in student attendance, the Board will make any revisions to the Policy and plan deemed necessary to improve student attendance.

### **Community Awareness**

The Board will promote necessary community awareness of the District's Comprehensive Student Attendance Policy by:

- a) Providing a plain language summary of the policy to parents or persons in parental relation to students at the beginning of each school year and promoting the understanding of this policy to students and their parents or persons in parental relation;
- b) Providing each teacher, at the beginning of the school year or upon employment, with a copy of the policy; and
- c) Providing copies of the policy to any other member of the community upon request.

Education Law §§ 3024, 3025, 3202, 3205, 3206, 3210, 3211, and 3213

8 NYCRR §§ 104.1, 109.2, and 175.6

NOTE: Refer also to Policy #7131 -- Education of Students in Temporary Housing

Adoption Date

**BOE #10-A-7  
Policy #7250 Student Privacy,  
Parental Access to information  
and administration of certain  
physical examinations to minors  
First Reading**

**RESOLUTION**

**BE IT RESOLVED**, that the Board of Education hereby approves the policy entitled *Student Privacy, Parental Access to information and administration of certain physical examinations to minors* Policy as follows:

**SUBJECT: STUDENT PRIVACY, PARENTAL ACCESS TO INFORMATION, AND  
ADMINISTRATION OF CERTAIN PHYSICAL EXAMINATIONS TO  
MINORS**

**Annual Parental Notification of Policies/Prior Written Consent/Opt Out Provisions**

The District will provide for reasonable notice of the adoption or continued use of this policy directly to parents or guardians and eligible students enrolled in the District. At a minimum, the District will provide this notice at least annually, at the beginning of the school year, and within a reasonable period of time after any substantive change in this policy.

Further, in the notification, the District will offer an opportunity for parents or guardians to provide written consent or opt their child out of participation in the following activities in accordance with law and the surveys conducted:

- a) The administration of any survey containing one or more of the protected areas.
  - 1. U.S. Department of Education-Funded Surveys: prior written consent from parents must be obtained before students are required to submit to the survey.
  - 2. Surveys funded by sources other than U.S. Department of Education: notification may indicate the specific or approximate dates during the school year when surveys will be administered and provide an opportunity for the parent to opt his or her child out of participating upon receipt of the notification.

- b) Activities involving the collection, disclosure, or use of personal information collected from students for the purpose of marketing or for selling that information (or otherwise providing that information to others for that purpose).
- c) Any non-emergency, invasive physical examination or screening that is required as a condition of attendance; administered by the school and scheduled by the school in advance; and not necessary to protect the immediate health and safety of the student, or of other students. The term "invasive physical examination" means any medical examination that involves the exposure of private body parts, or any act during the examination that includes incision, insertion, or injection into the body, but does not include a hearing, vision, or scoliosis screening.

### **Specific Notification**

In the event that the District does not identify the specific or approximate dates of the activities or surveys to be administered in the general annual notification, it will directly notify, such as through U.S. Mail or email, the parents of students who are scheduled to participate in the specific activities or surveys prior to participation and provide an opportunity for the parent to provide written consent or opt his or her child out of participation in accordance with law and the surveys conducted.

### **U.S. Department of Education-Funded Surveys**

The District is committed to protecting the rights and privacy interests of parents or guardians and students with regard to surveys funded in whole or part by any program administered by the U.S. Department of Education (DOE).

The District will make instructional materials available for inspection by parents or guardians if those materials will be used in connection with a DOE-funded survey, analysis, or evaluation in which their children participate. In addition, the District will obtain prior written parental or guardian consent before minor students are required to participate in any DOE-funded survey, analysis, or evaluation that reveals information concerning any of the protected areas.

### **Surveys Funded by Sources Other than U.S. Department of Education**

The District has developed and adopted this policy, in consultation with parents or guardians, regarding the following:

- a) The right of the parent or person in parental relation to inspect, upon request, a survey created by a third party (i.e., by a party other than the DOE) before the survey is administered or distributed by the school to a student. Requests by parents or guardians to inspect the surveys are to be submitted, in writing, to the building principal \*at least ten days prior to the administration or distribution of any survey. Further, the District will grant a request by the parent or guardian for reasonable access to the survey within a reasonable period of time after the request is received by the District.

- b) Arrangements will be provided by the District to protect student privacy in the event of the administration or distribution of a survey to a student containing one or more of the protected areas, including the right of the parent or guardian of the student to inspect, upon request, any survey containing one or more of the protected areas. These requests must be submitted by the parent or guardian, in writing, to the building principal \*at least ten days prior to the administration or distribution of any survey.
- c) Parents or guardians will be granted, upon request, reasonable access and the right to inspect instructional materials used as part of the educational curriculum for the student within a reasonable period of time (\*defined by the District, for the purposes of this policy, as 30 days) after the request is received by the District. Requests must be submitted by parents or guardians, in writing, to the principal. The term "instructional material" means instructional

content that is provided to a student, regardless of its format, including printed or representational materials, audiovisual materials, and materials in electronic or digital formats (such as materials accessible through the Internet). The term does not include academic tests or academic assessments.

- d) The administration of physical examinations or screenings that the District may administer to a student.

Further, this law does not apply to any physical examination or screening that is permitted or required by state law, including physical examinations or screenings that are permitted without parental notification.

In the implementation of this provision regarding the administration of physical examinations or screenings that the school may administer to the student, the District incorporates by reference Board policies that address student health services, as applicable, including, but not limited to, policies regarding the administration of medication, immunization of students, and student physicals.

- e) Unless mandated or authorized in accordance with federal or state law or regulation, it is policy of the Board, to not permit the collection, disclosure, or use of personal information (defined as individually identifiable information including a student's or parent/guardian's first and last name, home address, telephone number, or Social Security number) collected from students for the purpose of marketing or for selling that information (or otherwise providing that information to others for that purpose), unless otherwise exempted in accordance with law as noted below. Questions regarding the collection, disclosure, or use of personal information collected from students for such marketing purposes may be referred to the school attorney as deemed necessary by the Superintendent or designee.

This law is not intended to preempt applicable provisions of state law that require parental or guardian notification.

These requirements do not apply to the collection, disclosure, or use of personal information

collected from students for the exclusive purpose of developing, evaluating, or providing educational products or services for, or to, students or educational institutions, such as the following:

- a) College or other post-secondary education recruitment, or military recruitment;
- b) Book clubs, magazines, and programs providing access to low-cost literary products;
- c) Curriculum and instructional materials used by elementary schools and secondary schools;
- d) Tests and assessments used by elementary schools and secondary schools to provide cognitive, evaluative, diagnostic, clinical, aptitude, or achievement information about students (or to generate other statistically useful data for the purpose of securing these tests and assessments) and the subsequent analysis and public release of the aggregate data from these tests and assessments;
- e) The sale by students of products or services to raise funds for school-related or education-related activities;
- f) Student recognition programs.

Family Educational Rights and Privacy Act of 1974, 20 USC § 1232g, as amended by the Every Student Succeeds Act of 2015

Protection of Pupil Rights Amendment (PPRA), 20 USC 1232h

34 CFR Part 98

34 CFR Part 99

NOTE: Refer also to Policies #7121 -- Diagnostic Screening of Students  
#7242 -- Military Recruiters and Institutions of Higher Education  
#7511 -- Immunization of Students  
#7512 -- Student Physicals  
#7513 -- Medication and Personal Care Items

**BOE #10-A-8**  
**Policy #7250 Policy #7212**  
**Response to Intervention (RTI)**  
**Process - First Reading**

**BE IT RESOLVED**, that the Board of Education hereby approves the policy entitled *Response to Intervention (RTI) Process* Policy as follows:

**SUBJECT: RESPONSE TO INTERVENTION (RTI) PROCESS**

Response to Intervention (RtI) is a multi-tiered early prevention and intervention system designed to improve outcomes for all students. In accordance with Commissioner's regulations, the District has established administrative practices and procedures for implementing District-wide initiatives that address an RtI process applicable to all students. For students suspected of having a potential learning disability, the District will provide appropriate RtI services pursuant to Commissioner's regulations prior to a referral to the Committee on Special Education (CSE) for evaluation.

The New York State Education Department (SED) has released a guidance document to assist school districts in designing and implementing an effective RtI process, which includes, but is not limited to, information regarding regulatory requirements, quality indicators, staff development, tools to assist districts in selecting a specific model and procedures for the use of RtI data in determining if a student has a learning disability. This guidance document is available on the SED's official website.

The District has established procedures for identifying students with learning disabilities that use a research-based RtI process prior to, or as part of, an individual evaluation to determine whether a student has a learning disability. An RtI process is required for all students in grades kindergarten through grade 4 suspected of having a learning disability in the area of reading. RtI cannot be utilized as a strategy to delay or deny a timely initial evaluation of a student suspected of having a disability under the Individuals with Disabilities Education Act (IDEA).

### **Minimum Requirements of District's RtI Program**

The District's RtI process will include the following minimum requirements:

- a) Scientific, research-based instruction in reading and mathematics provided to all students in the general education class by qualified personnel. Instruction in reading, per Commissioner's regulations, means scientific, research-based reading programs that include explicit and systematic instruction in phonemic awareness, phonics, vocabulary development, reading fluency (including oral reading skills) and reading comprehension strategies;
- b) Screenings will be provided to all students in the class to identify those students who are not making academic progress at expected rates;
- c) Scientific, research-based instruction matched to student need with increasingly intensive levels of targeted interventions for those students who do not make satisfactory progress in their levels of performance and/or in their rate of learning to meet age or grade level standards;
- d) Repeated assessments of student achievement which should include curriculum based measures to determine if interventions are resulting in student progress toward age or grade level standards;
- e) The application of information about the student's response to intervention to make educational decisions about changes in goals, instruction and/or services and the decision to make a referral to the committee on Special Education. Note: Personnel responsible for reviewing student RTI information includes but are not limited to: the classroom teacher, academic intervention services, teachers, English as a New Language teachers and the RTI facilitator.
- f) Written notification to the parents when the student requires an intervention beyond that provided to all students in the general education classroom that provides information about:
  1. The amount and nature of student performance data that will be collected and the general education services that will be provided as enumerated in Commissioner's regulations;
  2. Strategies for increasing the student's rate of learning; and
  3. The parents' right to request an evaluation for special education programs and/or services.

## **Structure of RtI Program**

- a) The District's RtI program is a three-tiered model of intervention.
- b) Each Tier will include progressively targeted, strategic and intensive instruction based upon the student's need and data-based evaluative progress/response to each intervention.
- c) Personnel responsible for reviewing student RtI information include but not limited to: the classroom teacher, academic intervention services teachers, English as a New Language teachers and the RtI facilitator.
- d) The RtI team lead by the RtI facilitator will use data derived from each level of intervention to determine if further intervention is needed or discontinued at junctures specified in the District's RtI informational booklet.
- e) Definition: An intervention is a specific academic/behavioral strategy or program that differs from activities occurring in the student's classroom as part of the general curriculum. An intervention is instruction designed to build/improve an at-risk student's skills in areas that are necessary to allow him/her to achieve grade-level expectations.

The District's RtI program will consist of multiple tiers of instruction or assessments to address increasingly intensive levels of targeted intervention to promote early identification of student performance needs and/or rate of learning, and to help raise achievement levels for all students.

Student Support Teams (SSTs), whose members may include, but are not limited to, regular education teachers, special education personnel, the school psychologist, reading and math coordinators, designated administrators, and other individuals deemed appropriate by the District, will be available for each building or grade level classification to address the implementation of the District's RtI process.

The SST's responsibilities will include, but are not limited to, the following:

- a) Determining the level of interventions and student performance criteria appropriate for each tier of the RtI model;
- b) Analyzing information and assessments concerning a student's RtI and making educational decisions about changes in goals, instruction, or services;
- c) Determining whether to make a referral for special education programs or services.

## **Types of Interventions**

The District will provide multiple tiers of increasingly intensive levels of targeted intervention and instruction for those students who do not make satisfactory progress in their levels of performance and/or in their rate of learning to meet age or grade level standards.

It is expected that use of the Tier Level of instruction will be specific to each student's needs and will be an ongoing process, with students entering and exiting tiers of intervention according to the analysis of student performance data and progress monitoring.

### **Tier One Instruction**



Tier One instruction is provided to all students in the general education setting. The use of scientific, research based instruction in the areas of reading and math will be provided by the general education teacher and/or other qualified personnel as appropriate, and will emphasize proactive, preventative core instructional strategies in the classroom setting. Group and/or individualized instruction, assessment, and reinforcement activities will be provided as deemed appropriate by the classroom teacher.

The analysis of Tier One student performance data will be used to identify those students who need additional intervention at the Tier Two Level of instruction.

### Tier Two Instruction

In general, Tier Two instruction will consist of small group, targeted interventions for those students identified as being "at risk" and who fail to make adequate progress in the general education classroom. Tier Two instruction will include programs and intervention strategies designed to supplement Tier One interventions provided to all students in the general education setting.

Tier Two instruction may be provided by specialized staff such as reading and math teachers, tutors, speech therapists, school psychologists, and/or school counselors as determined by the SST.

At the conclusion of Tier Two instruction, the SST will review the student's progress and make a determination as to whether Tier Two interventions should be maintained, the student returned to the general education classroom if satisfactory progress is shown, or referred for Tier Three instruction.

### Tier Three Instruction

Tier Three instruction is the provision of more intensive instructional interventions, tailored to the needs of the individual student, and is provided to those students who do not achieve adequate progress after receiving interventions at the Tier Two level. Tier Three instruction may include longer periods of intervention program and services than those provided in the first two Tiers based upon the significant needs of the student.

Tier Three instruction will be provided by those specialists, as determined by the SST, best qualified to address the individual student's targeted area(s) of need. If deemed appropriate by the Team, and in accordance with applicable law and regulation, a referral of the student may be made to the CSE.

Progress monitoring on a continuous basis is an integral part of Tier Three and the student's response to the intervention process will determine the need or level of further intervention services and/or educational placement.

### **Amount and Nature of Student Performance Data to be Collected**

The SST will determine the amount and nature of student performance data that will be collected to assess, on an ongoing basis, student performance results and address ongoing academic needs as warranted. This data collection will reflect the Tier Level of intervention provided to the student. Student performance data will also be used to review the District's RtI program and make modifications to the program as deemed necessary.

### **Manner and Frequency for Progress Monitoring**

The SST will monitor the progress of those students receiving intervention services beyond that provided to all students in the general education classroom. The Team will meet with the student's teacher(s) and determine if further adjustments must be made to the student's current instructional

program and/or a change made to the Tier Level of intervention provided. Monitoring of student progress will be an ongoing part of the RtI program from the initial screening to completion of the RtI process as applicable. Parents may also request that the SST review their child's progress.

Fidelity measures (e.g., an observational checklist of designated teaching behaviors in accordance with the RtI process being implemented) will also be completed by Team members to assess whether the intervention was implemented as intended and uniformly applied. Clear benchmarks will be established for student performance and performance charts will be plotted at the completion of the instructional period or intervention process.

### **Staff Development**

All staff members involved in the development, provision, and/or assessment of the District's RtI program, including both general education and special education instructional personnel, will receive appropriate training necessary to implement the District's RtI program. Staff development will include the criteria for determining the levels of intervention provided to students, the types of interventions, collection of student performance data, and the manner and frequency for monitoring progress.

34 CFR §§ 300.309 and 300.311

Education Law §§ 3208, 4002, 4401, 4401-a, 4402, and 4410

8 NYCRR §§ 100.2(ii), 200.2(b)(7), 200.4(a), 200.4(j)(3)(i), and 200.4(j)(5)(i)(g)

Adoption Date

**BOE #10-A-9**  
**Policy #3120 District Standards**  
**and Guidelines for Webpage**  
**Publishing- First Reading**

### **RESOLUTION**

**BE IT RESOLVED**, that the Board of Education hereby approves the policy entitled *District Standards and Guidelines for Webpage Publishing Policy* as follows:

**SUBJECT: DISTRICT STANDARDS AND GUIDELINES FOR WEB PAGE PUBLISHING**

### **General Criteria**

The availability of Internet access in the District provides an opportunity for staff and students to access information and contribute to the District's online presence. The District/school/classroom websites must relate to curriculum or instructional matters, school authorized activities, or general information of interest to the public pertaining to the District or its schools. Staff and students are prohibited from publishing personal home pages or links to personal home pages as part of the District/school/classroom Web Page(s). Similarly, no individual or outside organization will be permitted to publish personal Web Pages as part of the District/school/classroom Web Page(s).

Internet access for the creation of Web Pages is provided by the District and all information must be reviewed by the Website Manager prior to publishing it on the Web. Personnel designing information for the Web Pages must familiarize themselves with and adhere to District standards and procedures. Failure to follow District standards or responsibilities may result in disciplinary sanctions in accordance with law and/or the applicable collective bargaining agreement.

The District will ensure that any and all notifications and documents required by law, regulation, or District policy to be posted on its website will be published.

### **Content Standards**

- a) Approval for posting a Web Page must be obtained from the Website Manager or his or her designee(s). If at any time, the Website Manager or designee(s) believes the proposed material does not meet the standards approved by the District, it will not be published on the Web. Decisions regarding access to active Web Pages for editing content or organization will be the responsibility of the Website Manager or designee(s).
- b) A Web Page must be sponsored by a member of the District faculty, staff or administration who will be responsible for its content, design, currency and maintenance. The sponsor is responsible for ensuring that those constructing and maintaining the Web Page have the necessary technical training and that they fully understand and adhere to District policies and regulations. The Web Page must include the name of the sponsor.
- c) Staff or student work should be published only as it relates to a school/classroom authorized project or other school-related activity, and in compliance with any and all relevant laws, rules, and regulations.
- d) The review of a Student Web Page (if considered a school-sponsored student publication) will be subject to prior District review as would any other school-sponsored student publication.
- e) An authorized teacher who is publishing the final Web Page(s) for himself or herself or for a student will edit and test the Page(s) for accuracy of links and check for conformance with District standards and practices.
- f) Commercial advertising or marketing on the District/school/classroom Web Page(s) (or the use of school-affiliated Web Pages for the pursuit of personal or financial gain) will be prohibited unless otherwise authorized in accordance with law and/or regulation. Decisions regarding website advertising must be consistent with existing District policies and practices on this matter. School-affiliated Web Pages may mention outside organizations only in the context of school programs that have a direct relationship to those organizations (e.g., sponsorship of an activity, student community service project).
- g) Web Pages may include faculty or staff names; however, other personal information about employees including, but not limited to, home telephone numbers, addresses, email addresses, or other identifying information such as names of family members may be published only with the employee's written permission.
- h) All Web Pages must conform to the standards for appropriate use found in the District's Acceptable Use Policy(ies) and accompanying regulations regarding standards of acceptable use; examples of inappropriate behavior; and compliance with applicable laws, privacy, and safety concerns.
- i) All staff and/or students authorized to publish material on the District/school/classroom Web Page(s) must acknowledge receipt of the District's Web Page Standards and agree to comply with these standards prior to posting any material on the Web.

## **Release of Student Education Records/Directory Information**

The District will not permit students' personally identifiable information to be posted on any District Web Pages unless the posting is consistent with the Family Educational Rights and Privacy Act (FERPA) and District policy.

## **Use of Copyrighted Materials and Fair Use Exceptions**

### Copyrighted Materials

All employees and students are prohibited from copying materials not specifically allowed by the copyright law, Fair Use guidelines, licenses, or contractual agreements, or the permission of the copyright proprietor. Web Page publications must include a statement of copyright when appropriate and indicate that permission has been secured when including copyrighted materials or notice that the publication is in accordance with the Fair Use provisions of the Copyright Law.

## **Consequences for Non-Compliance**

Web Pages that do not comply with the above criteria are subject to revocation of approval and removal from the District/school/classroom websites.

### Staff

Faculty or staff posting non-approved or inappropriate material on a school-affiliated website are subject to discipline, including possible suspension or revocation of access to the District's computer network, in accordance with law and applicable collective bargaining agreements. In the case that a violation may constitute a criminal offense, it will be reported to the appropriate authorities.

### Students

Students posting non-approved or inappropriate material on a school-affiliated website are subject to discipline, including possible suspension or revocation of access to the District's computer network, in accordance with applicable due process procedures and the District *Code of Conduct*. In the case that a violation may constitute a criminal offense, it will be reported to the appropriate authorities.

## **Oversight**

The Superintendent or designee will have the authority to approve or deny the posting of any proposed Web Pages on school-affiliated websites based upon compliance with the terms and conditions set forth in this policy as well as applicable District practices and procedures.

Digital Millennium Copyright Act (DMCA), 17 USC §§ 101 et seq., 512 and 1201 et seq.  
Family Educational Rights and Privacy Act of 1974, 20 USC § 1232(g)  
34 CFR Parts 99 and 201

NOTE: Refer also to Policies #7241 -- Student Directory Information  
#7410 -- Extracurricular Activities  
#8350 -- Use of Copyrighted Materials

Adoption Date

**BOE #10-A-10  
Town of Babylon IDA  
General Counsel Directive**

**RESOLUTION**

**RESOLVED**, that the Board of Education of the Wyandanch Union Free School District hereby authorizes and directs Guercio & Guercio LLP, as general counsel for the District, to appeal the decision *In the Matter of the Wyandanch UFSD et al v. Town of Babylon Industrial Development Agency, Albanese Development Corporation and WR Communities – D, LLC*, Index No. 609647/2020, issued by the Suffolk County Supreme Court, dated March 29, 2021, to the Appellate Division, Second Judicial Department.

**Motion by Walker, second by Morris to BLOCK VOTE resolutions 9-B-2 (Personnel), 9-B-3 (Personnel), 9-B-9 (Personnel), 9-C-5 (Business), 10-A-10 (Board of Education).**

**Motion carried 7-0-0**

**Motion by Morris, second by Walker to approve the BLOCK VOTE of resolutions 9-B-2 (Personnel), 9-B-3 (Personnel), 9-B-9 (Personnel), 9-C-5 (Business), 10-A-10 (Board of Education).**

**Motion carried 7-0-0**

**ADJOURNMENT**

**Motion by Walker, second by Morris to adjourn at 11:02 PM**

**Motion carried 7-0-0**

**Minutes Recorded and Transcribed  
By District Clerk**

**Date of Meeting: April 14, 2021  
WORK SESSION**

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**Christian D. Code**