

**NYACK PUBLIC SCHOOLS
Board of Education**

**Tuesday, February 28, 2012
VALLEY COTTAGE ELEMENTARY SCHOOL - 7:30PM**

The Board of Education meetings will be audio recorded & Podcast on the District website: www.nyackschools.org

AGENDA

6:00 – 6:02 Public Convening of Board of Education
6:02 – 7:30 Adjourn to Executive Session

- 7:32 – 7:45
1. Reconvene to Public Session
 2. Pledge of Allegiance
 3. Approve Agenda
 4. President’s Report
 5. Superintendent’s Report
 6. Student Representative’s Report
 7. Board of Education Reports/New Business
 8. Response to Prior Citizens’ Proposals, Questions, and Concerns
 9. Citizens’ Proposals, Questions, and Concerns

Recognition

7:45 – 7:50 *Accept Donation – Foundation to Inspire Excellence in Nyack Schools*

7:50 – 8:30 **WORKSHOP** (View Policies at www.nyackschools.org)

10. Community Input on the Budget
11. Third Read - Policy #1000 – Community Relations Goals
Third Read - Policy #1130 – Media Relations
First Read – Policy #1800 – Gifts from the Public
First Read – Policy #6110 & 6110.R - Budget Planning & Regulation
First Read – Policy #8115 – Pesticides & Pest Management
First Read – Policy #8416.6 - Idling Prohibition for Buses &
Other School Vehicles
12. Citizens’ Proposals, Questions, and Concerns on Workshop Items

8:30 - 8:45

ACTION

13. Citizens’ Proposals, Questions, and Concerns on Action Items

General

14. a. Re-establishment of Library Polling locations
b. Verified Library Vote Results
15. Nyack College Lease Agreement

Business

Business Functions:

16. a. Treasurer’s Report – Dec. 2011 & Jan. 2012
b. Budget Status Report – Dec. 2011 & Jan. 2012
c. Revenue Status Report – Dec. 2011 – Jan. 2012

- d. High School Co-Curricular Report - Dec. 2011 – Jan. 2012
- e. Middle School Co-Curricular Report – Qtr. Ending 12-31-11
- f. Claims Auditor Report – Dec. 2011 & Jan. 2012
- 17. Small Claims Assessment Review Reductions (Tax Refunds)
- 18. Approval of Service Agreement – 4201 School
- 19. Dispose of Equipment/Textbooks
- 20. Accept Gifts/Donations

Personnel

Staff Coaching Resignation

- 21. Vinnie Cuccia – Junior Varsity Softball Coach, Nyack High School, effective 09-01-11
- 22. Stephanie Ryan – Head Varsity Softball Coach, Nyack High School, effective 09-01-11

Staff Appointment

- 23. Spring Coaches – effective 09-01-11 through 06-30-12:
Stephanie Ryan (.5) & Vinnie Cuccia (.5) – Head Varsity Softball
Patricia Allutto – Junior Varsity Softball
Jeff Ramos & Kevin O’Donohue – Assistant Varsity Boys’ Lacrosse
Laura Zaris – Modified Girls’ Lacrosse

Unpaid Leave of Absence

- 24. Christopher Dillon – Teaching Assistant, Liberty Elementary School, effective 02-01-12 through 02-24-12
- 25. Maryanne Mathsen – Teaching Assistant, Upper Nyack Elementary School, effective 02-09-12 through 02-17-12

8:45

Adjourn

POLICY FOR PUBLIC PARTICIPATION AT BOARD MEETINGS

The Nyack Board of Education recognizes its responsibility to hear and respond to public comments and therefore encourages public participation at Board meetings (Policy#1230). Each meeting agenda includes opportunities for the public to address the Board. In order to manage Board meeting time effectively, **a person wishing to speak is requested to sign in and indicate the topic on which they would like to address the Board.** Up to thirty minutes is allotted for public comments in the opening portion of the meeting. Therefore, a person’s remarks may be limited depending on how many request to speak. A person may not be recognized to speak again until all others seeking the floor have had a turn.

NYSSBA Sample Policy 1000**COMMUNITY RELATIONS GOALS**

The Board of Education strives to conduct district affairs by way of a continuing, open dialogue between the community and the schools. Given district residents' high level of interest in the education of children, the Board wishes to maintain its high level of sensitivity to the needs and desires of the community and to act expeditiously to meet changing needs and conditions.

To this end, the Board establishes the following goals for community involvement:

1. to provide a variety of means whereby residents of the school district may have the opportunity to contribute their best thinking to the orderly planning of education for children in the district;
2. to keep the community accurately informed about its schools;
3. to understand community attitudes and aspirations for the schools;
4. to encourage contributions from the parent-teacher associations of the district so that school personnel and parents cooperate to advance the educational welfare of the children;
5. to handle all complaints from the public by the administrative officer in charge of the unit of the school district organization closest to the complainant. However, such complaints may be carried to the Superintendent of Schools and/or the Board if the problem cannot be solved at that level;
6. to promote a spirit of cooperation among the Board, the schools, and the community;
7. to develop and maintain the confidence of the community in the Board and the school district staff;
8. to expand the public understanding of every aspect of the school system, and stimulate public interest in the school;
9. to facilitate dissemination of information to the community concerning issues and activities in the school using not only traditional modes of communication, such as a district newsletter, but also current modes of communication such as the District's website ~~and social networking sites~~;
10. to ascertain the community's opinions and desires with respect to the operations of the school system, and to incorporate that knowledge into its actions;
11. to develop arrangements among civic and community organizations for sharing of resources, especially in the creation of programs designed to benefit students; and
12. to develop and maintain an effective means of communication with the people of the district.

Notwithstanding the above, the final decisions in these areas will rest with the Board.

Adoption date:

MEDIA RELATIONS

The Board of Education invites and welcomes the active participation of all forms of mass media, print and electronic, in educating the public and improving education within the district and the wider community. The Board and Superintendent will make every reasonable effort to cooperate with the media by providing accurate information about district operations, to the extent permissible by statute and regulation.

The Board President is designated as the spokesperson for the Board when the Board is making a statement on an issue. No other member of the Board individually will speak for, or in the name of, the Board unless by explicit direction of the Board. Board members should emphasize to the media when asked to speak as a Board member that they can only speak as private citizens unless they have been empowered by the Board to speak for it.

The Superintendent of Schools is designated as the spokesperson for the district.

All staff intending to release information to the media should first notify the Superintendent. The Superintendent of Schools shall establish all necessary procedures to govern day-to-day interactions between the schools and the news media.

The Board and the Superintendent agree that a blog (short for weblog), which is a log posted on the World Wide Web which may be accessed from the district's homepage, **or on a social media site should be limited in scope and used with the utmost caution.** All postings to the blog and social media sites will be treated with the same care and consideration as any other communication which the Superintendent or his/her designee generates on behalf of the district. Postings will adhere to the standards set in the Board's "acceptable use of computers" policy.

If a Board member (other than the Board President or Superintendent of Schools) wishes to author a blog on their own or if the member maintains a social networking presence, the Board member must obtain permission from the BOE to author entries in his/her blog as it relates to district business and must ensure that is clear that the postings do not represent the Board as a whole. If it is determined by the BOE that the content of the blog violates Board policy, the Board member authoring the blog agrees to refrain from authoring additional entries in the blog.

Cross-ref: 4526, Computer Use in Instruction
8630, Computer Resources and Data Management

Ref: Arts and Cultural Affairs Law §61.09

Adoption date:

GIFTS FROM THE PUBLIC

NOTE: This policy has been merged with previously numbered NYSSBA Policy 6255, Gifts and Grants. While there have been no substantive changes made to the content of this policy, we are reissuing it at this time to provide more clarity to the issue. If your policy manual contains both policies, 1800 and 6255, NYSSBA recommends rescinding 6255 and replacing 1800 with this version. The text underlined below is offered as an edit instead of listing all the protected classes under civil rights laws.

Only the Board of Education may accept for the school district any bequest or gift or money, property or goods, except that the Superintendent of Schools may accept on behalf of the Board any such gift of less than **[insert a dollar amount]** in value.

The Board reserves the right to refuse to accept any gift which does not contribute towards the achievement of the district's goals or the ownership of which would tend to deplete the resources of the district.

Any gift accepted by the Board or the Superintendent shall become the property of the district, may not be returned without the approval of the Board, and is subject to the same controls and regulations as are other properties of the district.

It shall be the policy of the district to accept a gift, provided it is made within the statutory authority granted to school districts and has received the approval of the Board of Education.

In granting or withholding its consent, the Board will review the following factors:

1. The terms of the gift must identify:
 - a. the subject of the gift
 - b. the purpose of the gift
 - c. the beneficiary or beneficiaries if any
 - d. all conditions or restrictions that may apply.
2. The gift must not benefit a particular or named individual or individuals.
3. If the purpose of the gift is an award to a single student, the determination of the recipient of such award shall be made on the basis that all students shall have an equal opportunity to qualify for it in conformance with federal and state law.
4. If the gift is in trust, the obligation of the investment and reinvestment of the principal shall be clearly specified and the application of the income or investment proceeds shall be clearly set forth.

NYSSBA Sample Policy 1800

5. No gift or trust will be accepted by the Board unless:
 - a. it is in support of and a benefit to all or to a particular public school in the district, or
 - b. it is for a purpose for which the school district could legally expend its own funds, or
 - c. it is for the purpose of awarding scholarships to students graduating from the district.

Any gift rejected by the Board shall be returned to the donor or his/her estate within 60 days together with a statement indicating the reasons for the rejection of such gift.

Cross-ref: 2160, School Board Officer and Employee Ethics

Ref: Education Law §1709(12)

Adoption date:

BUDGET PLANNING

NOTE: We have updated this sample policy to reflect provisions of Chapter 97 of the Laws of 2011, specifically the changes to Education Law regarding the imposition of a cap on the tax levy (see text in bold below). These changes go into effect for the budget for the 2012-13 school year. The law and this policy do not apply to the “Big 5” school districts (i.e., cities with over 125,000 inhabitants).

The Superintendent of Schools, with the assistance of the School Business Official, shall be responsible for preparation of the budget. This shall include developing a budget calendar in accordance with regulation 6110-R, and adhering to that calendar. The budget calendar shall be approved by the Board of Education in advance of the preparation of the district’s annual budget.

The budget shall be designed to reflect the Board’s objectives for the education of the children of the district. It shall be carefully organized and planned to provide adequate accounting for each program expenditure, understanding of the financial needs of anticipated program developments, and be within the financial limitations of the district, **taking into consideration the statutory limits on the tax levy, and the possibility of voters overriding the limit if necessary.** To assist in budget and long-range planning, ongoing studies of the district’s educational programs will include estimates of the fiscal implications of each program.

The budget for the ensuing school year shall be thoroughly reviewed by the Board before its presentation to the voters for final adoption.

Cross-ref: 2260, Citizens Advisory Committees

Ref: Education Law §§1608(2)-(4); 1716(2)-(4); 1804(4); 1906(1); 2002(1); 2003(1); 2004(1); 2022(2); **2023; 2023-a**; 2601-a
Fiscal Management (NYSSBA, 1997)

Adoption date:

NYSSBA Sample Regulation 6110-R

BUDGET PLANNING REGULATION

NOTE: We have updated this sample regulation to reflect provisions of Chapter 97 of the Laws of 2011, specifically the changes to Education Law regarding the imposition of a cap on the tax levy. These changes go into effect for the budget for the 2012-13 school year. The law and this policy do not apply to the “Big 5” school districts (i.e., cities with over 125,000 inhabitants).

The budget calendar prepared by the Superintendent of Schools shall include:

- a schedule which sets forth all important meetings and dates, including deadlines for budget proposals from within the district;
- commencement dates and deadlines for certain budgetary tasks such as the estimation of all revenues and income expected to be received by the district;
- events such as the preliminary dates for the Board of Education’s consideration of the tentative budget.

The budget calendar will also set forth the name of every individual (or their title) who is assigned to perform a particular task with regard to the development of the budget.

As part of the budget planning process, the Superintendent or School Business Official will evaluate:

- the educational philosophy, goals and objectives of the district and their modification where required;
- the district education program and support systems such as transportation and business affairs;
- census and enrollment projections;
- the condition of the physical plant for operation and maintenance needs and new construction;
- debt service schedules;
- **the tax levy limit for the upcoming year and the possibility of voters overriding the limit if necessary; and**
- estimated revenue from sources other than the property tax, such as state and federal aid.

Adoption date:

NYSSBA Sample Policy 8115

PESTICIDES AND PEST MANAGEMENT

NOTE: Chapter 85 of the Laws of 2010 prohibits the use of pesticides on school district playing fields, except in emergencies. The law goes into effect in May 2011. The new law offers some additional clarity regarding the definition of pesticide. This policy has been updated to reflect this new provision.

The Board of Education is committed to maintaining the integrity of school buildings and grounds while protecting the health and safety of students and staff and maintaining a productive learning environment.

The Board recognizes that pests can pose a significant risk to health and property and there may be significant risks inherent in using chemical pesticides in the school environment. Generally, pesticides will not be used on district playgrounds, turf, athletic or playing fields, unless there is an emergency. Emergencies will be handled in accordance with applicable law and regulation.

Provisions will be made for a least toxic approach to integrated pest management (IPM) for all school buildings and grounds in accordance with the Commissioner's regulations. Integrated pest management is a systematic approach to managing pests focusing on long term prevention or suppression with minimal impact on human health, the environment and nontargeted organisms.

Notification of Pesticide Application

All district staff and parents/guardians will be notified of pesticide applications performed at any school facility. A notice will be sent at the beginning of the school year which will include:

1. Notification of periodic pesticide applications throughout school year.
2. The availability of 48-hour prior written notification of pesticide applications to parents and staff who request such notice.
3. Instructions on how to register with the school to receive this prior written notification.
4. The name and number of the school representative who can provide further information.

A separate notice will be sent to staff and parents within two days of the end of winter and spring recess and within 10 days of the end of the school year which includes the date, location and product used for each pesticide application which required prior notification and each emergency application.

The Superintendent of Schools shall ensure the dissemination of this policy and conduct any training necessary to ensure that all staff are fully informed about pesticides and pest management.

NYSSBA Sample Policy 8115

Cross-ref: 8110, School Building Safety
8220, Building and Grounds Maintenance and Inspection

Ref: Environmental Conservation Law, Art.33 (Pesticides)
Education Law § 409-h (Requirements for Notification of Pesticide Applications); §409-k (Pesticide Alternatives)
6 NYCRR Part 325 (Application of Pesticides)
8 NYCRR 155.4 (Uniform Code of Public School Building Inspections, Safety Rating and Monitoring)
Desmond Americana v. Jorling, 153 AD2d 4 (3rd Dept. 1989)
IPM Workbook for New York State Schools, Cornell Cooperative Extension Community IPM Program with support from New York State Dept. of Environmental Conservation, August 1998

IDLING PROHIBITION FOR BUSES AND OTHER SCHOOL VEHICLES

NOTE: To provide a measure of mandate relief, the State Education Department has, through recent revisions to the Commissioner's Regulations, relaxed the monitoring and reporting requirements recently placed upon school districts for bus idling. We have made changes to the "Monitoring and Review" section, as noted below.

Allowing vehicles to idle (i.e., stopped with the engine running) produces unnecessary exhaust gas, which contains harmful chemicals and pollutants. In addition to negatively impacting the environment, these substances can cause cancer and other health problems, especially in children. Idling vehicles is not necessary to properly run or maintain vehicles, and in fact increases engine wear and wastes fuel.

Recognizing these factors, the Board of Education shall take steps to reduce the idling of school buses and other school vehicles. In compliance with Education Law §3637 and Commissioner's Regulations §156.3(h), this policy shall govern the idling of school buses and all other school vehicles, whether owned, leased, or contracted for by the district.

Anyone operating a school bus or other school vehicle must turn off the engine (no idling) in the following instances:

- while waiting for passengers to load and unload on school grounds;
- when the vehicle is parked or standing on school grounds, or in front of or adjacent to any school; or
- during sporting and other school events.

However, idling may be permitted under the following conditions:

- when necessary to maintain an appropriate temperature for passenger comfort (if auxiliary heaters are not available);
- when necessary for mechanical work, or to keep the windshield clear of ice; or
- when necessary during emergencies to operate a wheelchair lift.

The district shall provide notice of these requirements to all school personnel within 5 school days after the start of the school year, or within 5 school days of beginning employment in the district.

When operating any school vehicle, drivers are encouraged to allow adequate space between their vehicle and any heavy duty motor vehicle in front of them. This will reduce the effect of exhaust emissions of the front vehicle on the air quality inside the school vehicle. When planning field trips and transportation routes, the Board also encourages using newer school vehicles for longer trips and older vehicles for shorter trips, when newer vehicles have lower emissions.

Bus Loading and Unloading Practices

Each Building Principal is responsible for developing and implementing a plan for loading and unloading buses in a safe and prompt manner that minimizes exposure to bus exhaust emissions.

When designing new or renovated school facilities, projects shall take into account the goal of prompt loading and unloading of buses.

When possible, drivers must park diagonally to minimize exhaust from the bus from entering adjacent buses or school buildings. Additionally, all staff shall instruct students to board the bus promptly in the afternoon to reduce loading time.

Contracts for Student Transportation

If the district contracts with private vendors for student transportation services, any such contract entered into on or after July 1, 2008 shall include a provision requiring compliance by the vendor with the state's bus idling laws and regulations and this policy.

Monitoring and Review

NOTE: School districts must still monitor compliance with the provisions of Commissioner's regulations. However, this no longer must be done semi-annually, but rather on a timetable of the district's choosing. Additionally, a written report of the district's compliance with the law and regulations is no longer required. We have modified the paragraph below to mirror the changes in regulation, by removing text related to the semi-annual review and report.

The [insert appropriate title, e.g., Superintendent of Schools, Business Official, Transportation Supervisor, etc.] shall be responsible for monitoring compliance with **the requirements of** law and regulations summarized in this policy.

The Board shall receive a periodic report on the district's compliance with this policy **[optional: insert text regarding a review timetable, e.g., annually, every two years, etc.]**.

Ref: Vehicle and Traffic Law §142
 Education Law §3637
 8 NYCRR §156.3(h)
 6 NYCRR Subpart 217-3

Adoption date: