

Present: Mrs. Jennifer Rosen, President; Mrs. Dina Brantman, Vice President; Mr. Michael Haberman; Mr. Jonathan Satran; Mr. Paul Wasserman

Also Present: Mr. James Kaishian; Superintendent of Schools; Mr. Stuart Matthey, Asst. Superintendent for Finance & Operations; Dr. Kusum Sinha, Asst. Sup't for Curriculum, Instruction & Assessment and H.R.; Mr. David Shaw, School Attorney; Juanita Brockett, District Clerk

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The Briarcliff Manor Board of Education held a meeting on Monday, December 15, 2014 in the Middle School Theater and it was called to order by Mrs. Rosen at 7:03 P.M.

On motion by Mrs. Brantman, seconded by Mr. Haberman and passed 4-0, the Board moved to adjourn into executive session for the purpose of discussing the employment history of a particular person, Taylor Law negotiations, and to seek legal counsel.

Mr. Satran arrived at 7:05 P.M.

On motion by Mrs. Brantman, seconded by Mr. Haberman and passed 5-0, the Board moved to adjourn executive session and return to public session at 8:17 P.M.

**Public Hearing on the Alternative Veterans' Tax Exemption from School Taxes.**

On motion by Mrs. Brantman, seconded by Mr. Haberman and passed 5-0, the Board moved to convene the Public Hearing on the Alternative Veterans' Tax Exemption at 9:00 p.m.

On motion by Mrs. Brantman, seconded by Mr. Haberman and passed 5-0, the Board moved to return to public session at 9:48 P.M. and conduct the regular business meeting.

**The Board discussed the following work-session items:**

1. Mandated Field Testing (State Assessment)
2. Amendment to the 2014-15 District Calendar – It was the consensus of the Board to amend the 2014-15 School Calendar by electing May 22<sup>nd</sup> as the give back day to teachers.

**The Board conducted a 1<sup>st</sup> reading of the following policies:**

| Briarcliff # | NYSSBA # | Subject                             |
|--------------|----------|-------------------------------------|
| 3100         | 1000     | Community Relations Goals           |
| 1200         | 2121     | Board Member Qualifications         |
| 2305         | 6690     | Audit Committee                     |
| 3270         | 4532     | Volunteers                          |
| 7210         | 4750     | Promotion & Retention               |
| 7230         | 4470     | Graduation Requirements             |
| 8230         | 4810     | Teaching About Controversial Issues |
| (new policy) | 4850     | Animals in School                   |
| (new policy) | 4311.1   | Display of the Flag                 |
| 8202         | 4315.1   | AIDS Instruction                    |

|                         |         |  |
|-------------------------|---------|--|
| New Special Ed Policies | 4321    | Programs for Students with Disabilities Under the IDEA & New York's Education Law Article 89                               |
|                         | 4321.1  | Provision of Special Education Services in the Least Restrictive Environment   |
|                         | 4321.2  | School Wide Pre Referral Approaches & Interventions  |
|                         | 4321.3  | Allocation of Space for Special Education Program  |
|                         | 4321.4  | Independent Educational Evaluations  |
|                         | 4321.5  | Confidentiality & Access to Individualized Education Program, Individualized Education Services Programs & Service Plans   |
|                         | 4321.6  | Availability of Alternative Format Instructional Materials for Students with Disabilities                                  |
|                         | 4321.7  | District Wide and Statewide Assessments of Students with Disabilities  |
|                         | 4321.9  | Declassification of Students with Disabilities   |
|                         | 4321.10 | Programs & Services for Parentally-Placed Non Public School Students with Disabilities                                     |
|                         | 4321.11 | Public Report on revisions to District Policies, Practices and Procedures upon a finding of Significant Disproportionality |
|                         | 4321.12 | Use of Time Out Rooms, Physical Restraints & Aversives   |
|                         | 4321.13 | Preschool Special Education  |
|                         | 4321.14 | Special Education Personnel  |

**The Board reviewed the following financial work-session items:**

- Review of Claims Audit Report for October & November 2014
- Review of budget transfer requiring pre-approval
- Review of budget transfers through Nov. 24, 2014
- Review of the following financial reports for Oct. 2014: Treasurer's Report, Appropriation Status Report, and Revenue Status Report
- Review of October 2014 Warrants: #5 Fund A; #4 Fund TA; #4 Fund H
- Review of General Fund expenditure and revenue reports for October 2014

**Approval of Minutes**

On motion by Mrs. Brantman, seconded by Mr. Haberman and passed 5-0, the Board moved to approve the minutes of the Board of Education meeting held on November 17, 2014 as presented.

**Consent Agenda**

On motion by Mrs. Brantman, seconded by Mr. Haberman and passed 5-0, the Board moved to approve the following consent agenda items:

Donations

RESOLVED that, upon the recommendation of the Superintendent of Schools, that the Board of Education does hereby approve the proposal for sound amplification systems as submitted by Front Row Calypso, LLC in the amount of \$49,986 to be funded by a grant from the BMEF.

Personnel

- (a) RESOLVED, that the Board of Education does hereby accept the resignation of, with appreciation of her 32 years of service to the District, teacher Nancy Crosby, for the purpose of retirement effective July 1, 2015.
- (b) RESOLVED, that the Board of Education does hereby accept the resignation of, with appreciation of her 32 years of service to the District, teacher Anna Ostrofsky, for the purpose of retirement effective June 30, 2015.
- (c) RESOLVED, that the Board of Education does hereby accept the resignation of, with appreciation of her 12 years of service to the District, School Monitor, Gina Cestone, School Monitor, for the purpose of retirement effective June 29, 2015.

- (d) RESOLVED, that the Board of Education does hereby the following resignations:

|                   |                    |                             |
|-------------------|--------------------|-----------------------------|
| Janine D'Ambrozio | Teaching Assistant | Effective November 26, 2014 |
| Cynthia Weinstein | Teaching Assistant | Effective January 5, 2015   |

- (e) RESOLVED, that upon the recommendation of the Superintendent of Schools, the Board of Education does hereby approve the appointment of Ms. Rumana Khan to a 1.0 FTE Probationary Level 1 Teaching Assistant (High School) in the tenure area of Teaching Assistant effective December 16, 2014 and to expire on December 15, 2017.
- (f) RESOLVED, that upon the recommendation of the Superintendent of Schools, the Board of Education does hereby approve the appointment of Ms. Nicole Manzare, who has a Provisional Certificate as a School Counselor, to a 1.0 FTE Probationary Teaching Assistant (Middle School Guidance) in the tenure area of Teaching Assistant effective December 16, 2014 and to expire on December 15, 2017.
- (g) RESOLVED, that upon the recommendation of the Superintendent of Schools, the Board of Education does hereby approve the appointment of the following individuals to the stipend position of Fitness Room Supervisors for the 2014-15 school year, as per BTA contract: Jamie Tranchida & Lindsay Zekus. The stipend will be pro-rated.

- (h) RESOLVED, that upon the recommendation of the Superintendent of Schools, the Board of Education does hereby approve the following appointments:

|            |                    |                             |
|------------|--------------------|-----------------------------|
| Ruby Rocco | Substitute Teacher | Effective December 16, 2015 |
| Jaime Katz | Substitute Teacher | Effective December 16, 2015 |

- (i) RESOLVED, that upon the recommendation of the Superintendent of Schools, the Board of Education does hereby approve the following appointments:

|                 |   |                             |
|-----------------|---|-----------------------------|
| Stephen Boyer   | Varsity Baseball Assistant Coach & Volunteer Open Gym Coach   | (New) Stipend of \$4,642.00 |
| Daniel Bramswig | Junior Varsity Baseball Head Coach & Volunteer Open Gym Coach | (New) Stipend of \$4,528.00 |

Standard Work Day Reporting

RESOLVED, the Briarcliff Manor School District/Location Code **75513** hereby establishes the following as standard work days for appointed officials and will report the following days worked to the New York State and Local Employees' Retirement System based on the time keeping system records or the record of activities maintained and submitted by these officials to the clerk of this body:

| Title                      | Name             | Social Security Number (Last 4 Digits) | Registration Number | Standard Work Day (Hrs/Day) | Term Begins/Ends  | Participates In Employer's Time Keeping System (Yes/No) | Days/Month (Based on record of Activities) |
|----------------------------|------------------|--|---------------------|-----------------------------|-------------------|---|--|
| <b>APPOINTED OFFICIALS</b> |                  |  |                     |                             |                   |   |  |
| District Clerk             | Juanita Brockett | xxx-xx-<br>[REDACTED]                  | [REDACTED]          | 7                           | 07/01/14-06/30/15 | Yes   | N/A  |
| District Treasurer         | Nicole Susa      | xxx-xx-<br>[REDACTED]                  | [REDACTED]          | 7                           | 07/01/14-06/30/15 | Yes   | N/A  |

Budget Transfers

RESOLVED, that upon the recommendation of the Superintendent of Schools, the Board of Education does hereby approve the budget transfer in the amount of \$30,000 to pay for a Board approved Release and Settlement Agreement with reference to student ID # 80910055.

Disposal of Surplus Material

RESOLVED, that upon the recommendation of the Superintendent of Schools, the Board of Education does hereby declare the following item as surplus and directs the Assistant Superintendent for Finance and Operations to dispose of in the most, safest, least expensive and most environmentally friendly manner.

| <u>Asset Tag</u> | <u>Serial Number</u> | <u>Description</u> |
|------------------|----------------------|--------------------|
| None             | 1A0312290            | Fender Amplifier   |

Policies

RESOLVED, that the Board of Education does hereby approve the renumbering of the following Board policies to conform to the NYSSBA Policy Manual numbering:

|  | Briarcliff Manor<br>Policy # | NYSSBA<br>Policy # |
|--|------------------------------|--------------------|
| School Sanction Field Trips  | 8440                         | 4531               |
| Impartial Hearing Officer Selection,<br>Appointment & Compensation | 8560                         | 4321.8             |

**Action Items**

Special Education Settlement Agreement

On motion by Mrs. Brantman, seconded by Mr. Haberman and passed 5-0, it is hereby

RESOLVED, that the Board of Education does hereby approve the terms of the Release and Settlement Agreement involving Student # 80910055, a copy of which shall be incorporated by reference in the minutes of this meeting; and

BE IT FURTHER RESOLVED, that the Board of Education President is hereby authorized to execute such Release and Settlement Agreement on behalf of the District.

Affordable Care Act – Measurement Periods

On motion by Mrs. Brantman, seconded by Mr. Haberman and passed 5-0, it is hereby

WHEREAS, pursuant to the provisions of The Patient Protection and Affordable Care Act (“ACA”) for variable hour employees, the District is required to establish a Standard Measurement Period, adopt an Administrative Period, and a Stability Period; and

WHEREAS, the Board of Education wishes to amend the periods previously established at the Board of Education meeting held on January 27, 2014 (Item k.);

NOW, THEREFORE, BE IT RESOLVED, the Board of Education establishes the following periods for the categories of variable hour employees as set forth below:

| <u>Category of Employee</u>   | <u>Standard Measurement Period (SMP)<br/>Administrative Period, and Stability Period</u>   |
|---|--|
| Category 1: Per Diem Substitute Teachers                              | SMP: Twelve (12) Months (10/19/13 – 10/18/14)<br>Administrative Period: Thirty (30) Days<br>Stability Period: Twelve (12) Months |
| Category 2: All other variable hour employees (e.g. : non-pedagogical | SMP: Twelve (12) Months (10/19/13 – 10/18/14)<br>Administrative Period: Thirty (30) Days   |

substitutes, coaches, activity supervisors, and substitute administrators) Stability Period: Twelve (12) Months

Execution of the District APPR Certification Form

On motion by Mrs. Brantman, seconded by Mr. Haberman and passed 5-0, it is hereby

RESOLVED, that the Board of Education hereby authorizes the execution by the Board President and Superintendent of Schools of the District Certification Form for submission and resubmission, to the extent necessary, of the District’s 2014-15 expedited material change to its currently approved APPR Plan Document to the State Education Department for teachers and building principals covered pursuant to Education Law Section 3012-c and Part 30-2 of the Rules of the Board of Regents.

Change Orders – Landscape Unlimited Inc.

On motion by Mrs. Brantman, seconded by Mr. Haberman and passed 5-0, it is hereby

RESOLVED, that upon the recommendation of the Superintendent of Schools, the Board of Education does hereby approve the following change order related to the Practice Field project for the site contractor Landscape Unlimited Inc. as follows:

| Item # | Project # | Description                                 | Amount             |
|--------|-----------|---|--------------------|
| 4      | N/A       | Additional catch basin and piping.          | \$5,575.00         |
| 5      | N/A       | Additional block needed for retaining wall. | \$24,450.00        |
|        |           | <b>TOTAL</b>                                | <b>\$30,025.00</b> |

Change Orders – Landscape Unlimited Inc.

On motion by Mrs. Brantman, seconded by Mr. Haberman and passed 5-0, it is hereby

RESOLVED, that upon the recommendation of the Superintendent of Schools, the Board of Education does hereby approve the following change order items related to the \$10.525MM capital project for the site contractor Landscape Unlimited Inc. for Phase II work.

| Item # | Project #           | Description   | Amount            |
|--------|---------------------|---|-------------------|
| 6      | 66-14-02-02-004-012 | Installation of 200 feet of 10 foot safety fence, new poles and netting | \$7,000.00        |
|        |                     |   | <b>\$7,000.00</b> |

Change Order – Landscape Unlimited Inc.

On motion by Mrs. Brantman, seconded by Mr. Haberman and passed 5-0, it is hereby

RESOLVED, that upon the recommendation of the Superintendent of Schools, the Board of Education does hereby approve the following change order items related to the \$10.525MM capital project for the site contractor Landscape Unlimited Inc. for Phase II work.

| Item # | Project #           | Description   | Amount      |
|--------|---------------------|---|-------------|
| 7      | 66-14-02-02-004-012 | Installation of extra gates & fencing associated with dugout areas. | \$10,000.00 |

ERS Reserve Budget Amendment 2015

On motion by Mrs. Brantman, seconded by Mr. Haberman and passed 4-1, it is hereby

WHEREAS, the District is in receipt of the New York State & Local Employees' Retirement System 2015 Annual Invoice in the amount of \$662,470; and

WHEREAS, the District's General Fund budget related to this invoice is \$640,000; and

WHEREAS, the District's budget plan called for utilization of available funds from the District's previously established Retirement Reserve to supplement the 2014-15 budget;

THEREFORE BE IT RESOLVED, that the Board of Education hereby authorizes the Assistant Superintendent for Finance & Operations to transfer the sum of up to and including \$22,470 from the Retirement Contribution Reserve to the General Fund to pay for the District's 2015 contribution.

*Mr. Wasserman voted Nay.*

Tax Certiorari

On motion by Mrs. Brantman, seconded by Mr. Haberman and passed 5-0, it is hereby

RESOLVED, that the Board of Education consents to the settlement of a tax certiorari proceeding with the identification number of Section 98.10 Block 2, Lot 47 & 48 in the estimated amount of \$38,804.67 in accordance with the terms of the Consent Judgment and authorizes its attorneys, Shaw, Perelson, May & Lambert, LLP to execute same:

AND IT IS FURTHER RESOLVED, that the Board authorizes the refund of taxes as required by the terms of the Consent Judgment.

Mandated Field Test (State Assessments)

On motion by Mrs. Brantman, seconded by Mr. Haberman and passed 5-0, it is hereby

WHEREAS, our students are already over-burdened by the number and duration of currently required State Assessments; and

WHEREAS, the time dedicated to State testing in grades 3-8 has tripled since 2010; and

WHEREAS, stand-alone field test to “test the test” will not improve education, but instead will disadvantage our student with further deficits in much needed instructional time; and

WHEREAS, New York State Education Department representatives have stated that stand-alone field tests are not as statistically accurate as embedding such questions within other State Assessments;

NOW THEREFORE, BE IT RESOLVED, that the Briarcliff Manor Union Free School District calls upon the NYS Commissioner of Education, John King and the NYS Board of Regents to reconsider the recommendation to mandate the administration of stand-alone field tests; and

BE IT FURTHER RESOLVED, that the Briarcliff Manor Union Free School District calls upon the Board of Regents to reject an amendment to Section 100.2, 100.3 and 100.4 of the Regulation of the Commissioner of Education to mandate public schools to participate in stand-alone field tests.

Insurance Recovery – Softball Field Generator

On motion by Mrs. Brantman, seconded by Mr. Haberman and passed 5-0, it is hereby

RESOLVED, that upon the recommendation of the Superintendent of Schools, the Board of Education does hereby authorize the use of insurance proceeds to replace a generator damaged by fire, and approves increases to the following general fund expense and revenue budget accounts:

| <u>Account Code/Description</u>        | <u>Type</u> | <u>Amount</u> |
|--|-------------|---------------|
| A1620.200-04 Equipment (District Wide) | Expense     | \$21,250.00   |
| A2680- Insurance Recoveries            | Revenue     | \$21,250.00   |

On motion by Mrs. Brantman, seconded by Mr. Haberman and passed 5-0, the Board moved to adjourn the public meeting and enter into executive session at 10:55 P.M. for the purpose of discussing the employment history of a particular person and to seek legal counsel.

On motion by Mrs. Brantman, seconded by Mr. Satran and passed 5-0, the Board moved to appoint Mrs. Rosen as Clerk Pro Tem.

On motion by Mrs. Brantman, seconded by Mr. Satran and passed 5-0, the Board moved to adjourn executive session and return to public session at 11:15 P.M.

On motion by Mrs. Brantman, seconded by Mr. Satran and passed 5-0, the Board moved to adjourn the public meeting at 11:15 P.M.