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

Also Present: Mr. James Kaishian, Superintendent of Schools, Mrs. Kathleen Ryan, Interim Asst. Superintendent for Finance & Operations; Mr. David Shaw School Attorney; Ms. Juanita Brockett, District Clerk

The Annual Reorganization meeting of the Briarcliff Manor Union Free School District was held on Wednesday, July 15, 2015 in the Middle School Theater and was called to order by Ms. Brockett, the District Clerk, at 7:00 P.M.

The District Clerk motioned for the nomination of a presider to act as temporary Chairperson pending the election of a President at the start of the Reorganization meeting.

Mr. Haberman nominated Mrs. Rosen to act as temporary Chairperson. Mr. Wasserman seconded and Mrs. Rosen was named Chairperson on a vote of 5-0.

On motion by Mr. Haberman, seconded by Mr. Satran and passed 5-0, the Board moved to adjourn into executive session at 7:02 P.M. for the purpose of discussing the employment history of a particular person and to seek legal counsel.

On motion by Mrs. Rosen, seconded by Mr. Haberman and passed 5-0, the Board moved to return to public session at 7:55 P.M. and begin the reorganization meeting.

The District Clerk administered the Oath of Office to incumbent Board member elect, Mr. Haberman and newly elected Board member, Mrs. Fisher

Temporary Chairperson, Mrs. Rosen, called for nominations for the office of President of the Board of Education.

Mr. Satran nominated Mr. Haberman. Mrs. Rosen seconded. There were no other nominations and on a vote of 4-1, Mr. Haberman was elected President. Mr. Wasserman voted Nay.

Mr. Haberman called for the nomination of Board Vice President. Mr. Wasserman nominated Mrs. Rosen. Mrs. Fisher nominated Mr. Satran. The vote for Mrs. Rosen was 2-3 against. The vote for Mr. Satran was 3-2 in favor. Mr. Satran was elected Vice President. Mrs. Rosen and Mr. Wasserman voted Nay.

The District Clerk administered the Oath of Office to Mr. Haberman, Mr. Satran and Mr. Kaishian, the Superintendent of Schools.

On motion by Mr. Satran, seconded by Mrs. Rosen and passed 5-0, the Board moved to create a consent agenda to include items 3.1 through 3.27

3.1 Appointment of District Officers and Personnel

On motion by Mr. Satran, seconded by Mrs. Rosen and passed 5-0, the Board moved to approve consent agenda items 3.1 through 3.27.

(a) **School District Clerk**

RESOLVED, that Juanita Brockett is hereby appointed as School District Clerk for the 2015-2016 school year.

(b) **School District Treasurer**

RESOLVED, that Nicole Susa is hereby appointed as School District Treasurer for the 2015-2016 school year.

(c) **School District Deputy Treasurer**

RESOLVED, that the Board appoints Jennifer DeFillippo as Deputy Treasurer for the 2015-2016 school year with a stipend amount of \$4,000.

(d) **School District Claims Auditor**

RESOLVED, that the Board of Education does hereby approve the appointment of John Beltramo, Claims Auditor for the Briarcliff Manor Union Free School District, for the period commencing July 1, 2015 through June 30, 2016 at the rate of \$85.00/hr., and authorizes the Board President to execute a Claims Auditor Contract with John Beltramo that sets forth the terms and conditions of his employment, a copy of said agreement shall be incorporated by reference within the minutes of this meeting.

(e) **School District Internal Auditor**

RESOLVED, that upon the recommendation of the Superintendent of Schools, the Board of Education does hereby approve the appointment of Tobin & Company as internal auditors for the 2015-2016 school year as follows:

Risk Assessment	\$ 6,140
Blended hourly rate to perform targeted internal audit	\$ 135

(f) **School Attorney**

RESOLVED, that Shaw, Perelson, May & Lambert, LLP is hereby appointed as School District Counsel at an annual retainer fee of \$108,000 for the 2015-2016 school year and authorizes the Board President to execute an Agreement with the School Attorney. Services not covered by the retainer fee will be billed at the rate of \$200 per hour, subject to advance authorization by the Board of Education. A copy of said Agreement shall be incorporated by reference within the minutes of this meeting.

(g) **Records Access Officer**

RESOLVED, that Kathy Ryan is hereby appointed as the School District's Records Access Officer for the 2015-2016 school year.

- (h) Records Management Officer
RESOLVED, that Erica Beasley is hereby appointed as School District Records Management Officer for the 2015-2016 school year.
- (i) Educational Liaison for Students in Homeless Situation
RESOLVED, that Dr. Debora Serio-Vaughan is hereby appointed as School District Educational Liaison for Students in Homeless Situations for the 2015-2016 school year.
- (j) Section 504/Americans with Disabilities Act Compliance Officer
RESOLVED, that Dr. Debora Serio-Vaughan is hereby appointed as School District Section 504/Americans with Disabilities Act Compliance Officer for the 2015-2016 school year.
- (k) Mediation Session Designee
RESOLVED, that Dr. Debora Serio-Vaughan or her designee, in her absence, is designated to attend last chance resolution sessions or mediation sessions required by the IDEA with the authority to execute settlement agreements with parents on behalf of the District, following consultation with the Superintendent of Schools and legal counsel where practicable, and notification to the Board of Education, of the contents of any settlement agreement for the 2015-2016 school year.
- (l) DASA Compliance Officer
RESOLVED, that Dr. Debora Serio-Vaughan is hereby appointed as the School District's DASA Compliance Officer for the 2015-2016 school year. Building DASA Compliance Officers: Jennifer Jacobs (Todd School); Susan Howard or designee (BMS); Daniel Murphy (BHS).
- (m) School District Title VI Compliance Officer
RESOLVED, that Dr. Debora Serio-Vaughan is hereby appointed as the School District Title VI Compliance Officer for the 2015-2016 school year.
- (n) School District Title VII Compliance Officer
RESOLVED, that Dr. Debora Serio-Vaughan is hereby appointed as the School District Title VII Compliance Officer for the 2015-2016 school year.
- (o) School District Title IX Compliance Officer
RESOLVED, that Dr. Debora Serio-Vaughan is hereby appointed as the School District Title IX Compliance Officer for the 2015-2016 school year.
- (p) Residency Designee
RESOLVED, that the Board of Education hereby delegates its authority, pursuant to Commissioner's Regulations 100.2(y), to the Superintendent of Schools who shall have the full and final authority to make determinations regarding student residency.
- (q) School District Designated Education Official (DEO)
RESOLVED, that Daniel Murphy is hereby appointed as School District Designated Education Official (in compliance with S.A.V.E. Legislation) for the 2015-2016 school year.

(r) School District Asbestos Designee

RESOLVED, that Anthony Bauso is hereby appointed as the School District Asbestos designee for the 2015-2016 school year.

(s) Pesticide Representative

RESOLVED, that Anthony Bauso is hereby appointed as the School District Pesticide Representative for the 2015-2016 school year.

(t) Chemical Hygiene Officer (OSHA)

RESOLVED, that Anthony Bauso is hereby appointed as Chemical Hygiene Officer (OSHA) for the 2015-2016 school year.

(u) School District Attendance Officer

RESOLVED, that the Superintendent of Schools is hereby appointed as the School District Attendance Officer for the 2015-2016 school year.

(v) School District Designated Chief Technology & Chief Information Officer

RESOLVED, that Erica Beasley is hereby appointed as School District Designated Chief Technology & Chief Information Officer for the 2015-2016 school year.

(w) School Physician

RESOLVED, that Dr. Nelly Sereny is hereby appointed as School Physician for the 2015-2016 school year.

3.2 Authorization of Petty Cash Funds

RESOLVED, that Petty Cash funds in the following amounts are hereby authorized and approved:

District Office	\$100.00
Business Office	\$100.00
Middle School Office	\$100.00
High School Office	\$100.00
Todd School Office	\$100.00
Facilities Office	\$100.00

3.3 Call-Back Verification and Written Confirmation in Connection with Fund Transfers

RESOLVED:

1. Treasurer and Deputy Treasurer are hereby designated as authorized persons in connection with all bank depositories now or hereafter maintained for and in the name of this District for the purposes of (i) verifying, by telephone call-back, payment orders issued in the name of this District, including those issued verbally and by telecopier; and (ii) issuing written confirmations of payment orders issued in the name of this District.
2. That the depository may rely upon telephone verification and/or written confirmations given by the authorized persons identified in paragraph one hereof, and all payment orders verified by telephone call-back shall be deemed to be authorized orders of this District.

3. That the depository may place telephone call-backs to the telephone number of this District as reflected in the records of the depository or to such other telephone number as may hereafter be designated in writing by an officer of this District.
4. That each of the foregoing resolutions and the authority thereby conferred shall remain in full force and effect until written notice of revocation or modification is received by the depository, provided that such notice shall not be effective with respect to any exercise of said authorities prior to the receipt of such notice. That the District Clerk or any other officer of this District is hereby authorized and directed to certify under the Corporate Seal, or not, but with like effect in the latter case, to the depository, the Resolutions, the names of the officers and other representatives of this District, any changes from time to time in the said officers and representatives and specimens of their respective signatures; and that the depository may conclusively assume that persons at any time certified to it by officers or other representatives of this District continue as such until receipt by the depository of written notice to the contrary.

3.4 Certificates of Deposit Investments

RESOLVED, that the Treasurer and Deputy Treasurer be authorized to sign for the purchase of permitted investments as per Policy 5201, Section 9, with all authorized depositories, on behalf of the Briarcliff School District, under the supervision of the Asst. Superintendent for Finance & Operations. All investment purchases and sales require Board approval.

3.5 Review of the Register of Outstanding Bonds

3.6 Designation of Dates for Regular Board Meetings

RESOLVED, that the Board of Education will meet on two Mondays each month, or as needed, and that the time of such meetings will be as designated by the Board.

3.7 Designation of Official School District Newspaper

RESOLVED, that The Journal News of White Plains, New York, is hereby designated as the official newspaper of the School District.

3.8 Designation of Hearing on School District Budget

RESOLVED, that the Board designates May 9, 2016 as the date of the public hearing on the budget (must be between 7 and 14 days prior to Annual Meeting).

3.9 Approval of Voting Hours and Designation of Voter Registration Day

RESOLVED, that the Board hereby approves the voting hours of Board Elections, Referenda, or any proposals requiring a vote by the residents of the District as follows:

6:00 a.m. to 9:00 p.m.

RESOLVED, that the Board hereby designates Wednesday, May 11, 2016 as the extended voter registration day from 4:00 p.m. to 7:00 p.m.

3.10 Approval of Impartial Hearing Officer Selection, Appointment and Compensation Protocol Impartial Hearing Officer Selection, Appointment and Compensation

It shall be the policy of the Briarcliff Manor School District to select, appoint and compensate impartial hearing officers in the following manner:

A. Selection and Appointment

1. The District shall utilize the most recent rotational list of certified impartial hearing officers established by the New York State Education Department for Westchester County. The list shall also include the names of other certified impartial hearing officers requesting to serve in the District.
2. Within two (2) business days after the District receives a written request for an impartial hearing, the District Clerk shall initiate attempts to contact that hearing officer whose name next follows the last hearing officer appointed by the Board of Education from the rotational list. The District Clerk shall first attempt contact by telephone call. If unsuccessful at reaching the hearing officer, the District Clerk shall leave a message (if voicemail is available) and send a letter by overnight mail, informing the hearing officer that:
 - a. a hearing has been requested concerning a student (identify the student only by number) and the name of the school district;
 - b. the hearing officer's name is the next one on the rotational list; and
 - c. the hearing officer must contact the District Clerk (leave telephone number) no later than 24 hours from the date the telephone message is left and/or the date of the correspondence.
3. If the hearing officer declines appointment, or fails to respond within 24 hours after being telephoned or sent a letter by overnight mail, the District Clerk will, according to the procedures outlined above, offer the appointment to each successive hearing officer whose name appears on the rotational list, until it is accepted.
4. If an impartial hearing is currently pending for the same student when a new hearing request is received, the District will appoint the same impartial hearing officer, if available, who will determine whether or not to consolidate the hearings. In addition, if the new hearing request concerns an issue which had been previously withdrawn in the previous 12 months, the District shall appoint the same impartial hearing officer, if available.
5. No appointment may be accepted unless the hearing officer is available to:
 - a. make a determination on the sufficiency of the due process complaint that will be heard at the hearing within five (5) days of receiving such a request;
 - b. initiate the hearing within 14 days after either:

- the date on which s/he receives written notice that the parents and District waive their right to hold a resolution meeting to resolve their differences prior to commencement of the hearing, or met but were unable to reach agreement; or
 - the expiration of the 30-day period beginning with the receipt of the due process complaint, whichever occurs first.
6. Once an appointment is accepted, the hearing officer shall be formally appointed by
 - a. resolution adopted by the Board of Education; or
 - b. a letter signed by the President or Vice President of the Board of Education.
 7. The President and/or Vice President of the Board of Education are hereby delegated with the authority to immediately appoint impartial hearing officers who are selected in accordance with these procedures.
 8. Once appointed, the District Clerk shall provide the Impartial Hearing Officer with the relevant contact information for the District's legal counsel and contact information for the parent(s) and student and/or their legal counsel.
 9. The District Clerk shall maintain a log detailing any actions taken pursuant to this policy relating to the appointment of impartial hearing officers.
 10. The Board will rescind the appointment of an Impartial Hearing Officer and appoint a new one if the parties to the hearing mutually agree that the Impartial Hearing Officer is either incapacitated or otherwise unavailable or unwilling to continue the hearing or issue a decision. The appointment of a new Impartial Hearing Officer in such an instance will be made in accordance with the selection and appointment procedures set forth in this policy.
 11. The District Clerk shall comply with any applicable reporting provisions contained in Section 200.5 of the Commissioner's Regulations relating to the appointment of impartial hearing officers.

B. Compensation

Impartial hearing officers appointed to conduct hearings under the provisions of Article 89 of the Education Law shall submit statements to the District for fees and expenses in accordance with the following guidelines:

1. A detailed statement for fees and expenses shall be submitted at the conclusion of the hearing and receipt of the impartial hearing officer's final decision or other determination shall have the effect of terminating the impartial hearing officer's involvement in the hearing.
2. All statements for fees and expenses shall separately list each individual item of service or expense, the date it occurred and the time spent, by hour or fraction thereof, in increments of one-tenth of an hour (e.g., .1, .2, .3 ...). Time charges must be appropriate. The District reserves the right to request additional information concerning the appropriateness of any time charges and to withhold payment for time charges deemed to be inappropriate and/or inconsistent with applicable Board policy. All statements for fees and expenses shall be

submitted by the Impartial Hearing Officer within 30 days of the performance of services.

3. Compensation will be made at the hourly rates currently approved by the State Education Department pursuant to §4404(1) of the Education Law.
4. The District will not reimburse impartial hearing officers for administrative assistance, secretarial or other overhead expenses.
5. The District will, upon review and approval of properly submitted receipts, reimburse impartial hearing officers for automobile travel at the I.R.S. approved rate and for tolls reasonably and necessarily incurred as a result of the hearing. In no event will the District reimburse the impartial hearing officer for travel time.
6. In addition to hearing time itself, the Board will reimburse, at the hourly rate, for time actually expended by the impartial hearing officer for:
 - a. Scheduling the hearing;
 - b. Pre-hearing conference calls (if necessary);
 - c. Scheduling letters;
 - d. For time necessarily and actually spent preparing the Decision, including any Interim Decisions.
7. Absent extraordinary circumstances, as determined in advance by the District, impartial hearing officers will not be reimbursed for any other expenses associated with their appointment and service as impartial hearing officers.
8. The District shall attempt to provide an impartial hearing officer with two (2) business days' advance notice of the cancellation or rescheduling of an impartial hearing. Should the District request the cancellation or rescheduling of a hearing date and fail to provide the impartial hearing officer with two (2) business days' notice, the District will pay the impartial hearing officer a cancellation fee of \$100.00. The District will not be responsible for any compensation in connection with hearing cancellations where two (2) or more business days' notice is provided to the impartial hearing officer. Moreover, the District shall not be responsible for any compensation in connection with hearing cancellations requested by or on behalf of parents unless the District has joined in the request for adjournment.

C. Notice

1. A copy of this policy will be forwarded to the impartial hearing officer at the time of appointment.

Records relating to the Impartial Hearing Officer process, including but not limited to, the request for initiation and completion of each impartial hearing will be maintained by the District and such information will be reported to the Office of Vocational and Educational Services for Individuals with Disabilities of the State Education Department as required by the Commissioner's Regulations.

3.11 Approval of Athletic Reconditioning Fees

RESOLVED, that the Board hereby approves Athletic Reconditioning Fees as set by the Athletic Director and Equipment Manager.

3.12 Establish Rate for Mileage Reimbursement

RESOLVED, that the Board hereby sets the rate for mileage reimbursement as recommended by the Internal Revenue Service.

3.13 Establish Rate for Meal Reimbursement

RESOLVED, that the Board hereby sets the rate for meal reimbursement as recommended by the U.S. General Services Administration.

3.14 Establish Rate for Parking Fees

RESOLVED, that the Board hereby approves the collection of student parking fees in the amount of \$75 per student, per semester. The fee will be collected at the beginning of each semester for those seniors who wish to park in the HS/MS campus.

3.15 Certification of Payroll

RESOLVED, that the Board hereby authorizes the Superintendent to certify the payroll.

3.16 Attendance at Conferences

RESOLVED, that the Board hereby designates the Superintendent or his/her designee to approve all employee requests to attend conferences.

3.17 Approval of Budget Transfers

RESOLVED, that the Superintendent or his/her designee is authorized to approve budget transfers as per policy No. 5320

3.18 Application for Grants

RESOLVED, that the Board hereby authorizes the Superintendent or his/her designee to apply for educational grants.

3.19 Bonding of Employees

RESOLVED, that the Board of Education hereby authorizes the bonding of all employees subject to a \$3,000,000 per loss limit regardless of number of employees who may be involved.

3.20 Board Policies

RESOLVED, that the Board hereby re-adopts Board policies.

3.21 Designation of Depositories

RESOLVED, that the following banks and/or trust companies be designated as the official depositories for investment of funds during the 2015-2016 school year; JPMorgan Chase Bank, Webster Bank and Peoples United Bank.

3.22 Signatures Authorization

RESOLVED, that JPMorgan Chase Bank, Webster Bank, and People's United Bank (hereinafter called the Banks) are designated Banks of this District and they (including their

correspondent banks) are hereby requested, authorized and directed to honor all checks, drafts or other orders for payment of money drawn in this District's name on their Accounts when bearing the facsimile or original signature of the following:

District Treasurer
Deputy Treasurer

and the Banks (including their correspondent banks) shall be entitled to honor and to charge this District for all such checks, drafts or other orders for the payment of money, if such facsimile signature or signatures resemble the facsimile specimens filed with the Banks by the District Clerk or other officer of this District.

In addition, the Banks shall be entitled to honor and charge this District for all funds transfers initiated online by the District Treasurer or Deputy Treasurer through their secure online banking systems.

3.23 High School Accounts

RESOLVED, that the High School Principal or Assistant Principal, acting jointly with the Central Treasurer, are hereby authorized to make deposits and withdrawals to and from the following accounts at JPMorgan Chase Bank:

HS Student Activity Account, and be it

FURTHER RESOLVED, that the High School Principal or Assistant Principal acting jointly with the Central Treasurer, are hereby authorized to sign checks drawn against the HS Student Activity Checking Account and JPMorgan Chase Bank is hereby authorized and directed to honor checks drawn against this account when so signed.

3.24 Middle School Accounts

RESOLVED, that the Middle School Principal, or High School Principal, acting jointly with the Central Treasurer are hereby authorized to make deposits and withdrawals to and from the following accounts at JPMorgan Chase Bank:

MS Extra Classroom Activity Account, and be it

FURTHER RESOLVED, that the Middle School Principal, or High School Principal, acting jointly with Central Treasurer, are hereby authorized to sign checks drawn against the MS Extra Classroom Activity Checking Account and JPMorgan Chase Bank is hereby authorized and directed to honor checks drawn against this account when so signed.

3.25 Approval of Mandated District Plans and Policies

RESOLVED, that the Board hereby approves the Health and Safety Plan for the 2015-2016 school year (*available in the District Office*);

RESOLVED, that the Board hereby approves the District Code of Conduct for the 2015-2016 school year (*available in the District Office & District Website*);

RESOLVED, that the Board hereby approves the Response to Intervention Plan for the 2015-2016 school year (*available in the District Office*);

RESOLVED, that the Board hereby approves the Professional Development Plan for the 2015-2016 school year (*available in the District Office*)

3.26 Supplemental Defense and Indemnification

WHEREAS, Section 18 of the Public Officers Law of the State of New York authorizes municipal corporations, including Boards of Education, to adopt supplemental defense and indemnification provisions to those contained in the Education Law; and

WHEREAS, the statute authorizes Boards of Education to defend, indemnify and save harmless, members of Boards of Education and officers, agents and employees of the Boards of Education and parent volunteers in connection with any claims asserted or judgment obtained against such Board members, officers, agents or employees in any State or Federal Court, or in the amount of any settlement of any such claim, provided the act or omission from which such judgment or claim arose occurred while the Board member, officer, agent or employee was acting within the scope of his or her office of employment;

NOW THEREFORE, BE IT RESOLVED that the Board of Education of the Briarcliff Manor School District hereby adopts the supplemental defense and indemnification provisions contained in Section 18 of the Public Officers Law for its Board members, officers, agents and employees, and parent volunteers on school-based planning and shared decision-making committees or other community volunteer performing volunteer service with the consent of the Board and/or Superintendent of Schools. This coverage shall supplement and shall be in addition to the coverage available to such employees under other enactments, including but not limited to the Education Law of the State of New York.

3.27 School District Health & Safety Committee

RESOLVED, that the following individuals are hereby appointed as the School District Health & Safety Committee for the 2015-2016 school year:

Superintendent of Schools	Asst. Director of Facilities
Asst. Sup't for Finance & Operations	Custodian Rep from Todd, MS & HS
Director of Instruction & HR	Security Officer
Todd School Principal	Safety & Security BOCES Liaison
Middle School Principal	BM Police Dept., Rep
High School Principal	BM Fire Dept., Rep
School Board Member	SRP Bargaining Unit Rep
High School Student Rep	BEST Bargaining Unit Rep
BTA Rep from Todd School, MS & HS	BPTA Representative
Teamsters Unit Rep	

4. SCHOOL DISTRICT AUDIT COMMITTEE

Mr. Haberman nominated Mrs. Rosen, to serve as Board Member Chair on the Audit Committee. This was seconded by Mr. Satran and on a vote of 5-0, Mrs. Rosen was elected as Chair.

Mr. Satran nominated Mr. Wasserman to serve as Board member representative on the Audit Committee. This was seconded by Mrs. Rosen and on a vote of 4-1, Mr. Wasserman was elected as Board member representative.

Mrs. Fisher voted Nay.

Three community residents applied to serve on the 2015-16 Audit Committee: Mrs. Sharon B. Harry, Mr. Steve Elkes and Mr. Michael Casper.

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

RESOLVED, that the Board of Education approve the appointment of the following individuals to the Audit Committee for the 2015-2016 school year:

Jennifer Rosen - Board Member & Chair
Paul Wasserman - Board Member
Sharon B. Harry - Community Member
Steve Elkes - Community Member
Michael Casper - Community Member

Advisory:
James Kaishian, Superintendent
Kathy Ryan, Interim Business Official
Nicole Susa, District Treasurer

On motion by Mr. Satran, seconded by Mrs. Rosen and passed 5-0, the Board moved to adjourn the Reorganization meeting at 8:14 P.M., and begin the regular business meeting.