

MOUNT PLEASANT CENTRAL SCHOOL DISTRICT
BOARD OF EDUCATION MEETING – SEPTEMBER 17, 2014

I. CALL TO ORDER

II. ANNOUNCEMENTS/INFORMATION ITEMS

- ❑ WHS Student Council; WHS PTA; WHS BLT
- ❑ WMS PTA; WMS BLT
- ❑ Elementary PTA; Columbus BLT; Hawthorne BLT
- ❑ Westlake Athletic Club
- ❑ Mount Pleasant Education Foundation

III. REPORTS

- ❑ Energy Education
- ❑ Report from Building Principals on the Opening of School
- ❑ Presentation on Referendum by KGD Architects
- ❑ President, Board of Education
- ❑ Superintendent of Schools

IV. APPROVAL of MINUTES

BE IT RESOLVED: That the minutes of the August 27, 2014 monthly Board of Education meeting and September 10, 2014 Board of Education meeting be approved.

V. OLD BUSINESS

VI. COMMENT ON NEW BUSINESS AGENDA ITEMS

VII. NEW BUSINESS – ACTION ITEMS

The Board President, in accordance with the Board of Education Policy No. 1512, Consent Agenda, will request a single motion to adopt Resolution A, SEQRA Confirmation of Lead Agency Status and Determination of Significance, Proposed Capital Construction Projects to Existing School Buildings; Resolution B, SEQRA, Negative Declaration and Resolution C, Authorization of a Special Meeting - Bond Proposition.

A) APPROVAL - SEQRA CONFIRMATION OF LEAD AGENCY STATUS AND DETERMINATION OF SIGNIFICANCE, PROPOSED CAPITAL CONSTRUCTION PROJECTS TO EXISTING SCHOOL BUILDINGS, MOUNT PLEASANT CENTRAL SCHOOL DISTRICT

B) APPROVAL – SEQRA, NEGATIVE DECLARATION

C) APPROVAL - NOTICE OF SPECIAL MEETING - BOND PROPOSITION

RESOLUTION DATED SEPTEMBER 17, 2014 OF THE BOARD OF EDUCATION OF THE MOUNT PLEASANT CENTRAL SCHOOL DISTRICT AUTHORIZING A PROPOSITION TO BE PRESENTED TO THE VOTERS AT A SPECIAL DISTRICT MEETING.

BE IT RESOLVED BY THE BOARD OF EDUCATION OF THE MOUNT PLEASANT CENTRAL SCHOOL DISTRICT (the “School District”) that a special meeting of the qualified voters of the School District be and the same is hereby called to be held at the Westlake High School Gymnasium, 825 Westlake Drive, Thornwood, New York on November 15, 2014 from 7:00 a.m. until 9:00 p.m. prevailing time for the purpose of voting on the following proposition:

Shall the Board of Education of the Mount Pleasant Central School District be authorized to (1) construct additions to and reconstruct various school district buildings, including site work, and acquire original furnishings, equipment, machinery or apparatus required for the purpose for which additions and reconstructed buildings are to be used, at a maximum cost of \$55,855,000, (2) expend such sum for such purpose, (3) levy the necessary tax therefore, to be levied and collected in annual installments in such years and in such amounts as may be determined by the Board of Education taking into account state aid; and (4) in anticipation of the collection of such tax, issue bonds and notes of the School District at one time or from time to time in the principal amount not to exceed \$55,855,000, and the levy of a tax to pay the interest on said obligations when due?

The vote upon such proposition shall be by machine or absentee ballot. The hours during which the polls shall be kept open shall be from 7:00 a.m. to 9:00 p.m. prevailing time or for as long thereafter as necessary to enable qualified voters who are in the polling place at 9:00 p.m. to cast their ballots.

Personal registration of voters is required, and no person shall vote whose name does not appear on the register of the School District. If a voter has heretofore registered pursuant to Section

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2014 of the Education Law and has voted at an annual or special district meeting within the last four (4) calendar years, he or she is eligible to vote at this meeting. If a voter is registered and eligible to vote under Article 5 of the Election Law, he or she is also eligible to vote at this meeting. All other persons who wish to vote must register.

Any person may register to vote not less than five (5) days preceding the vote during the hours between 10 a.m. and 3 p.m. at the office of the District Clerk, 825 West Lake Drive, Thornwood, New York, or at any school building.

The register prepared by the Board of Registration shall be filed in the office of the District Clerk, 825 West Lake Drive, Thornwood, New York and will be open for inspection immediately upon its completion by any qualified voter of the School District from during regular school hours on each of the five days prior to the vote.

Absentee ballots may be applied for at the office of the District Clerk. Applications for absentee ballots must be received by the District Clerk at least seven days prior to the vote if the ballot is to be mailed to the voter, or on or prior to November 13, 2014, if the ballot is to be delivered personally to the voter. Absentee ballots must be received by the District Clerk not later than 5:00 p.m. on November 15, 2014. A list of all persons to whom absentee ballots shall have been issued will be available in the office of the District Clerk on each business day during school hours until the date of the vote. Any qualified voter may challenge the acceptance of the ballot of any person on such list, by making his challenge and reasons therefor known to the Inspector of Election before the close of the polls.

BE IT FURTHER RESOLVED, that the District Clerk is hereby authorized and directed to publish a notice of such meeting in two newspapers of general circulation within the School District,

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four (4) times within the seven (7) weeks next preceding such School District meeting, the first publication to be at least forty-five (45) days prior to the date of the meeting.

BE IT FURTHER RESOLVED, that this resolution takes effect immediately upon its adoption.

The Board President, in accordance with the Board of Education Policy No. 1512, Consent Agenda, will request a single motion to adopt Resolutions D through Z.

D) ACCEPTANCE – DONATION

BE IT RESOLVED: That the Mount Pleasant Central School District Board of Education hereby accepts a \$359.13 donation from Target for Westlake Middle School.

AND BE IT FURTHER RESOLVED: That the Mount Pleasant Central School District Board of Education hereby accepts a \$285.69 donation from Target for Hawthorne Elementary School.

E) APPROVAL – FINANCIAL REPORTS

BE IT RESOLVED: That the Board of Education hereby approves the Treasurer's Report for the month of July 2014.

AND BE IT FURTHER RESOLVED: That the Board of Education accepts the report from the claims auditor on warrant # 28, 29, 1, 2, 3.

F) APPROVAL – SCHOOL LUNCH FUND BUDGET 2014-2015

BE IT RESOLVED: That the Mount Pleasant Central School District Board of Education hereby approves the School Lunch Fund Budget for the 2014-15 school year as presented below:

Budgeted Revenues

Account	Account Name	Amount
C1440	Sale of Reimbursable Meals	\$ 175,000
C1445	Other Cafeteria Sales	\$ 225,000
C2401	Interest and Earnings	\$ 200
C2701	Refund PY Expenditures	\$ 6,200
C3190	State Aid	\$ 6,000
C4190.1	Federal Aid	\$ 65,600
C4190.2	Federal Aid – Government Food	\$ 25,000
C910	Appropriated Fund Balance	<u>\$ 40,000</u>
		<u>\$ 543,000</u>

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Budgeted Expenditures

Account	Account Name	Amount
C2860.200-00-0000	Equipment	\$ 50,000
C2860.400-00-0000	Contractual Exp:Others	\$ 20,000
C2860.401-00-0000	Contractual Exp:Admin Service Fee	\$ 400,000
C2860.410-00-0000	Contractual Exp:Food	\$ 5,000
C2860.411-00-0000	Government Food	\$ 25,000
C2860.416-00-0000	Contractual Exp:Maint/Repairs	\$ 30,000
C2860.450-00-0000	Materials & Supplies	\$ 13,000
		<u>\$ 543,000</u>

G) APPROVAL – LICENSE AGREEMENT – iPARADIGMS, LLC

BE IT RESOLVED: That the Board of Education hereby approves the license agreement with iParadigms,LLC to provide plagiarism prevention software for the 2014-2015 school year at a total cost of \$2,137.50.

H) APPROVAL – LICENSE AGREEMENT – LEARNING.COM

BE IT RESOLVED: That the Board of Education hereby approves the license agreement with Learning.com to provide EasyTech K-8 technological literacy curriculum software for the 2014-2015 school year at a total cost of \$10,610.

I) APPROVAL – TAX CERTIORARI SETTLEMENT

WHEREAS, the Mount Pleasant Central School District is a respondent in certain tax certiorari proceedings pertaining to properties identified on the tax roll as Parcel 112.6-5-1 and owned by Getty Petroleum Marketing, Inc., for tax years 2008 through 2011; and

WHEREAS, the parties have negotiated a tentative resolution of the proceedings, as set forth in the consent judgment attached hereto; and

WHEREAS, the Board has determined that it is in the best interests of the School District to resolve the proceeding in accordance with the Consent Judgment without further litigation;

NOW, BASED UPON THE FORGOING, IT IS HEREBY RESOLVED that the Board hereby approves the settlement of the tax proceedings as set forth in the Consent Judgment not to exceed \$7,000;

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AND BE IT FURTHER RESOLVED that Ingerman Smith, LLP is authorized to execute the consent judgment attached hereto, and any other relevant settlement papers necessary to effectuate the settlement;

AND BE IT FURTHER RESOLVED, that the Director of Business Administration shall be authorized to issue a refund payment in accordance with the Consent Judgment.

J) APPROVAL – TRANSFER OF FUNDS

BE IT RESOLVED: That the Board of Education hereby authorizes the following budget transfers for the 2014-2015 year as specified below:

TRANSFER TO:			TRANSFER FROM:		
ACCOUNT TITLE	CODE	AMOUNT	ACCOUNT TITLE	CODE	AMOUNT
MATERIALS & SUPPLIES - CES	A2110450015000	2,750.00	EQUIPMENT - TEACHING CES	A2110200012000	2,750.00

K) APPROVAL - SCHOOL MONITOR APPOINTMENTS RESCINDED

BE IT RESOLVED: That the school monitor appointments, originally requested and approved at the August 27, 2014 Board of Education meeting, for MaryAnn Montes and Mariette Tocco are hereby rescinded.

L) APPROVAL – PART-TIME APPOINTMENTS RESCINDED

BE IT RESOLVED: That the .3 part-time professional appointment and .7 permanent substitute appointment for Therese Berinati, originally requested and approved at the August 27 2014 Board of Education meeting, are hereby rescinded.

M) APPROVAL – MENTORING PROGRAM HONORARIUM, 2014/2015 SCHOOL YEAR

BE IT RESOLVED: That as recommended by the Director of Curriculum and Instructional Services and the Superintendent of Schools and in accordance with the agreement between the Mount Pleasant Central School District Board of Education and the Mount Pleasant Teachers Association, the following teachers will be paid a \$500 honorarium upon successful completion of the 2014/2015 mentoring program:

Teresa Barbuto
Daniel Malone
Loredana Ugucioni
Gilian Goldman-Klein

N) APPROVAL – TUITION REIMBURSEMENT, 2014/2015 SCHOOL YEAR

BE IT RESOLVED: That as recommended by the Superintendent of Schools and in accordance with the Agreement between the Mount Pleasant Central School District Board of Education and the Mount Pleasant Teachers Association, the tuition reimbursement request listed below is hereby approved:

Nick DiPaolo, Westlake High School
Course Title: Issues and Trends in Curriculum, Instruction and Supervision
School: Manhattanville College
Total Cost: \$1,300 Approved: \$650

And further:

BE IT RESOLVED: That upon completion of the approved course, the recipient shall submit a report to the Superintendent of Schools describing how this course has advanced his pedagogical practices and how it will benefit both our students and our curriculum.

O) APPROVAL – TUITION REIMBURSEMENT, 2014/2015 SCHOOL YEAR

BE IT RESOLVED: That as recommended by the Superintendent of Schools and in accordance with the Agreement between the Mount Pleasant Central School District Board of Education and the Mount Pleasant Teachers Association, the tuition reimbursement request listed below is hereby approved:

Nick DiPaolo, Westlake High School
Course Title: Schools as Learning Organizations
School: Manhattanville College
Total Cost: \$1,300 Approved: \$350*

And further:

BE IT RESOLVED: That upon completion of the approved course, the recipient shall submit a report to the Superintendent of Schools describing how this course has advanced his pedagogical practices and how it will benefit both our students and our curriculum.

*Reimbursement amount reflects remaining balance for the 2014/2015 school year.

S) APPROVAL – AMENDMENT TO POLICY NO. 5110, BUDGET PLANNING AND DEVELOPMENT

BE IT RESOLVED: That the Board of Education affirmatively votes to amend Policy No. 5110, entitled Budget Planning and Development, as attached. In accordance with the Mount Pleasant Central School District Board of Education Policy #1410, the Board of Education may waive the second reading and complete the adoption of the proposed amended policy at its first reading. Therefore, the Board of Education herewith waives a second reading of the attached Policy No. 5110, and immediately adopts said policy effective September 17, 2014.

T) APPROVAL – AMENDMENT TO POLICY NO. 5120, SCHOOL DISTRICT BUDGET HEARING

BE IT RESOLVED: That the Board of Education affirmatively votes to amend Policy No. 5120, entitled School District Budget Hearing, as attached. In accordance with the Mount Pleasant Central School District Board of Education Policy #1410, the Board of Education may waive the second reading and complete the adoption of the proposed amended policy at its first reading. Therefore, the Board of Education herewith waives a second reading of the attached Policy No. 5120, and immediately adopts said policy effective September 17, 2014.

U) APPROVAL – AMENDMENT TO POLICY NO. 5620, ACCOUNTING OF FIXED ASSETS

BE IT RESOLVED: That the Board of Education affirmatively votes to amend Policy No. 5620, entitled Accounting of Fixed Assets, as attached. In accordance with the Mount Pleasant Central School District Board of Education Policy #1410, the Board of Education may waive the second reading and complete the adoption of the proposed amended policy at its first reading. Therefore, the Board of Education herewith waives a second reading of the attached Policy No. 5620, and immediately adopts said policy effective September 17, 2014.

V) APPROVAL – ADOPTION OF POLICY NO. 5511, RESERVE FUNDS

BE IT RESOLVED: That the Board of Education affirmatively votes to adopt Policy No. 5511, entitled Reserve Funds, as attached. In accordance with the Mount Pleasant Central School District Board of Education Policy #1410, the Board of Education may waive the second reading and complete the adoption of the proposed amended policy at its first reading. Therefore, the Board of Education herewith waives a second reading of the attached Policy No. 5511 and immediately adopts said policy effective September 17, 2014.

W) APPROVAL – AMENDMENT TO POLICY NO. 5230, ACCEPTANCE OF GIFTS, GRANTS AND BEQUESTS TO THE SCHOOL DISTRICT

BE IT RESOLVED: That the Board of Education affirmatively votes to amend Policy No. 5230, entitled Acceptance of Gifts, Grants and Bequests to the School District, as attached.

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In accordance with the Mount Pleasant Central School District Board of Education Policy #1410, the Board of Education may waive the second reading and complete the adoption of the proposed amended policy at its first reading. Therefore, the Board of Education herewith waives a second reading of the attached Policy No. 5230, and immediately adopts said policy effective September 17, 2014.

X) APPROVAL – AMENDMENT TO POLICY NO. 7313, SUSPENSION OF STUDENTS

BE IT RESOLVED: That the Board of Education affirmatively votes to amend Policy No. 7313, entitled Suspension of Students, as attached. In accordance with the Mount Pleasant Central School District Board of Education Policy #1410, the Board of Education may waive the second reading and complete the adoption of the proposed amended policy at its first reading. Therefore, the Board of Education herewith waives a second reading of the attached Policy No. 7313, and immediately adopts said policy effective September 17, 2014

Y) APPROVAL - APPOINTMENT OF ELECTION REGISTRARS FOR SPECIAL DISTRICT MEETING

BE IT RESOLVED: That the following individuals be appointed Assistant District Clerks for the purpose of general registration of qualified voters in accordance with the resolution which was adopted by the voters of the Mount Pleasant Central School District at the District Annual Election, June 4, 1975:

Christine Cerrato	-	Westlake High School
Lorrie Villalba	-	Westlake Middle School
Ann Marie Aniades	-	Columbus Elementary School
Debra Udice	-	Hawthorne Elementary School
Marie D'Ambroso	-	District Office

BE IT FURTHER RESOLVED: That Marie D'Ambroso be appointed Assistant District Clerk perform the duties of Acting District Clerk at the Special District Meeting on November 15, 2014 during the absence or disability of the District Clerk.

Z) APPROVAL – SERVICE AGREEMENT

BE IT RESOLVED: That the Board of Education hereby approves the service agreement with RTV, Inc. for professional virtual tour and photography services for a total cost of approximately \$1,200;

AND BE IT FURTHER RESOLVED: That the Board of Education President is authorized to sign the agreement on its behalf.

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VIII. OPPORTUNITY FOR PUBLIC COMMENTS TO BOARD OF EDUCATION

IX. ADJOURNMENT

DRAFT

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SCHEDULE 14/15, P-3 PROFESSIONAL PERSONNEL APPOINTMENTS

.1 ADDITIONAL TEACHING ASSIGNMENT

Vincent Iovane, Westlake High School
Mary Cunningham, Westlake Middle School
Ann Reilly, Westlake Middle School
Tina Woolard, Westlake Middle School

Salary: Paid in accordance with the Mount Pleasant Central School District Teachers Association agreement

PERMANENT SUBSTITUTE APPOINTMENTS, 2014/2015 SCHOOL YEAR

Tara Albaum, Hawthorne Elementary School
Carla Lewin, Columbus Elementary School

PER-DIEM SUBSTITUTE APPOINTMENT, 2014/2015 SCHOOL YEAR

Martin Rodriguez

SCHEDULE 14/15, C-3 CIVIL SERVICE APPOINTMENTS

CSEA CLERICAL (10 MONTH POSITION)

Dawn McFarland

Title: Computer Aide
Assigned To: WMS/WHS Library
Beginning of Probationary Period: September 17, 2014
Expiration of Probationary Period: September 16, 2015
Salary: Column B, Step 7: \$37,149.70 (pro-rated)

CSEA CLERICAL (11 MONTH POSITION)

Norma DeSousa

Title: Senior Office Assistant (Auto Sys)
Assigned To: District Office
Beginning of Probationary Period: September 15, 2014
Expiration of Probationary Period: September 14, 2015
Salary: Column C, Step 9: \$40,903.17 (pro-rated)

TEACHER AIDE APPOINTMENT

Brandon Pearlman

Assigned To: Hawthorne Elementary School
Effective: September 1, 2014
Salary Placement: \$15.70/hour per Step 2 of the School Monitor Salary Schedule

SCHOOL MONITOR APPOINTMENTS

Anna Maria Esposito

Assigned To: Westlake High School
Effective: September 1, 2014
Salary Placement: \$15.70/hour per Step 2 of the School Monitor Salary Schedule

Lisa Iacofano

Assigned To: Westlake High School
Effective: September 22, 2014
Salary Placement: \$15.10/hour per Step 1 of the School Monitor Salary Schedule

Matthew Kasbarian

Assigned To: Westlake High School
Hours: 12.5 hours per week*
Effective: September 1, 2014
Salary Placement: \$15.10/hour per Step 1 of the School Monitor Salary Schedule

* Plus any additional hours as needed

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Marlon Rubio

Assigned To: Westlake High School
Hours: 12.5 hours per week
Effective: September 1, 2014
Salary Placement: \$15.10/hour per Step 1 of the School Monitor Salary Schedule

Leocadio Garcia

Assigned To: Westlake High School
Hours: 12.5 hours per week
Effective: September 1, 2014
Salary Placement: \$15.10/hour per Step 1 of the School Monitor Salary Schedule

Barbara Duggan

Assigned To: Westlake High School
Hours: 12.5 hours per week
Effective: September 1, 2014
Salary Placement: \$15.10/hour per Step 1 of the School Monitor Salary Schedule

Felicia Kratz

Assigned To: Westlake Middle School
Hours: 12.5 hours per week
Effective: September 1, 2014
Salary Placement: \$15.10/hour per Step 1 of the School Monitor Salary Schedule

Paula Pagan

Assigned To: Westlake Middle School
Hours: 12.5 hours per week
Effective: September 1, 2014
Salary Placement: \$15.10/hour per Step 1 of the School Monitor Salary Schedule

**NURSING COVERAGE FOR STUDENT ATHLETES (FALL/WINTER/SPRING SEASONS),
2014/2015 SCHOOL YEAR**

Dawn McQuade McCarrick
Lisa Feldman
Mary Jane Au
Kathy Debiase
Cindy Woods

Effective: August 18, 2014- June 15, 2015
Salary paid per the agreement with the Mount Pleasant Central School District Teachers Association.

Per Diem Clerical Substitute

Lisa Iacofano

SUBJECT: BUDGET PLANNING AND DEVELOPMENT

Budget planning and development for the District will be an integral part of program planning so that the annual operating budget may effectively express and implement programs and activities of the School System. Budget planning will be a year-round process involving participation of District-level administrators, Principals, Directors, teachers, and other personnel. The process of budget planning and development should allow for community input and contain numerous opportunities for public information and feedback.

The Superintendent will have overall responsibility for budget preparation, including the construction of and adherence to a budget calendar.

Principals will develop and submit budget requests for their particular schools in conjunction with the advice and suggestions of staff members and their own professional judgment. Each school's budget request will be the Principal's recommendation as to the most effective way to use available resources in achieving progress toward the approved educational objectives of the school. Program budgets and school budgets will reflect state and/or federal requirements, special sources of funding, and District objectives and priorities.

The Board will give consideration to budget requests, and will review allocations for appropriateness and for their consistency with the School System's educational priorities.

All budget documents for distribution to the public shall be in plain language and organized in a manner which best promotes public comprehension of the contents. Documents shall be complete and accurate and contain sufficient detail to adequately inform the public regarding such data as estimated revenues, proposed expenditures, transfers to other funds, fund balance information, and changes in such information from the prior year's submitted budget.

The budget will be presented in three (3) components which are to be voted upon as one (1) proposition.

- a) A program component which shall include, but need not be limited to, all program expenditures of the School District, including the salaries and benefits of teachers and any school administrators or supervisors who spend a majority of their time performing teaching duties, and all transportation operating expenses;
- b) A capital component which shall include, but need not be limited to, all transportation capital, debt service, and lease expenditures; costs resulting from judgments and tax certiorari proceedings or the payment of awards from court judgments, administrative orders or settled or compromised claims; and all facilities costs of the School District, including facilities leases expenditures, the annual debt service and total debt for all facilities financed by bonds and notes of the School District, and the costs of construction, acquisition, reconstruction, rehabilitation or improvement of school buildings, provided that such budget shall include a rental, operations and maintenance section that includes

(Continued)

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Non-Instructional/Business
Operations

SUBJECT: BUDGET PLANNING AND DEVELOPMENT (Cont'd.)

base rent costs, total rent costs, operation and maintenance charges, cost per square foot for each facility leased by the District, and any and all expenditures associated with custodial salaries and benefits, service contracts, supplies, utilities, and maintenance and repairs of school facilities; and

- c) An administrative component which shall include, but need not be limited to, office and central administrative expenses, traveling expenses and salaries and benefits of all certified school administrators and supervisors who spend a majority of their time performing administrative or supervisory duties, any and all expenditures associated with the operation of the Office of the School Board, the Office of the Superintendent of Schools, General Administration, the School Business Office, consulting costs not directly related to direct student services and programs, planning and all other administrative activities.

Each component must be separately delineated in accordance with Commissioner's Regulations.

Additionally, the Board of Education shall append to the proposed budget the following documents:

- a) A detailed statement of the total compensation to be paid to the Superintendent of Schools, and any Assistant or Associate Superintendent of Schools in the ensuing school year, including a delineation of the salary, annualized cost of benefits and any in-kind or other form of remuneration;
- b) A list of all other school administrators and supervisors, if any, whose annual salary for the coming school year will be at or above that designated in law for such reporting purposes, with the title of their positions and annual salary identified;
- c) A School District Report Card, prepared pursuant to Commissioner's Regulations, which includes measures of the academic performance of the School District, on a school by school basis, and measures of the fiscal performance of the District (see subheading School District Report Card);
- d) A Property Tax Report Card prepared in accordance with law and Commissioner's Regulations (see subheading Property Tax Report Card); and
- e) A Tax Exemption Report prepared in accordance with law (see subheading Tax Exemption Report).

The Board shall attest that unexpended surplus funds (i.e., operating funds in excess of the current school year budget, not including funds properly retained under other sections of law) have been applied in determining the amount of the school tax levy. For 2008-2009 school year and thereafter, surplus funds shall mean any operating funds in excess of four percent (4%).

(Continued)

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SUBJECT: BUDGET PLANNING AND DEVELOPMENT (Cont'd.)

The proposed budget for the ensuing school year shall be reviewed by the Board of Education and publicly disseminated, in accordance with law, prior to its submission to District voters for approval.

District funds may be expended to inform the public regarding the annual budget and to present the annual budget to District voters; however, such funds shall not be utilized to promote either a favorable or negative opinion of the proposed budget.

School District Report Card

Each year the District shall supply data as required by the State Education Department (SED) and will receive a School District Report Card, sometimes referred to as a New York State Report Card. The Report Cards provide enrollment, demographic, attendance, suspension, dropout, teacher, assessment, accountability, graduation rate, post-graduation plan, career and technical education, and fiscal data for public and charter schools, districts and the State. The Report Cards are generated from the supplied data and are in a format dictated by SED. The School District Report Cards consist of three (3) parts:

- a) Accountability and Overview Report - shows District/school profile data, accountability statuses, data on accountability measures such as ELA, Math, and Science scores, and graduation rates.
- b) Comprehensive Information Report - shows non-accountability data such as annual Regents examination results and post-graduate plans of students completing high school.
- c) Fiscal Accountability Supplement - shows expenditures per pupil and some information about placement and classification of students with disabilities.

School District Report Cards are also available online at the SED website:
<https://reportcards.nysed.gov/>

Property Tax Report Card

Each year, the Board of Education shall prepare a Property Tax Report Card, pursuant to Commissioner's Regulations, and shall make it publicly available by transmitting it to local newspapers of general circulation, appending it to copies of the proposed budget made publicly available as required by law, making it available for distribution at the Annual Meeting, and otherwise disseminating it as required by the Commissioner.

(Continued)

SUBJECT: BUDGET PLANNING AND DEVELOPMENT (Cont'd.)

The Property Tax Report Card shall include:

- a) The amount of total spending and total estimated school tax levy that would result from adoption of the proposed budget, and the percentage increase or decrease in total spending and total school tax levy from the School District budget for the preceding school year; and
- b) The projected enrollment growth for the school year for which the budget is prepared, and the percentage change in enrollment from the previous year; and
- c) The percentage increase in the average of the Consumer Price Indexes from January first of the prior school year to January first of the current school year as defined in Education Law; and
- d) The projected amount of the unappropriated unreserved fund balance that will be retained if the proposed budget is adopted; the projected amount of the reserved fund balance; the projected amount of the appropriated fund balance; the percentage of the proposed budget that the unappropriated unreserved fund balance represents; the actual unappropriated unreserved fund balance retained in the School District budget for the preceding school year; and the percentage of the School District budget for the preceding school year that the actual unappropriated unreserved fund balance represents; and
- e) The District's school tax levy limit calculation. The District will submit its school tax levy limit calculation to the Office of the State Comptroller, NYSED and the Office of Taxation and Finance by March 1 annually. If a voter override of the tax levy limit is necessary, the budget vote must be approved by sixty percent (60%) of the District's qualified voters present and voting.

A copy of the Property Tax Report Card prepared for the Annual District Meeting shall be submitted to the State Education Department in the manner prescribed by the Department by the end of the business day next following approval of the Property Tax Report Card by the Board of Education, but no later than twenty-four (24) days prior to the statewide uniform voting day (i.e., the third Tuesday in May).

The State Education Department shall compile such data for all school districts whose budgets are subject to a vote of the qualified voters, and shall make such compilation available electronically at least ten (10) days prior to the statewide uniform voting day. Links to each school year's Property Tax Report Card can be found at: <http://www.p12.nysed.gov/mgtserv/propertytax/>

(Continued)

SUBJECT: BUDGET PLANNING AND DEVELOPMENT (Cont'd.)

Tax Exemption Report

A Tax Exemption Report shall be annexed to any tentative or preliminary budget and shall become part of the final budget. This report shall be on the form as prescribed by the State Board of Real Property Services and shall show the following:

- a) How much of the total assessed value of the final assessment roll(s) used in the budgetary process is exempt from taxation;
- b) Every type of exemption granted as identified by statutory authority;
- c) The cumulative impact of each type of exemption expressed either as a dollar amount of assessed value or as a percentage of the total assessed value on the roll;
- d) The cumulative amount expected to be received from recipients of each type of exemption as payments in lieu of taxes or other payments for municipal services; however, individual recipients are not to be named; and
- e) The cumulative impact of all exemptions granted.

Notice of this report shall be included in any notice of the preparation of the budget required by law and shall be posted on any bulletin board maintained by the District for public notices as well as on any website maintained by the District.

Education Law Sections 1608(3)-(7), 1716(3)-(7), 2022(2-a), 2023-a, 2601-a(3) and 2601-a(7)
General Municipal Law Section 36
Real Property Tax Law Sections 495 and 1318(1)
8 NYCRR Sections 170.8, 170.9 and 170.11
State Education Department Handbook No. 3 on Budget

Adopted: 2/27/08
Revised:

SUBJECT: SCHOOL DISTRICT BUDGET HEARING

The Board of Education will hold an Annual Budget Hearing, in accordance with law, so as to inform and present to District residents a detailed written statement regarding the District's estimated expenditures and revenue for the upcoming school year prior to the budget vote which is taken at the Annual District Meeting and Election.

The Budget Hearing will be held not less than seven (7) nor more than fourteen (14) days prior to the Annual District Meeting and Election or Special District Meeting at which the budget vote will occur. The proposed budget will be completed at least seven (7) days prior to the budget hearing at which it is to be presented.

Notice of the date, time and place of the annual budget hearing will be included in the notice of the Annual Meeting and Election and/or Special District Meeting as required by law.

All School District budgets which are submitted for voter approval shall be presented in three (3) components: a program component, an administrative component, and a capital component; and each component will be separately delineated in accordance with law and/or regulation.

The Board of Education will also prepare and append to copies of the proposed budget a School District Report Card, pursuant to the Regulations of the Commissioner of Education, referencing measures of academic and fiscal performance. Additionally, the Board of Education shall also append to copies of the proposed budget a detailed statement of the total compensation to be paid to various administrators as enumerated in law and/or regulation, and a Property Tax Report Card prepared in accordance with law and Commissioner's Regulations.

All budget documents for distribution to the public will be written in plain language and organized in a manner which best promotes public comprehension of the contents. New York School District Report Cards and Property Tax Report Cards are also available online from the State Education Department.

Dissemination of Budget Information

Copies of the proposed annual operating budget for the succeeding year and all required attachments may be obtained by any District resident, on request, in each District school building during certain designated hours on each day other than a Saturday, Sunday or holiday during the fourteen (14) days immediately preceding the Annual District Meeting and Election or Special District Meeting at which the budget vote will occur. The availability of this budget information shall be included in the legal notice of the Annual and/or Special District Meeting; and copies of the proposed budget will also be available to District residents at the time of the Annual and/or Special District Meeting. Additionally, the Board will include notice of the availability of copies of the budget at least once during the school year in any District-wide mailing.

(Continued)

SUBJECT: SCHOOL DISTRICT BUDGET HEARING (Cont'd.)

Budget Notice

The School District Clerk shall mail a School Budget Notice to all qualified voters of the School District after the date of the Budget Hearing, but no later than six (6) days prior to the Annual Meeting and Election or Special District Meeting at which a school budget vote will occur. The School Budget Notice shall compare the percentage increase or decrease in total spending under the proposed budget over total spending under the School District budget adopted for the current school year, with the percentage increase or decrease in the Consumer Price Index from January first of the prior school year to January first of the current school year.

Beginning with the budget notice for the 2012-2013 proposed budget, the District will also include in the notice:

- a) The school tax levy limit;
- b) The proposed school year tax levy (without permissible exclusions to the school tax levy limit);
- c) The total permissible exclusions; and
- d) The proposed school year tax levy (including permissible exclusions to the school tax levy limit).

The Notice shall also include, in a manner and format prescribed by the Commissioner of Education, a comparison of the tax savings under the basic school tax relief (STAR) exemption and the increase or decrease in school taxes from the prior year, and the resulting net taxpayer savings for a hypothetical home within the District with a full value of an average priced home in the district under the existing School District budget as compared with such savings under the proposed budget.

The Notice shall also set forth the date, time and place of the school budget vote in the same manner as in the Notice of the Annual Meeting. The School Budget Notice shall be in a form prescribed by the Commissioner of Education.

Notice of Budget Hearing/Availability of Budget Statement:

Education Law Sections 1608(2), 1716(2), 2003(1), 2004(1), 2023-a and 2601-a(2)

Election and Budget Vote:

Education Law Sections 1804(4), 1906(1), 2002(1), 2017(5), 2017(6), 2022(1), 2023-a and 2601-a(2)

Budget Development and Attachments:

Education Law Sections 1608(3), 1608(4), 1608(5), 1608(6), 1608(7), 1716(3), 1716(4), 1716(5), 1716(6), 1716(7), 2022(2-a), 2023-a and 2601-a(3)

8 NYCRR Sections 100.2(bb), 170.8 and 170.9

Adopted: 2/27/08

Revised:

SUBJECT: ACCOUNTING OF FIXED ASSETS

The Superintendent or his/her designee shall be responsible for maintaining a continuous and accurate inventory of equipment owned by the District in accordance with "The Uniform System of Accounts for School Districts."

All supplies and equipment purchased and received by the School District shall be checked, logged, and stored through an established procedure.

The School Business Administrator shall be responsible for accounting for general fixed assets according to the procedures outlined by the Uniform System of Accounts for School Districts and GASB Statement 34 Regulations.

These accounts will serve to:

- a) Maintain a physical inventory of assets;
- b) Establish accountability;
- c) Determine replacement costs; and
- d) Provide appropriate insurance coverage.

Fixed assets with a minimum value established by the Board that have a useful life of one (1) year or more and physical characteristics not appreciably affected by use or consumption shall be inventoried and recorded on an annual basis. Fixed assets shall include land, buildings, equipment and materials.

The Board shall establish a dollar threshold as a basis for considering which fixed assets are to be depreciated. Such threshold shall ensure that at least 80 percent of the value of all assets is reported. However, it is recommended that such threshold shall not be greater than \$5,000. A standardized depreciation method and averaging convention shall also be established for depreciation calculations.

Fixed assets acquired having a value equal to or greater than the established threshold are considered depreciable assets and shall be inventoried for the purposes of GASB 34 accounting practices and placed on a depreciation schedule according to its asset class and estimated useful life as stipulated by the NY State Comptroller's Office or the IRS.

Assets shall be recorded at initial cost or, if not available, at estimated initial cost; gifts of fixed assets shall be recorded at estimated fair value at the time of the gift. A property record will be maintained for each asset and will contain, where possible, the following information:

- a) Date of acquisition;
- b) Description;

(Continued)

SUBJECT: ACCOUNTING OF FIXED ASSETS (Cont'd.)

- c) Cost or value;
- d) Location;
- e) Asset type;
- f) Estimated useful life;
- g) Replacement cost;
- h) Current value;
- i) Salvage value;
- j) Date and method of disposition; and
- k) Responsible official.

The School Business Administrator shall arrange for the periodic inventory based on the needs of the District and appraisal of School District property, equipment and material. Any discrepancies between an inventory and the District's property records on file should be traced and explained.

Equipment Acquired Under a Federal Government Grant

The School District shall comply with the U.S. Department of Education regulations governing the use, management requirements and disposition of any and all equipment acquired through a federal government grant. These federal Education Department General Administrative Regulations (collectively known or referred to as EDGAR) comprise parts 74 through 99 of Title 34 of the Code of Federal Regulations (CFR).

Equipment Purchased with Extraclassroom Funds

Title to all equipment acquired with extraclassroom activity funds shall reside with the District and be carried as an insurable asset on its list of insurable values. Such equipment shall be tagged as District property but is available for exclusive use by the extraclassroom activity club acquiring the item.

34 CFR 80.32
SED Finance Pamphlet #2 The Safeguarding, Accounting, and Auditing of Extraclassroom Activity Funds 2008
Uniform System of Accounts for School Districts (Fiscal Section)

Adopted: 2/27/08

Revised:

SUBJECT: RESERVE FUNDS

Reserve funds (essentially a legally authorized savings account designated for a specific purpose) are an important component in the District's financial planning for future projects, acquisitions and other lawful purposes. To this end, the District may establish and maintain reserve funds in accordance with New York State Laws, Commissioner's Regulations and the rules and/or opinions issued by the Office of the New York State Comptroller, as applicable. The District shall comply with the reporting requirements of Article 3 of the General Municipal Law of the State of New York and the Governmental Accounting Standards Board (GASB) issued GASB Statement Number 54, *Fund Balance Reporting and Governmental Fund Type Definitions*.

Any and all District reserve funds shall be properly established and maintained to promote the goals of creating an open, transparent and accountable use of public funds. The District may engage independent experts and professionals, including but not limited to, auditors, accountants and other financial and legal counsel, as necessary, to monitor all reserve fund activity and prepare any and all reports that the Board may require.

Periodic Review and Annual Report

The Board of Education will periodically review all reserve funds. The District will also prepare and submit an annual report of all reserve funds to the Board of Education. The annual report shall include the following information for each reserve fund:

- a) The type and description of the reserve fund;
- b) The date the reserve fund was established and the amount of each sum paid into the fund;
- c) The interest earned by the reserve fund;
- d) Capital gains or losses resulting from the sale of investments of the reserve fund;
- e) The total amount and date of each withdrawal from the reserve fund;
- f) The total assets of the reserve fund showing cash balance and a schedule of investments;
and

The Board shall utilize the information in the annual report to make necessary decisions to adequately maintain and manage the District's reserve fund balances while mindful of its role and responsibility as a fiduciary of public funds.

The Superintendent shall develop any necessary and/or appropriate regulations to implement the terms of the Board's policy.

Adoption Date:

SUBJECT: ACCEPTANCE OF GIFTS, GRANTS AND BEQUESTS TO THE SCHOOL DISTRICT

The Board may accept gifts, donations, grants and/or bequests of money, real or personal property, as well as other merchandise which, in view of the Board, add to the overall welfare of the School District, provided that such acceptance is in accordance with existing laws and regulations. Donations to the school are fully tax deductible so long as the gift is used exclusively for public purposes in accordance with 26.U.S.C Section 170(c). However, the Board is not required to accept any gift, grant or bequest and does so at its discretion, basing its judgment on the best interests of the District. Furthermore, the Board will not accept any gift, grant or bequest which constitutes a conflict of interest and/or gives an appearance of impropriety. At the same time, the Board will safeguard the District, the staff and students from commercial exploitation, from special interest groups, and the like.

The Board will not accept any gifts or grants which will place encumbrances on future Boards, or result in unreasonable additional or hidden costs to the District. The Board may, if it deems it necessary, request that gifts of equipment, facilities or any item that requires upkeep and maintenance include funds to carry out such maintenance for the foreseeable life of the donation.

The Board of Education will not formally consider the acceptance of gifts or grants until and unless it receives the offer in writing from the donor/grantor or their attorney/financial advisor. Any such gifts or grants donated to the Board and accepted on behalf of the School District must be by official action and resolution passed by Board majority. The Board would prefer the gift or grant to be a general offer rather than a specific one. Consequently, the Board would suggest that the donor/grantor work first with the school administrators in determining the nature of the gift or grant prior to formal consideration for acceptance by the Board. However, the Board, in its discretion, may direct the Superintendent of Schools to apply such gift or grant for the benefit of a specific school or school program.

The Board is prohibited, in accordance with the New York State Constitution, from making gifts/charitable contributions with School District funds.

Gifts and/or grants of money to the District shall be annually accounted for under the trust and agency account in the bank designated by the Board of Education.

All gifts, grants and/or bequests shall become School District property. A letter of appreciation, signed by the President of the Board and the Superintendent, will be sent to a donor/grantor in recognition of his/her contribution to the School District. Letters will be sent in a timely manner and will acknowledge the possible tax deduction available to donors whose gifts qualify under IRS regulations.

(Continued)

SUBJECT: ACCEPTANCE OF GIFTS, GRANTS AND BEQUESTS TO THE SCHOOL DISTRICT (Cont'd.)

Gift Giving

The Board of Education recognizes that gift giving, especially during the holiday season, may be a common practice for many District employees. While the giving or exchanging of gifts may be acceptable among staff members, the Board strongly encourages District employees and students to show appreciation through written notes or greeting cards.

Additionally, all business contacts will be informed that gifts exceeding seventy-five dollars (\$75) to District employees will be returned or donated to charity.

New York State Constitution Article 8, Section 1
Education Law Sections 1709(12), 1709(12-a) and 1718(2)
General Municipal Law Section 805-a(1)

Adopted: 2/27/08
Revised:

SUBJECT: SUSPENSION OF STUDENTS

The Superintendent and/or the Principal may suspend the following students from required attendance upon instruction:

- a) A student who is insubordinate or disorderly; or
- b) A student who is violent or disruptive; or
- c) A student whose conduct otherwise endangers the safety, morals, health or welfare of others.

When a student has been suspended and is of compulsory attendance age, immediate steps shall be taken to provide alternative instruction which is of an equivalent nature to that provided in the student's regularly scheduled classes.

Suspension

Five Days or Less

The Superintendent and/or the Principal of the school where the student attends shall have the power to suspend a student for a period not to exceed five (5) school days. In the absence of the Principal, the designated "Acting Principal" may then suspend a student for a period of five (5) school days or less.

When the Superintendent or the Principal (the "suspending authority") proposes to suspend a student for five (5) school days or less, the suspending authority shall provide the student with **notice** of the charged misconduct. If the student denies the misconduct, the suspending authority shall provide an **explanation** of the basis for the suspension.

When suspension of a student for a period of five (5) school days or less is proposed, administration shall also immediately notify the parent/person in parental relation in writing that the student *may be* suspended from school.

Written notice shall be provided by personal delivery, express mail delivery, or equivalent means reasonably calculated to assure receipt of such notice within twenty-four (24) hours of the decision to propose suspension at the last known address or addresses of the parents/persons in parental relation. Where possible, notification shall also be provided by telephone if the school has been provided with a telephone number(s) for the purpose of contacting parents/persons in parental relation.

The notice shall provide a description of the incident(s) for which suspension is proposed and shall inform the student and the parent/person in parental relation of their right to request an immediate informal conference with the Principal in accordance with the provisions of Education Law Section 3214(3)(b). Both the notice and the informal conference shall be in the dominant language or

SUBJECT: SUSPENSION OF STUDENTS (Cont'd.)

mode of communication used by the parents/persons in parental relation. At the informal conference, the student and/or parent/person in parental relation shall be authorized to present the student's version of the event and to ask questions of the complaining witnesses.

The notice and opportunity for informal conference shall take place **prior to** suspension of the student unless the student's presence in the school poses a continuing danger to persons or property or an ongoing threat of disruption to the academic process, in which case the notice and opportunity for an informal conference shall take place as soon after the suspension as is reasonably practical.

Teachers shall immediately report or refer a violent student to the Principal or Superintendent for a violation of the *District's Code of Conduct* and a minimum suspension period.

More Than Five School Days

In situations where the Superintendent determines that a suspension in excess of five (5) school days may be warranted, the student and parent/person in parental relation, upon reasonable notice, shall have had an opportunity for a fair hearing. At the hearing, the student shall have the right of representation by counsel, with the right to question witnesses against him/her, and the right to present witnesses and other evidence on his/her behalf.

Where the basis for the suspension is, in whole or in part, the possession on school grounds or school property by the student of any firearm, rifle, shotgun, dagger, dangerous knife, dirk, razor, stiletto or any of the weapons, instruments or appliances specified in Penal Law Section 265.01, the hearing officer or Superintendent shall not be barred from considering the admissibility of such weapon, instrument or appliance as evidence, notwithstanding a determination by a court in a criminal or juvenile delinquency proceeding that the recovery of such weapon, instrument or appliance was the result of an unlawful search or seizure.

Minimum Periods of Suspension

Pursuant to law, Commissioner's Regulations and the *District's Code of Conduct*, minimum periods of suspension shall be provided for the following prohibited conduct, subject to the requirements of federal and state law and regulations:

- a) Consistent with the federal Gun-Free Schools Act, any student who is determined to have brought a weapon to school or possessed a weapon on school premises shall be suspended for a period of not less than one (1) calendar year. However, the Superintendent has the authority to modify this suspension requirement on a case-by-case basis.

SUBJECT: SUSPENSION OF STUDENTS (Cont'd.)

- b) A minimum suspension period for students who repeatedly are substantially disruptive of the educational process or substantially interfere with the teacher's authority over the classroom, provided that the suspending authority may reduce such period on a case-by-case basis to be consistent with any other state and federal law. The definition of "repeatedly is substantially disruptive of the educational process or substantially interferes with the teacher's authority" shall be determined in accordance with the Regulations of the Commissioner.
- c) A minimum suspension period for acts that would qualify the student to be defined as a violent student pursuant to Education Law Section 3214(2-a)(a), provided that the suspending authority may reduce such period on a case-by-case basis to be consistent with any other state and federal law.

Suspension of Students with Disabilities

Generally, should a student with a disability infringe upon the established rules of the schools, disciplinary action shall be in accordance with procedures set forth in the *District's Code of Conduct* and in conjunction with applicable law and the determination of the Committee on Special Education (CSE).

For suspensions or removals up to 10 school days in a school year that do not constitute a disciplinary change in placement, students with disabilities must be provided with alternative instruction or services on the same basis as non-disabled students of the same age.

If suspension or removal from the current educational placement constitutes a disciplinary change in placement because it is for more than ten (10) consecutive school days or constitutes a pattern because the suspensions or removals cumulate to more than ten school days in a school year, a manifestation determination must be made.

Manifestation Determinations

A review of the relationship between the student's disability and the behavior subject to disciplinary action to determine if the conduct is a manifestation of the disability must be made by a manifestation team immediately, if possible, but in no case later than ten (10) school days after a decision is made:

- a) By the Superintendent to change the placement to an interim alternative educational setting (IAES);
- b) By an Impartial Hearing Officer (IHO) to place the student in an IAES; or

(Continued)

SUBJECT: SUSPENSION OF STUDENTS (Cont'd.)

- c) By the Board, District Superintendent, Superintendent or Building Principal to impose a suspension that constitutes a disciplinary change of placement.

The manifestation team shall include a representative of the District knowledgeable about the student and the interpretation of information about child behavior, the parent and relevant members of the CSE as determined by the parent and the District. The parent must receive written notice prior to the meeting to ensure that the parent has an opportunity to attend. This notice must include the purpose of the meeting, the names of those expected to attend and notice of the parent's right to have relevant members of the CSE participate at the parent's request.

The manifestation team shall review all relevant information in the student's file including the student's IEP, any teacher observations, and any relevant information provided by the parents to determine if: the conduct in question was caused by or had a direct and substantial relationship to the student's disability; or the conduct in question was the direct result of the District's failure to implement the IEP.

Finding of Manifestation

If it is determined, as a result of this review, that the student's behavior is a manifestation of his/her disability the CSE shall conduct a functional behavioral assessment and implement or modify a behavioral intervention plan.

Functional behavioral assessment (FBA) means the process of determining why the student engages in behaviors that impede learning and how the student's behavior relates to the environment. FBA must be developed consistent with the requirements of Commissioner's Regulations Section 200.22(a) and shall include, but not be limited to, the identification of the problem behavior, the definition of the behavior in concrete terms, the identification of the contextual factors that contribute to the behavior (including cognitive and affective factors) and the formulation of a hypothesis regarding the general conditions under which a behavior usually occurs and probable consequences that serve to maintain it.

Behavioral intervention plan (BIP) means a plan that is based on the results of a functional behavioral assessment and, at a minimum, includes a description of the problem behavior, global and specific hypotheses as to why the problem behavior occurs and intervention strategies that include positive behavioral supports and services to address the behavior.

Unless the change in placement was due to behavior involving serious bodily injury, weapons, illegal drugs or controlled substances, the student must be returned to the placement from which the student was removed unless the parent and the District agree to a change of placement as part of the modification of the behavioral intervention plan.

SUBJECT: SUSPENSION OF STUDENTS (Cont'd.)

No Finding of Manifestation

If it is determined that the student's behavior is not a manifestation of his/her disability, the relevant disciplinary procedures applicable to students without disabilities may be applied to the student in the same manner in which they would be applied to students without disabilities, subject to the right of the parent/person in parental relation to request a hearing objecting to the manifestation determination and the District's obligation to provide a free, appropriate public education to such student.

Provision of Services Regardless of the Manifestation Determination

Regardless of the manifestation determination, students with a disability shall be provided the services necessary for them to continue to participate in the general education curriculum and progress toward meeting the goals set out in their IEP as delineated below:

- a) During suspensions or removals for periods of up to ten (10) school days in a school year that do not constitute a disciplinary change in placement, students with disabilities of compulsory attendance age shall be provided with alternative instruction on the same basis as nondisabled students. Students with disabilities who are not of compulsory attendance age shall be entitled to receive services during such suspensions only to the extent that services are provided to nondisabled students of the same age who have been similarly suspended.
- b) During subsequent suspensions or removals for periods of ten (10) consecutive school days or less that in the aggregate total more than ten (10) school days in a school year but do not constitute a disciplinary change in placement, students with disabilities shall be provided with services necessary to enable the student to continue to participate in the general education curriculum and to progress toward meeting the goals set out in the student's IEP and to receive, as appropriate, a functional behavioral assessment, behavioral intervention services and modifications that are designed to address the behavior violation so it does not recur. School personnel, in consultation with at least one (1) of the student's teachers, shall determine the extent to which services are needed, so as to enable the student to continue to participate in the general education curriculum, although in another setting, and to progress in meeting the goals set out in the student's IEP.
- c) During suspensions or other disciplinary removals, for periods in excess of ten (10) school days in a school year which constitute a disciplinary change in placement, students with disabilities shall be provided with services necessary to enable the student to continue to participate in the general education curriculum, to progress toward meeting the goals set out in the student's IEP, and to receive, as appropriate, a functional behavioral assessment, behavioral intervention services and modifications that are designed to address the behavior violation so it does not recur. The IAES and services shall be determined by the CSE.

(Continued)

SUBJECT: SUSPENSION OF STUDENTS (Cont'd.)

Interim Alternative Educational Setting (IAES)

Students with disabilities who have been suspended or removed from their current placement for more than ten (10) school days may, as determined by the CSE, be placed in an IAES which is a temporary educational setting other than the student's current placement at the time the behavior precipitating the IAES placement occurred.

Additionally, the District may seek an order from a hearing officer for a change in placement of a student with a disability to an appropriate IAES for up to forty-five (45) school days if the District establishes, in accordance with law, that such student is substantially likely to injure himself/herself or others.

There are three (3) specific instances when a student with a disability may be placed in an IAES for up to forty-five (45) school days without regard to a manifestation determination:

- a) Where the student carries or possesses a weapon to or at school, on school premises, or to or at a school function under the jurisdiction of the District; or
- b) Where a student knowingly possesses or uses illegal drugs or sells or solicits the sale of a controlled substance while at school, on school premises, or at a school function under the jurisdiction of the District; or
- c) Where a student has inflicted serious bodily injury upon another person while at school, on school premises, or at a school function under the jurisdiction of the District. Serious bodily harm has been defined in law to refer to one of the following:
 1. Substantial risk of death;
 2. Extreme physical pain; or
 3. Protracted and obvious disfigurement or protracted loss or impairment of the function of a bodily member, organ or mental faculty.

A school function shall mean a school-sponsored or school-authorized extracurricular event or activity regardless of where such event or activity takes place, including any event or activity that may take place in another state.

School personnel may consider any unique circumstances on a case-by-case basis when determining whether to order a change in placement for a student with a disability who violates a code of student conduct.

(Continued)

SUBJECT: SUSPENSION OF STUDENTS (Cont'd.)

In all cases, the student placed in an IAES shall:

- a) Continue to receive educational services so as to enable the student to continue to participate in the general education curriculum, although in another setting, and to progress towards the goals set out in the student's IEP, and
- b) Receive, as appropriate, a functional behavioral assessment and behavioral intervention services and modifications that are designed to address the behavior violation so that it does not recur.

The period of suspension or removal may not exceed the amount of time a non-disabled student would be suspended for the same behavior.

Suspension From BOCES

The BOCES Principal may suspend School District students from BOCES classes for a period not to exceed five (5) school days when student behavior warrants such action.

In-School Suspension

In-school suspension will be used as a lesser discipline to avoid an out-of-school suspension. The student shall be considered present for attendance purposes. The program is used to keep each student current with his/her class work while attempting to reinforce acceptable behavior, attitudes and personal interaction.

BOCES Activities

BOCES activities, such as field trips and other activities outside the building itself, are considered an extension of the school program. Therefore, an infraction handled at BOCES is to be considered as an act within the School District itself.

A student who is ineligible to attend a District school on a given day may also be ineligible to attend BOCES classes. The decision rests with the Superintendent or his/her designee.

Exhaustion of Administrative Remedies

If a parent/person in parental relation wishes to appeal the decision of the Building Principal and/or Superintendent to suspend a student from school, regardless of the length of the student's suspension, the parent/person in parental relation must appeal to the Board of Education prior to commencing an appeal to the Commissioner of Education.

(Continued)

SUBJECT: SUSPENSION OF STUDENTS (Cont'd.)

Procedure After Suspension

When a student has been suspended and is of compulsory attendance age, immediate steps shall be taken to provide alternative instruction which is of an equivalent nature to that provided in the student's regularly scheduled classes.

When a student has been suspended, the suspension may be revoked by the Board of Education whenever it appears to be for the best interest of the school and the student to do so. The Board of Education may also condition a student's early return to school and suspension revocation on the student's voluntary participation in counseling or specialized classes, including anger management or dispute resolution, where applicable.

Individuals with Disabilities Education Improvement
Act of 2004 [Public Law 108-446 Section 615(k)(1)]
18 United States Code (USC) Section 921
Individuals with Disabilities Education Act (IDEA)
20 United States Code (USC) Sections 1400 et seq.
20 United States Code (USC) Section 7151, as
reauthorized by the No Child Left Behind Act of
2001
34 Code of Federal Regulations (CFR) Part 300
Education Law Sections 2801, 3214 and 4402
Penal Law Section 265.01
8 New York Code of Rules and Regulations (NYCRR)
Section 100.2(l)(2), 200.4(d)(i), 200.22 and Part 201

NOTE: Refer also to Policy #7360 -- Weapons in School and the Gun-Free Schools Act.

Adopted: 2/27/08
Revised: