

The **SPECIAL BUSINESS MEETING** of the Board of Education West Hempstead Union Free School District was called to order in the High School Video Conference Room on October 29, 2013 at 7:38 p.m.

PRESENT: Ms. Brohm, who presided, and six other members of the Board: Ms. Kurko, Ms. Lotito, Mr. Mariano, Ms. Rilling, Mr. Schindler and Mr. Trocchia. Also present were Mr. Hogan, Ms. Peluso, Mr. Cunningham, Mr. Mestecky, Ms. Girolamo and members of the community.

Docket #3-137: Upon the motion of Ms. Lotito, seconded by Mr. Mariano and carried by seven, the Board accepted the recommendations to add new vendors to the District vendor list.

The **POLICY MEETING** of the Board of Education West Hempstead Union Free School District then began. The following policies were discussed:

Docket #3-89: **Policy 1100 – Community Relations** – It was unanimously agreed that this Policy be placed on the November 19th Business Meeting for adoption by the Board with the following changes: paragraph one, line three, add the words “and docket” after the word agenda. Add as a second paragraph the following: “Minutes of open Board meetings shall be available pursuant to the Freedom of Information Law within two (2) weeks of the date of the meeting.” Add Reference: NY Pub. Off. Law §§103, 106 at the end of the policy.

Docket #3-90: **Policy 1113 – Distribution of Policies** – It was unanimously agreed that this Policy be rescinded at the November 19th Business Meeting.

Docket #3-91: **Policy 1120 – Budget Meetings** – It was unanimously agreed that this Policy be placed on the November 19th Business Meeting for adoption by the Board with the following changes: Delete paragraph two and replace it with “A copy of the budget adopted by the Board of Education shall be posted on the District’s website for reference and review two (2) weeks prior to the Annual Meeting, subject to further action by the Board.”

Docket #3-92: **Policy 2200 – Sexual Harassment** – It was unanimously agreed that this Policy be placed on the November 19th Business Meeting for reaffirmation by the Board.

Docket #3-93: **Policy 2520 – Electronic Technology Disaster Recovery** – It was unanimously agreed that this policy be placed on the November 19th Business Meeting for reaffirmation by the Board.

Docket #3-94: **Policy 3300 – Audit Committees** – It was unanimously agreed that this policy be placed on the November 19th Business Meeting for adoption by the Board with the following change: After first paragraph, #2, to add the sentence “Such members will serve for two (2) years.”

Docket #3-95: **Policy 3362 – Approval of Conference Expenses** - It was unanimously agreed that this policy be placed on the November 19th Business Meeting for adoption with the following changes and additions: First paragraph, third line to read “...shall be reimbursed for pre-approved expenses that are reasonable, necessary and related to their attendance at any such meeting(s) upon completion of an expense form and submission of appropriate documentation in support of expenses claimed to District Business Official.”
Second paragraph to read, “The Superintendent of Schools or his/her designee is authorized to approve District staff members attendance at conferences, workshops, conventions, seminars and/or similar meetings(s) related to their positions at the District. The Superintendent of

Schools or his/her designee is authorized to approve reasonable and necessary expenses related to staff attendance at any such meeting(s) within budgetary allocation for all staff approved to attend such conferences.” Add a third paragraph which reads, “Attendance at any and all conferences, workshops, conventions, seminars and/or similar meetings(s) and anticipated related expenses for staff members must be pre-approved by the Superintendent of Schools, or his/her designee. Guidelines for particular expense include: 1. Meal expenses shall be reimbursed insofar as they are reasonable and necessary. 2. Alcoholic beverages will not be reimbursed under any circumstances. 3. Attendees may submit mileage and toll vouchers for approved conferences. 4. Final decisions regarding reimbursement for individual costs will be made by the Superintendent of Schools.

Docket #3-96: **Policy 3443 – Investments** – It was unanimously agreed that this policy be placed on the November 19th Business Meeting for reaffirmation by the Board. It was also unanimously agreed that the Administrative Regulations be approved with the following changes: Page 2 – Add B. Letters of Credit and numbers 1 and 2.

1. An eligible letter of credit for 140 percent of the amount deposited. §10.h. of the GML defines an eligible letter of credit as one that is issued in favor of the local government for a term not to exceed ninety (90) days by a bank (other than the bank with which the money is being deposited or invested) whose commercial paper and other unsecured short-term debt obligations (or, in the case of a bank, which is the principal subsidiary of a holding company, whose holding company’s commercial paper and other unsecured short-term debt obligations) are rated in one of the three highest rating categories (based on the credit of such bank or holding company) by at least one nationally recognized statistical rating organization or by a bank (other than the bank with which the money is being deposited or invested) that is in compliance with applicable federal minimum risk-based capital requirements.

2. An irrevocable letter of credit issued by a federal home loan bank for one hundred percent (100%) of the amount deposited. §10.3.c.(ii). of the GML defines an irrevocable letter of credit issued by a federal home loan bank as one issued in favor of the local government by a federal home loan bank whose commercial paper and other unsecured short-term debt obligations are rated in the highest rating category by at least one nationally recognized statistical rating organization. According to Comptroller’s Opinion 2600-4, the

ninety (90)-day term of an eligible letter of credit does not apply to an irrevocable letter of credit issued by a federal home loan bank.

Docket #3-97: **Policy 3444 – Purchasing** – It was unanimously agreed that this policy be placed on the November 19th Business Meeting for reaffirmation by the Board.

Docket #3-98: **Policy 4100 – Employee Code of Ethics** – It was unanimously agreed that this policy be placed on the November 19th Business Meeting for reaffirmation by the Board.

Docket #3-99: **Policy 4214 – Medical Examinations** – It was unanimously agreed that this policy be rescinded at the November 19th Business Meeting.

Docket #3-100: **Policy 5120 – Student Attendance** – It was unanimously agreed that this policy be placed on the November 19th Business Meeting for reaffirmation by the Board. The Board also requested this policy be reviewed at the February Policy Meeting.

Docket #3-101: **Policy 5122 – Comprehensive District Program and Procedures for the Prevention of Alcohol and Substance Abuse** – It was unanimously agreed that this policy be placed on the November 19th Business Meeting with the following additions: Page 3: #2 to read, “....school and community and provide parents with workshop opportunities to acquire this information.” Under Intervention – #1 – add “...services for students and parents.” Under #4 add “.....services to students and parents in or returning....” The Board also agreed to create a new policy on this topic for employees. Page 4 – Staff Development – last sentence in first paragraph to read “...on-going process, which may include:”

Docket #3-102: **Policy 5151 – Wellness** – It was unanimously agreed that this policy be reaffirmed at the November 19th Business Meeting. It was also agreed that the Policy Subcommittee will discuss a “Student Health Services” policy for future consideration.

Docket #3-103: **Policy 5152 – Use of Automated External Defibrillators** – It was unanimously agreed that this policy be adopted as amended at the November 19th Business

Meeting with the following changes:

Use of Automated External Defibrillators

The Board of Education recognizes that the use and deployment of Automated External Defibrillators (“AED”) in emergencies may reduce the number of deaths associated with sudden cardiac arrest. The purpose of this policy is to create a Public Access Defibrillation Program (“PAD Program”) and authorizes administration to develop procedures on how to handle sudden cardiac arrest in students, staff and others involved in school activities. To this end, the Board of Education has acquired AEDs for use by qualified personnel. Such AEDs are in compliance with applicable law and are programmed to the current Emergency Cardiovascular Care (ECC) Guidelines, capable of defibrillating both adult and pediatric patients.

The School District shall provide and maintain on-site in each instructional school facility functional cardiac automated external defibrillator (AED) equipment as defined in Public Health Law Section 3000-b for use during emergencies. Each such facility shall have sufficient automated external defibrillator equipment available to ensure ready and appropriate access for use during emergencies in quantities and types as deemed by the Commissioner of Education, in consultation with the Commissioner of Health. Determination of the quantity and placement of AEDs must be made with consideration of at least the factors enumerated in Commissioner's Regulations. An instructional school facility means a building or other facility maintained by the School District where instruction is provided to students pursuant to its curriculum.

Whenever an instructional School District facility is used for a school-sponsored or school-approved curricular or extracurricular event or activity and whenever a school-sponsored athletic contest is held at any location, the public school officials and administrators responsible for such school facility or athletic contest shall ensure that AED equipment is provided on-site and that there is present during such event, activity or contest at least one (1) staff person who is trained in accordance with Public Health Law in the operation and use of an AED. School-sponsored or school-approved curricular or extracurricular events or activities means events or activities of the School District that are, respectively, associated with its instructional curriculum or otherwise offered to its students. A school-sponsored athletic contest means an extra class intramural athletic activity of instruction, practice and competition for students in grades 4 through 12 consistent with Commissioner's Regulations Section 135.4.

Where a school-sponsored competitive athletic event is held at a site other than a School District facility, School District officials shall assure that AED equipment is provided on-site by the sponsoring or host district and that at least one (1) staff person who is trained, in accordance with Public Health Law, in the operation and use of the AED is present during

such athletic event. A school-sponsored competitive athletic event means an extra class interscholastic athletic activity of instruction, practice and competition for students in grades 7 through 12 consistent with Commissioner's Regulations Section 135.4.

The Board approves the use of AEDs subject to the following conditions:

1. The Program shall be provided in compliance with Section 3000-b, Article 30 of the Public Health Law of the State of New York, and New York State Department of Health, Bureau of Emergency Medical Services Policy Statement "Public Access Defibrillation" or any amendments and/or updates thereto.
2. The Board has identified Dr. Eric Shoenfeld as an "emergency health care provider" ("EHCP"), who is knowledgeable and experienced in emergency cardiac care and has agreed to serve as EHCP and participate in a collaborative agreement with the school district. The EHCP shall provide the school district with a copy of his or her New York State license.
3. The Board authorizes the Superintendent of Schools or the EHCP to file Department of Health Form 4135, "Notice of Intent to Provide Public Access Defibrillation," with the Regional Emergency Medical Services Council.
4. If the EHCP becomes unavailable to serve, the Board shall designate a new EHCP and a new collaborative agreement shall be filed with the Regional Emergency Medical Services Council.
5. The EHCP shall participate in the regional quality improvement program as required by Section 3004-a of the Public Health Law.
6. The collaborative agreement with the EHCP shall include at least the following:
 - a. Written practice protocols for the use of the AED
 - b. Written policies and procedures which:
 - (i) provide training requirements for AED users
 - (ii) ensure immediate calling of 911
 - (iii) ensure ready identification of the location of the AED units
 - (iv) provide for routine inspection and regular maintenance procedures of the AED units, which meet or exceed manufacturer's recommendations
 - (v) detail documentation requirements, and
 - (vi) define participation in a regionally approved quality improvement program

7. The Board designates the **Directors of Physical Education, Health and Athletics and School Facilities** as Coordinators of the Program (“AED Coordinators”) for the term of the Program and any extension thereof.
8. Employees of the school district will be authorized to utilize an AED only after participating in initial and recurrent training in an approved AED training course for AED users.
9. The school district shall provide written notice of the availability of AED service at various locations in the school district to 911 and/or the community equivalent ambulance dispatch entity.
10. All authorized personnel must maintain a record of their certification on file, establishing such person’s successful completion of an approved PAD Program training course.
11. All such certifications must be current and still effective under the standards of the organization that has approved the course to which such certification relates, and only authorized personnel with certification effective at the time of the use of any AED may use the AED.
12. The PAD Program coordinator will arrange ongoing training in the use of AEDs for the personnel at this facility as recommended by a properly accredited training organization.
13. All authorized personnel shall be familiar with and trained to use the specific model of AED owned by this facility.

The District shall post a sign or notice at the main entrance to the facility or building in which the AED unit(s) is stored, indicating the exact location where the unit(s) is stored or maintained on a regular basis.

Pursuant to Public Health Law Sections 3000-a and 3000-b, the School District (as a public access defibrillation provider), or any employee or other agent of the School District who, in accordance with the provisions of law, voluntarily and without expectation of monetary compensation renders emergency medical or first aid treatment using an AED to a person who is unconscious, ill or injured, shall not be liable for damages for injury or death unless caused by gross negligence.

Education Law Section 917
Public Health Law Sections 3000-a and 3000-b
8 New York Code of Rules and Regulations
Sections 135.4 and 136.4

Docket #3-104: **Policy 5161 – Dignity of Students (Bullying)** – It was unanimously agreed that this policy be placed on the November 19th Business Meeting with the following changes: Page 1 – Second paragraph to read, “ ...prohibit bullying, discrimination and harassment.....events and functions, as well as cyberbullying as such term is define herein.” Under Definitions: “Bullying and/or “harassment” shall mean the creation of a hostile environment by conduct or by threats, intimidation or abuse, including cyberbullying and verbal and non-verbal actions that:

- A. has or would have the effect of unreasonably and substantially interfering with a student’s educational performance, opportunities or benefits or mental, emotional or physical well being; or
- B. reasonably causes or would reasonably be expected to cause a student to fear for his or her physical safety;
- C. reasonably causes or would reasonably be expected to cause physical injury or emotional harm to a student; or
- D. occurs off school property and creates or would foreseeably create a risk of substantial disruption within the school environment, where it is foreseeable that the conduct, threats, intimidation or abuse might reach school property.

For purposes of this definition and this policy, the terms “threats, intimidation or abuse shall include verbal and non-verbal actions.”

“Cyberbullying” shall mean harassment or bullying, where such harassment or bullying occurs through any form of electronic communication.

Page 2 – Number 1 – third line to read, “...written, verbal, non-verbal, physical and/or electronic actions.” #3 to read, “.....repeated incidents, but are based upon the specific incident(s) involved.” Page 3, under Reporting, add second paragraph to read, “The Board of Education has appointed Dignity Act Coordinators for each school building in the District.” Third paragraph to read, “.....prompt corrective action that is reasonably calculated to end the harassment, bullying or discrimination, eliminate a hostile environment, prevent recurrence of the behavior, ensure the safety of those against whom such harassment, bullying or discrimination was directed and create a more positive school culture will be taken.” After

paragraph four, add paragraph five to read, “All District employees who either witness behavior that may constitute bullying, harassment or discrimination or receive an oral or written report of harassment, bullying or discrimination, must orally notify the building principal or his/her designee not later than one (1) school day after such employee witnesses or receives a report of harassment, bullying or discrimination. Such employee must file a written report with the principal or his/her designee not later than two (2) school days after making such a report.” Add paragraph seven to read, “The principal of each building shall regularly report data and trends related to harassment, bullying and discrimination to the Superintendent.” Under Policy Implementation, add paragraph two to read, “The procedures for reporting, filing complaints and appealing decisions regarding bullying, harassment and/or discrimination in accordance with this policy are contained in the Administrative Regulations accompanying this policy.” Under Prevention will include – #1 to read, “Training for administrators and staff to increase awareness of the prevalence, social patterns, causes, consequences and effects of bullying, discrimination and harassment, and sharing strategies for preventing such behavior:” Under Intervention – Number 1 to read, “...bullying, discrimination or harassing behavior,....”

Docket #3-105: Policy 8310 – Adaptation, Modification or Amendment of Policy

Meetings – It was unanimously agreed that this policy be placed on the November 19th Business Meeting with the following changes: Under Agenda, second paragraph – First line to read, “The notice of the time and place of the meeting is to be publicized in our local papers at least one week prior to the policy meeting.” Last line in the second paragraph to read, “Notice of the time and place of all policy meetings of the Board will be posted on the doors to each school and on the District website one (1) week prior to the meeting.” Page 3 –

under Definitions – Proposed Policy to read, “This represents a proposed policy statement, which has been prepared by staff to reflect Board discussion. It is posted on the District website for public review and presented for consideration and approval by the Board.”

Adopted Policy to read, “This is a policy, which has been officially approved at a Regular Board Meeting. It is printed on punched blue paper for inclusion in the policy binder and posted on the District webpage.”

Docket #3-106: **Policy 9230 – Duties of Board Secretary** – It was unanimously agreed that this policy be reaffirmed at the November 19th Business Meeting.

Docket #3-107: **Policy 9231 – District Clerk** – It was unanimously agreed that this policy be placed on the November 19th Business Meeting for adoption with the following changes: Under #3 to read, “Obtain approval of the minutes by the Board at the next meeting and forward electronically copies of the minutes to each member of the Board and/or the Superintendent within fourteen (14) days of approval.”

Docket #3-108: **Policy 9340 – Regular Meetings** – It was unanimously agreed that this policy be reaffirmed at the November 19th Business Meeting.

Docket #3-109: **Policy 9420 – Minutes** – It was unanimously agreed that this policy be placed on the November 19th Business Meeting Agenda with the following change:

Paragraph 1 to read, “The Board of Education shall maintain a complete and accurate set of minutes of each meeting. Such minutes shall constitute the official records of all proceedings of the Board and shall be open to public inspection via the District website within two (2) weeks of all public meetings.”

Docket #3-110: Proposed Policy – Information Security Breach and Notification –

It was unanimously agreed that this policy be adopted at the November 19th Business Meeting.

At 9:20 p.m. upon the motion of Mr. Schindler, seconded by Ms. Kurko and carried by seven, the Policy Meeting was adjourned to Executive Session for the purpose of discussing personnel and receiving legal advice from counsel.

At 9:56 p.m. upon the motion of Ms. Rilling, seconded by Ms. Kurko and carried by seven, Executive Session was adjourned.

Kathryn Girolamo, District Clerk