

Docket # \_\_\_\_\_

The **POLICY MEETING** of the Board of Education West Hempstead Union Free School District was called to order in the High School Video Conference Room on February 4, 2014 at 8:05 p.m.

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

The following policies were discussed:

**Docket #3-166:**      **Policy 4212 – Non-Certificated Personnel - Appointment** – It was unanimously agreed that this Policy be placed on the February 11<sup>th</sup> Business Meeting for adoption by the Board with the following changes: First paragraph, second line and after to read: They will be recommended for appointment by the Director of Business/Business Manager to the Superintendent of Schools. Each recommended candidate that is approved by the Superintendent of Schools will be recommended by the Superintendent of Schools to the Board of Education for appointment. The Board of Education, at its next regular meeting, will either appoint the candidate as a “provisional” or “probationary” employee, whichever is applicable, effective the date the employee will start work, or will decline to appoint the candidate, by its failure to appoint, or by official action. Second paragraph, second line to read: “...for such step, as defined in the applicable collective bargaining agreement.”

**Docket #3-169:**      **Proposed Policy – Student Health Services** – It was unanimously agreed that this Policy be placed on the February 11<sup>th</sup> Business Meeting for adoption by the Board.

**Docket #3-219:**      **Policy 3444 – Purchasing** – It was unanimously agreed that this Policy be placed on the February 11<sup>th</sup> Business Meeting for adoption by the Board with the following changes: Add:

**Procurement**

The Board authorizes the purchase and procurement of apparatus, materials, equipment and supplies and services related to the installation, maintenance or repair of such apparatus, materials, equipment and supplies, the cost of which exceeds \$20,000, on the basis of the “best value” exception to the competitive bidding requirements of the General Municipal Law, and consistent with all other applicable requirements of the General Municipal Law.

To extent allowable by law, the Board further authorizes the use of “Piggybacking” on any contracts let by another governmental entity, municipality, school district or BOCES, where the original contract was awarded on the basis of either “best value” or was awarded to the “lowest responsible bidder” in compliance with competitive bidding requirements.

**Docket #3-220:**      **Policy 4271 – Grievance Procedures for Non-Certificated Personnel**

**and Non-Represented Staff Members** – It was unanimously agreed that this Policy be placed on the February 11<sup>th</sup> Business Meeting for adoption by the Board with the following changes: Under Grievance – delete as #1 and make it a definition and the paragraph shall read: “...laws, rules, procedures, regulations or policies, which related to, or involve the individual in, the exercise of the duties assigned to him or her; however, such definition shall not include any matter involving an employee’s rate of compensation, retirement benefits, disciplinary proceeding or any matter, which is otherwise reviewable pursuant to law or any rule or regulation having the force and effect of law. For the purpose of this policy, the term “Grievance” does not include any grievance otherwise covered by any other District policy, including, but not limited to, Policy 2200, Sexual Harassment.” - Delete #3 – Administrator.

Under Basic Principals, #4 to read: “The District shall keep a record of the grievance procedure at all stages. ...reasonable times to the record pertaining to the case in question. ...permanent file. If the aggrieved is not in agreement with the accuracy of the abstract or statement of findings he/she may write a written response to the abstract or statement of findings to be included in the file.” Number 5 to read, “All hearings and proceedings shall be confidential, to the extent reasonably practicable.” Number 6 to read, “...responsibility of the Superintendent of Schools to take such steps as may be necessary to give force and effect to these procedures. At each level of the grievance procedure, the person(s) charged with considering the grievance shall.”. Number 8 to read, “The time periods of any step of these procedures may be extended by the District in its sole discretion.” Under Procedures #2, third line to read, “The Superintendent or his/her designee shall hold an informal hearing at which the employee and his/her representative, if any, may appear and present oral and written statements or arguments.” Second to last sentence delete, “and in either event the Superintendent shall be deemed to have exercised his/her prerogative.” Number 3, line 4 to read, “within five (5) school days following such a request, if reasonably practicable to do so.” Next paragraph, 4<sup>th</sup> line to read, “The decision as to whether to reopen the previous step shall be made in the sole discretion of the individual who rendered the decision at such step.”

Under Advisory Appeal Board, add: The Advisory Appeal Board shall meet with the aggrieved and his/her representative, if any, to conduct a hearing on the appeal. All parties to the grievance must be present and may have counsel. If a party is not present at the scheduled meeting, then he/she will be deemed to have waived his/her right to appear before the Advisory Appeal Board on such matter. The parties will be restricted to the written record. No additional evidence will be considered. Accordingly, the Board will only hear argument

of the parties or their representatives based on the written record.” Next paragraph to read, “the decision of the Advisory Appeal Board shall be rendered in writing to the individual grievant, his representative, if any, ...” Number 4 to read, “The individual shall submit his/her grievance in writing to the District Clerk for distribution to the Board of Education. He/she must include the written record of the previous steps. The Board’s review of the matter will be restricted to the written record. No additional evidence will be considered. The Board shall render a decision, in writing, within one calendar month after the Board Meeting at which the grievance is considered.” Under Amendments – Sentence to read, “These procedures may be amended at any time by the Board of Education.”

**Docket #3-221:**        **Policy 5120 – District Attendance** – It was unanimously agreed that this Policy be placed on the February 11<sup>th</sup> Business Meeting for adoption by the Board.

**Docket #3-222:**        **Policy 5140 – Athletic Selection/Classification** – It was unanimously agreed that this policy be placed on the February 11<sup>th</sup> Business Meeting for adoption by the Board with the following changes: Directly after the title of the policy add the following three paragraphs:

The Regulations of the Commissioner of Education allow a Board of Education to permit pupils in grades no lower than seventh grade to compete on interscholastic athletic teams organized for senior high school pupils, or senior high school pupils to compete on interscholastic athletic teams organized for pupils in the seventh and eighth grade.

The Board acknowledges that these pupils are to be placed at levels of competition appropriate to their physiological maturity, physical fitness and skills in relationship to other pupils in accordance with the standards established by the Commissioner of Education.

The State Education Department issues the standards for these pupils to compete under a program called the Selection/Classification Program.

Also, under 7<sup>th</sup> grade students: Delete the word “golf.” Add Ref: 8 N.Y.C.R.R.

135.4(c)(7)(ii)(a)(4).

At 8:40 p.m. upon the motion of Ms. Rilling, seconded by Mr. Schindler and carried by six, the Policy Meeting was adjourned

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Kathryn Girolamo, District Clerk