

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

- ❑ Overview of the District's Facilities - KG&D Architects
- ❑ Energy Education - Mr. Jerry Schulman
- ❑ Board of Education
 - Update on the Mandate Relief - Mr. Vincent D'Ambroso
- ❑ Superintendent of Schools - Dr. Susan Guiney

IV. APPROVAL of MINUTES

BE IT RESOLVED: That the minutes of the September 18, 2013 monthly Board of Education and October 9, 2013 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 Resolutions A through Cc as printed on the agenda.

A) ACCEPTANCE.– RESIGNATION

BE IT RESOLVED: That the Mount Pleasant Central School District Board of Education hereby accepts the resignation of:

Lauren McNamara, Teacher Aide, Westlake Middle School
Effective: October 18, 2013

B) ACCEPTANCE – RESIGNATION (RETIREMENT)

BE IT RESOLVED: That the Mount Pleasant Central School District Board of Education hereby accepts the resignation for purposes of retirement of:

MOUNT PLEASANT CENTRAL SCHOOL DISTRICT
BOARD OF EDUCATION MEETING – OCTOBER 16, 2013

(Revised 10/16/13)

Kathy Vadella, Senior Office Assistant (Auto Systems), District Office
Effective: October 30, 2013

The Board extends sincere appreciation to Mrs. Vadella for 12 years of service to the Mount Pleasant Central School District and wishes her a happy and healthy retirement.

C) ACCEPTANCE – DONATION

BE IT RESOLVED: That the Mount Pleasant Central School District Board of Education hereby accepts a \$209.96 donation from Target for Hawthorne Elementary School.

D) ACCEPTANCE – DONATION

BE IT RESOLVED: That the Mount Pleasant Central School District Board of Education hereby accepts a \$425.23 donation from Target for Columbus Elementary School.

E) ACCEPTANCE – DONATION

BE IT RESOLVED: That the Mount Pleasant Central School District Board of Education hereby accepts the donation of two couches from Anthony Bastone for the student lounge at Westlake High School.

F) ACCEPTANCE – DONATION

BE IT RESOLVED: That the Mount Pleasant Central School District Board of Education hereby accepts a \$1,547.00 donation from the PTA for new playground swings at Hawthorne Elementary School

The Board extends sincere appreciation to the Elementary PTA for their continued support and commitment to the Mount Pleasant school community.

G) ACCEPTANCE – DONATION

BE IT RESOLVED: That the Mount Pleasant Central School District Board of Education hereby accepts a donation in the amount of \$5,000 from the Mt. Pleasant Wildcats Football Club.

The Board extends sincere appreciation to the Wildcats Football Club for this generous gift.

H) APPROVAL – FINANCIAL REPORTS

BE IT RESOLVED: That the Board of Education hereby approves the Treasurer's Report for the month of August 2013.

AND BE IT FURTHER RESOLVED: That the Board of Education accepts the report from the claims auditor on warrant # 5 and # 6.

I) APPROVAL – DECLARATION OF EMERGENCY REPAIR

BE IT RESOLVED: That the Board of Education hereby approves the declaration of emergency repair service to damaged electrical equipment at Columbus Elementary School.

AND BE IT FURTHER RESOLVED: That the Board of Education approves the transformer and feeder replacement services with Verde Electrical Corporation at a cost of \$86,233.00.

J) APPROVAL – TRANSFER OF FUNDS

BE IT RESOLVED: That the Board of Education hereby authorizes the following budget transfers for the 2013-2014 year as specified below:

TRANSFER TO:			TRANSFER FROM:		
ACCOUNT TITLE	CODE	AMOUNT	ACCOUNT TITLE	CODE	AMOUNT
SALARIES	A1040-160-07-1300	2,707.00	RETIREMENT INCENTIVES & OTHER BENEFITS	A9089-800-07-8520	2,707.00
SALARIES - CLERICAL	A1240-160-07-1500	3,238.00	RETIREMENT INCENTIVES & OTHER BENEFITS	A9089-800-07-8520	3,238.00
SALARIES - CLERICAL OT/PT	A1240-160-07-1530	10,000.00	RETIREMENT INCENTIVES & OTHER BENEFITS	A9089-800-07-8520	10,000.00
SALARIES	A1310-150-07-1000	4,988.00	RETIREMENT INCENTIVES & OTHER BENEFITS	A9089-800-07-8520	4,988.00
SALARIES	A1325-160-07-1300	3,889.00	RETIREMENT INCENTIVES & OTHER BENEFITS	A9089-800-07-8520	3,889.00
SALARIES	A1430-160-07-1300	3,277.00	RETIREMENT INCENTIVES & OTHER BENEFITS	A9089-800-07-8520	3,277.00
CONTRACTUAL EXPENSE	A1480-400-07-4000	4,440.00	MATERIALS & SUPPLIES	A1240-450-07-5000	4,440.00
INSURANCE - FIRE & LIABILITY	A1980-400-07-4610	8,614.65	REPAIRS - OTHER	A1621-400-07-4540	8,614.65
SALARIES	A2010-150-07-1000	3,140.00	RETIREMENT INCENTIVES & OTHER BENEFITS	A9089-800-07-8520	3,140.00
SALARIES	A2020-150-07-1000	16,222.26	RETIREMENT INCENTIVES & OTHER BENEFITS	A9089-800-07-8520	16,222.26
LONGEVITY K-6	A2110-120-00-1110	9,514.00	RETIREMENT INCENTIVES & OTHER BENEFITS	A9089-800-07-8520	9,514.00
SALARIES - GR 7-12	A2110-130-00-1100	143,219.63	RETIREMENT INCENTIVES & OTHER BENEFITS	A9089-800-07-8520	143,219.63
SALARIES	A2250-150-00-1000	2,900.00	RETIREMENT INCENTIVES & OTHER BENEFITS	A9089-800-07-8520	2,900.00
SALARIES - TEACHING ASSISTANT	A2250-150-00-1200	67,952.00	SALARIES	A2825-150-00-1100	67,952.00
SALARIES - SPECIAL ED AIDES CES	A2250-160-01-1400	9,763.49	SALARIES	A2825-150-00-1100	9,763.49
SALARIES - SPECIAL ED AIDES HES	A2250-160-02-1400	48,068.91	SALARIES - SPECIAL ED TEACHERS	A2250-150-00-1100	48,068.91
SALARIES - SPECIAL ED AIDES WMS	A2250-160-05-1400	26,803.58	SALARIES	A2825-150-00-1100	16,688.29
			SALARIES - SPECIAL ED TEACHERS	A2250-150-00-1100	10,115.29
SALARIES - GUIDANCE	A2810-150-00-1100	2,434.00	SALARIES	A2020-160-07-1500	2,434.00
SALARIES - SUMMER WMS	A2810-150-05-1120	11,507.22	SALARIES	A2825-150-00-1100	11,507.22
SALARIES - HEALTH SERVICE RN	A2815-160-07-1100	15,000.00	RETIREMENT INCENTIVES & OTHER BENEFITS	A9089-800-07-8520	15,000.00
SALARIES - CUSTODIAL OT	A7140-160-07-1630	3,392.68	SALARIES - OT WHS	A1620-160-04-1630	1,938.31
			SALARIES - OT WMS	A1620-160-05-1630	1,454.37

K) APPROVAL – DISPOSAL OF TEXTBOOKS

BE IT RESOLVED: that the Board of Education approves the disposal of the obsolete textbooks as described below in such a manner that shall be advantageous to the District in accordance with policy # 5250.

Title	Publisher	Copyright	QTY
New York Math AB	Prentice Hall	2001	7
New York Math B	Prentice Hall	2002	20
Calculus for Business, Economics, and the Social Life Sciences 8 th Ed.	McGraw Hill	2004	21
Advanced Mathematical Concepts	Merrill Publishing Co.	1981	40
Career Mathematics	Houghton Mifflin	1985	34
Unified Mathematics Book 3	Houghton Mifflin	1991	25
Calculus with Analytic Geometry	Prentice Hall	1994	22
The Practice of Statistics 2 nd Ed.	Freeman	2003	43
The Practice of Statistics 1st Ed.	Freeman	1999	40
Integrated Mathematics Course III	Amasco	1982	11
Glencoe Accounting Concepts/Procedures/Applications	Glencoe	1994	27
Financial Accounting Tools for Business Decision Making	Wiley	2000	11

L) APPROVAL – INDEPENDENT CONTRACTOR, ATHLETIC TRAINER

BE IT RESOLVED: That upon the recommendation of the Director of Athletics, the Board of Education hereby approves Sleepy Hollow Physical Therapy to provide athletic trainer professional services on an as needed basis at a cost of \$30.00 per hour for the 2013-2014 school year.

AND BE IT FURTHER RESOLVED: That the Director of Business Administration is authorized to execute the contract on its behalf.

M) APPROVAL – BOCES TRANSPORTATION CONTRACT

BE IT RESOLVED: That the Board of Education hereby approves the transportation contract with Southern Westchester BOCES for the 2013-2014 school year in the amount of \$61,990.00.

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

N) APPROVAL – ARCHITECTURAL SERVICES CONTRACT

BE IT RESOLVED: That the Board of Education hereby approves the contract with KG&D Architects, PC to provide architectural services for the replacement of oil tanks at Westlake High School, Westlake Middle School and Columbus Elementary School.

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

O) APPROVAL – CPSE AND CSE PLACEMENT RECOMMENDATIONS

BE IT RESOLVED, that the recommendations for placement of students with disabilities as recommended by the Mount Pleasant Central School District's Committee on Special Education and Committee on Preschool Special Education at their meetings listed below are hereby approved. Copies of said recommendations are on file in the office of the District Clerk:

CPSE: July 2, 29 – 2013
 September 11, 18 - 2013

CSE: September 9, 12, 13, 17, 25, 27 – 2013

P) APPROVAL - SPECIAL EDUCATION OUT OF DISTRICT PLACEMENT CONTRACT, 2013/2014

BE IT RESOLVED: That in accordance with the recommendation of the Director of Special Education and Student Services, the Board of Education hereby approves the following Special Education Out of District Placement Contract for the 2013-2014 school year:

New York School for the Deaf, 1 student @ \$72,000.00 (interim rate).

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

Q) APPROVAL - SPECIAL EDUCATION OUT OF DISTRICT PLACEMENT CONTRACT, 2013/2014

BE IT RESOLVED: That the Special Education Out of District Placement originally approved at the June 19, 2013 for Melmark, Inc. be amended as recommended by the Director of Special Education for the 2013-14 school year as follows:

Melmark, Inc. 1 student @ \$634.89 per diem for the Children's Residential Program and \$479.73 per diem for School program.

(Revised 10/16/13)

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

R) APPROVAL - EXECUTION OF SIDE LETTER BETWEEN THE MOUNT PLEASANT CENTRAL SCHOOL DISTRICT AND THE MOUNT PLEASANT CSEA CLERICAL UNIT

BE IT RESOLVED: That the Board of Education herewith authorizes the Superintendent of Schools to execute a certain side letter agreement between the District and the Mount Pleasant CSEA Clerical Unit concerning the title of Attendance Clerk. Said side letter was previously reviewed by the Board of Education in executive session.

S) APPROVAL – MODIFICATION TO PART-TIME APPOINTMENT

BE IT RESOLVED: That the part-time appointment for Lois Lerner, originally requested and approved at the September 18, 2013 Board of Education meeting, be modified to .8 effective September 9, 2013 through June 30, 2014.

T) APPOINTMENT OF ENERGY EDUCATION SPECIALIST

BE IT RESOLVED: That the Mount Pleasant Central School District Board of Education hereby appoints Mr. Jerry Schulman as the district-wide Energy Education Specialist effective September 1, 2013 through June 30, 2014, with a salary of \$24,000.

U) APPROVAL – EXTRA-CURRICULAR APPOINTMENTS, 2013/2014 SCHOOL YEAR

BE IT RESOLVED: That in accordance with the recommendation of the Superintendent of Schools, the Mount Pleasant Central School District Board of Education approves the following extra-curricular appointments for the 2013/2014 school year:

<u>Name</u>	<u>Position</u>	<u>Stipend</u>
Ben Faber	HS Gay/Straight Alliance	\$1,574
Tom Hall/Ray Szczerba	MS/HS Science Olympiad (2positions)	\$2,125 each
Brittany Redmond	S.A.D.D.	\$1,574
Donna Gelard	HS Literary Magazine	\$1,838
Tania Greco/Emily Curro	HS Student Council (shared)	\$1,858 each
Barbara Schulz/Open	MS Theater Asst.(2 positions)	\$1,838 each
Connie Cotrone	Junior Class Advisor (shared)	\$1,448 each
Marissa Ranellone		

V) APPROVAL – EXTRA CURRICULAR APPOINTMENTS, 2013/2014 SCHOOL YEAR (FALL SPORTS)

BE IT RESOLVED: That the Mount Pleasant Central School District Board of Education approves the Superintendent of Schools recommendation to appoint the following individuals to the Extra Curricular appointments for the 2013/2014 school year:

<u>Position</u>	<u>Coach</u>	<u>Stipend</u>
Modified Volleyball (Girls)	Sean Mayer	\$4,068
Modified Volleyball (Girls)	Julie Bernier	Volunteer

W) APPROVAL - CURRICULUM LEADER APPOINTMENT, 2013/2014 SCHOOL YEAR

BE IT RESOLVED: That as recommended by the Director of Curriculum and Instructional Services and the Superintendent of Schools, the Mount Pleasant Central School District Board of Education hereby approves the following Curriculum Leader appointment for the 2013/2014 school year:

<u>Name</u>	<u>Position</u>	<u>Stipend</u>
Anna Nazaruk	K-2 Mathematics	\$2,350

X) APPROVAL – TEACHER AIDE SUBSTITUTE AND SCHOOL MONITOR SUBSTITUTE APPOINTMENTS RESCINDED

BE IT RESOLVED: That the teacher aide substitute appointment and school monitor substitute appointment, originally requested and approved at the August 7, 2013 Board of Education meeting, for Shatania Sharras is hereby rescinded.

Y) APPROVAL – AMENDMENT TO POLICY NO. 5751, DRUG AND ALCOHOL TESTING FOR SCHOOL BUS DRIVERS AND OTHER SAFETY-SENSITIVE EMPLOYEES

BE IT RESOLVED: That the Board of Education affirmatively votes to amend Policy No. 5751, entitled Drug and Alcohol Testing For School Bus Drivers and Other Safety, 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. 5751, and immediately adopts said policy effective October 16, 2013.

Z) APPROVAL – AMENDMENT TO POLICY NO. 5672, INFORMATION SECURITY BREACH AND NOTIFICATION

BE IT RESOLVED: That the Board of Education affirmatively votes to amend Policy No. 5672, entitled Information Security Breach and Notification, 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. 5672, and immediately adopts said policy effective October 16, 2013.

Aa) APPROVAL – AMENDMENT TO POLICY NO. 6110, CODE OF ETHICS FOR BOARD MEMBERS AND ALL DISTRICT PERSONNEL

BE IT RESOLVED: That the Board of Education affirmatively votes to amend Policy No. 6110, entitled Code of Ethics for Board Members and All District Personnel, 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. 6110, and immediately adopts said policy effective October 16, 2013.

Bb) APPROVAL – AMENDMENT TO POLICY NO. 6120, EQUAL EMPLOYMENT OPPORTUNITY

BE IT RESOLVED: That the Board of Education affirmatively votes to amend Policy No. 6120, entitled, Equal Employment Opportunity, 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. 6120, and immediately adopts said policy effective October 16, 2013.

Cc) APPROVAL – PROFESSIONAL PERSONNEL AND CIVIL SERVICE PERSONNEL APPOINTMENTS

BE IT RESOLVED: That the attached 13/14, P-5, Professional Personnel Appointments are hereby approved. All appointments are contingent on fingerprint clearance through the New York State Education Department

AND

MOUNT PLEASANT CENTRAL SCHOOL DISTRICT
BOARD OF EDUCATION MEETING – OCTOBER 16, 2013

(Revised 10/16/13)

BE IT RESOLVED: That the attached 13/14, C-5, Civil Service Personnel Appointments are hereby approved. All appointments are contingent on fingerprint clearance through the New York State Education Department.

VIII. OPPORTUNITY FOR PUBLIC COMMENTS TO BOARD OF EDUCATION

IX. ADJOURNMENT:

(It is anticipated the Board of Education will enter into executive session to hear the Teachers Association Step 3 Grievance.)

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SCHEDULE 13/14, P-5 PROFESSIONAL PERSONNEL APPOINTMENTS

LONG-TERM SUBSTITUTE

Tom Lyons, Technology Education

Assigned To: Westlake Middle School

Certification: Permanent Certification in Business & Distributive Education

Permanent Certification in Mathematics 7-12

Effective: September 17, 2013 – October 4, 2013

Salary Placement: M.A. Step 1: \$298.30 Daily Rate

Kay Buckley, School Counselor

Assigned To: Westlake High School

Certification: Permanent Certification as School Counselor

Effective: October 4, 2013 – October 25, 2013

Salary Placement: M.A. Step 1: \$298.30 Daily Rate

ADDITIONAL TEACHING ASSIGNMENT

Timothy Raney, Westlake Middle School

Assigned: Additional .1 every day for Technology Education 8 (**Total 1.1**)

Certification: Professional Certification in Technology Education

Effective: October 7, 2013 – January 31, 2014 (1st Semester Only)

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

DETENTION CENTER – WESTLAKE HIGH SCHOOL, 2013/2014 SCHOOL YEAR

SEMESTER 1

Mark Mammola

Claudia Papazian-Moravec

Deborah DeNoia

Lisa Alterio

Hours: Not to exceed a total of 10 hours per person for Semester 1

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

**SUBSTITUTE FOR DETENTION CENTER – WESTLAKE HIGH SCHOOL 2013/2014
SCHOOL YEAR**

SEMESTER 1

Lauren Russo

Hours: Not to exceed a total of 5 hours for Semester 1

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

LUNCH DUTY – WESTLAKE HIGH SCHOOL, 2013/2014 SCHOOL YEAR

SEMESTER 1

Underclassmen Cafeteria

Theresa DiLeo
Nick Romeo
Vincent Iovane
Theresa Barbuto
Deb DeNoia
Matt Dachik
Schuyler Smith

Senior Cafeteria

Jen Avella
Frank Chiera
Deb DeNoia
Mark Mammola
Schuyler Smith
Matt Dachik
Brian McClintock
Vincent Iovane

The employee named above is authorized to work as assigned not to exceed one period per day for Semester 1.

Stipend: Lunch Duty will be paid in accordance with the Mount Pleasant Central School District Teachers Association agreement.

MOUNT PLEASANT CENTRAL SCHOOL DISTRICT
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(Revised 10/16/13)

PERMANENT SUBSTITUTE APPOINTMENT, 2013/2014 SCHOOL YEAR

Felix Nicodemo, Hawthorne Elementary School, \$100/Day
Effective: September 25, 2013 – November 20, 2013

Jillian Paladino, Columbus Elementary School, \$100/Day
Effective: September 17, 2013 – June 30, 2014

Kathleen Lorenzen, Westlake Middle School, \$100/Day
Effective: September 16, 2013 – October 15, 2013

Luke Unneland, Westlake High School, \$100/Day
Effective: October 15, 2013 – June 30, 2014

PER-DIEM SUBSTITUTE APPOINTMENT, 2013/2014 SCHOOL YEAR

Felix Nicodemo
Effective: September 19, 2013 – September 24, 2013
November 21, 2013 – June 30, 2014

Tom Lyons
Effective: October 7, 2013 – June 30, 2014

Erin Dawson
Effective: September 19, 2013 – June 30, 2014

Salary: \$100/Day

SCHEDULE 13/14, C-5 CIVIL SERVICE APPOINTMENTS

LIBRARY ASSISTANT APPOINTMENT

Andrea Morcone

Assigned To: Westlake High School/Westlake Middle School Library

Beginning of Probationary Period: October 4, 2013

Expiration of Probationary Period: October 3, 2014

Salary Placement: T.A. Step 4: \$32,083.96 (pro-rated)

APPOINTMENT MADE FROM ELIGIBLE LIST #62-689 – LIBRARY ASSISTANT

SCHOOL MONITOR APPOINTMENT, 2013/2014 SCHOOL YEAR

Maria DiNota

Assigned To: Westlake High School

Effective: September 24, 2013

Salary: \$15.10 per Step 1 of the School Monitor Salary Schedule

TEACHER AIDE APPOINTMENTS, 2013/2014 SCHOOL YEAR

Shatania Sharras

Assigned To: Westlake Middle School

Effective: September 10, 2013

Salary: \$16.35 per Step 1 of the Teacher Aide Salary Schedule

Sara Willstatter

Assigned To: Hawthorne Elementary School

Effective: September 30, 2013

Salary: \$16.35 per Step 1 of the Teacher Aide Salary Schedule

TEACHER AIDE SUBSTITUTE APPOINTMENT, 2013/2014 SCHOOL YEAR

Amanda DeSalvo

Effective: September 18, 2013 – June 30, 2014

MarieAnn DiMeglio

Effective: October 2, 2013 – October 4, 2013

HOURLY APPOINTMENTS

Pam Andriola, School Monitor

Assigned To: WMS Athlete Supervision

Effective: September 12, 2013 – October 31, 2013

Hours: Not to exceed 35

Salary: \$17.26/hour

Shatania Sharras, School Monitor

Assigned To: WMS Athlete Supervision

Effective: September 12, 2013 – June 27, 2014

Hours: 7.5 hours per week

Salary: \$15.10/hour

Maria Chietro, School Monitor

Assigned To: WMS Athlete Supervision

Effective: September 12, 2013 – June 27, 2014

Hours: 7.5 hours per week

Salary: \$17.51/hour

Brandon Pearlman, School Monitor Substitute

Assigned To: WMS Athlete Supervision

Effective: September 19, 2013 – June 27, 2014

Hours: Not to exceed 20

Salary: \$15.10/hour

Pam Andriola, Teacher Aide

Assigned To: WMS Extra Curricular Activities

Effective: September 16, 2013 – June 25, 2014

Hours: Not to exceed 40

Salary: \$19.84/hour

Steve Gruber, Teacher Aide

Assigned To: WMS Extra Curricular Activities

Effective: September 16, 2013 – June 25, 2014

Hours: Not to exceed 40

Salary: \$16.35/hour

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(Revised 10/16/13)

Judy Prieston, Teacher Aide

Assigned To: WMS Extra Curricular Activities

Effective: September 16, 2013 – June 25, 2014

Hours: Not to exceed 40

Salary: \$18.82/hour

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Non-Instructional/Business
Operations

**SUBJECT: DRUG AND ALCOHOL TESTING FOR SCHOOL BUS DRIVERS AND
OTHER SAFETY-SENSITIVE EMPLOYEES**

In accordance with federal regulations, employees in safety-sensitive positions as defined in regulations who are required to have and use a commercial drivers license (CDL), are subject to random testing for alcohol, marijuana, cocaine, amphetamines, opiates (including heroin), and phencyclidine (PCP). The District shall adhere to federal law and regulations requiring the implementation of a drug and alcohol testing program for such employees in safety-sensitive positions.

The District shall ensure that vendors/contract bus companies either establish and manage their own program, by contract, or through a consortium for the provision of alcohol and drug testing of employees in safety-sensitive positions. Safety-sensitive employees (SSE), including school bus drivers and other employees, who drive a vehicle which is designed to transport sixteen (16) or more passengers (including the driver), shall be subject to this requirement.

Federal regulations require that school bus drivers and other SSEs be tested for alcohol and drugs at the following times:

- a) Drug testing will be conducted after an offer to hire, but before actually performing safety-sensitive functions for the first time. Such pre-employment testing will also be required when employees transfer to a safety-sensitive position.
- b) Safety-sensitive employees are also subject to a random drug and/or alcohol test on an unannounced basis just before, during or just after performance of safety-sensitive functions.
- c) In addition, testing will be ordered if a trained Supervisor has a "reasonable suspicion" that an employee has engaged in prohibited use of drugs and/or alcohol.
- d) There will also be post accident testing conducted after accidents on employees whose performance could have contributed to the accidents.
- e) Finally, return-to-duty and follow-up testing will be conducted when an individual who has violated the prohibited alcohol and/or drug conduct standards returns to performing safety-sensitive duties. Follow-up tests are unannounced and at least six (6) tests must be conducted in the first twelve (12) months after an employee returns to duty. Follow-up testing may be extended for up to sixty (60) months following return-to-duty.

All employee drug and alcohol testing will be kept confidential and shall only be revealed without the driver's consent to the employer, a substance abuse professional, drug testing laboratory, medical review officer and any other individual designated by law.

(Continued)

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Non-Instructional/Business
Operations

**SUBJECT: DRUG AND ALCOHOL TESTING FOR SCHOOL BUS DRIVERS AND
OTHER SAFETY-SENSITIVE EMPLOYEES (Cont'd.)**

The following alcohol and controlled substance-related activities are prohibited by the Federal Highway Administration's drug use and alcohol misuse rules for drivers of commercial motor vehicles and other SSEs:

- a) Reporting for duty or remaining on duty to perform safety-sensitive functions while having an alcohol concentration of 0.04 or greater.
- b) Being on duty or operating a commercial motor vehicle (CMV) while the driver possesses alcohol, unless the alcohol is manifested and transported as part of a shipment. This includes the possession of medicines containing alcohol (prescription or over-the-counter), unless the packaging seal is unbroken.
- c) Using alcohol while performing safety-sensitive functions.
- d) New York State Law prohibits using alcohol six (6) hours or less before duty.
- e) When required to take a post-accident alcohol test, using alcohol within eight (8) hours following the accident or prior to undergoing a post-accident alcohol test, whichever comes first.
- f) Refusing to submit to an alcohol or controlled substance test required by post-accident, random, reasonable suspicion or follow-up testing requirements.
- g) Reporting for duty or remaining on duty, requiring the performance of safety-sensitive functions, when the SSE uses any controlled substance. This prohibition does not apply when instructed by a physician who has advised the SSE that the substance does not adversely affect the SSE's ability to safely operate a CMV.
- h) Reporting for duty, remaining on duty or performing a safety-sensitive function, if the SSE tests positive for controlled substances.

Drivers and other SSEs who are known to have engaged in prohibited behavior with regard to alcohol misuse or use of controlled substances are subject to disciplinary action and penalties pursuant to the vendors'/contract bus companies' policies and collective bargaining agreements, as well as the sanctions provided for in federal law. SSEs who have engaged in such prohibited behavior shall not be allowed to perform safety-sensitive functions until they are:

- a) Evaluated by a substance abuse professional (SAP).
- b) Complete any requirements for rehabilitation as set by the District and the SAP.

(Continued)

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Non-Instructional/Business
Operations

**SUBJECT: DRUG AND ALCOHOL TESTING FOR SCHOOL BUS DRIVERS AND
OTHER SAFETY-SENSITIVE EMPLOYEES (Cont'd.)**

- c) Pass a return-to-duty test with the result below 0.02 if the conduct involved alcohol, or a controlled substance test with a verified negative result if the conduct involved controlled substance use.
- d) The SSE shall also be subject to unannounced follow-up alcohol and controlled substance testing. The number and frequency of such follow-up testing shall be as directed by the SAP, and consist of at least six (6) tests in the first twelve (12) months.

The Superintendent of Schools shall ensure that each vendor/contract bus company receives a copy of District policy, educational materials that explain the requirements of the alcohol and drug testing regulations, and any regulations and/or procedures developed by the District with respect to meeting those requirements. The Superintendent or his/her designee shall ensure that a copy of these materials is distributed to each vendor/contract bus company, and the vendor/bus company shall sign for receipt of all of the above documents, as well as other appropriate personnel, prior to the start of alcohol and controlled substance testing as well as at the beginning of each school year or at the time of hire for any safety-sensitive employees.

The Superintendent or his/her designee can assist vendors/contract bus companies with arrangements for training of all supervisors who may be utilized to determine whether "reasonable suspicion" exists to test a driver for prohibited conduct involving alcohol or controlled substance use/abuse.

The Superintendent or his/her designee shall establish regulations necessary to implement this policy. Any significant violations of District policy and/or regulations by vendors/contract bus companies and other employees shall result in revocation of their contract for the transportation of students.

Omnibus Transportation Employee Testing Act of 1991
(Public Law 102-143)
49 United States Code (USC) Sections 31136 and 31306
49 Code of Federal Regulations (CFR)
Parts 40, 172, 382, 383, 391, 392 and 395
Vehicle and Traffic Law Section 509-L

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Non-Instructional/Business
Operations

SUBJECT: INFORMATION SECURITY BREACH AND NOTIFICATION

The School District values the protection of private information of individuals in accordance with applicable law and regulations. Further, the District is required to notify affected individuals when there has been or is reasonably believed to have been a compromise of the individual's *private information* in compliance with the Information Security Breach and Notification Act and Board policy.

- a) "*Private information*" shall mean ****personal information** in combination with any one or more of the following data elements, when either the personal information or the data element is not encrypted or encrypted with an encryption key that has also been acquired:
1. Social security number;
 2. Driver's license number or non-driver identification card number; or
 3. Account number, credit or debit card number, in combination with any required security code, access code, or password which would permit access to an individual's financial account.

"*Private information*" does not include publicly available information that is lawfully made available to the general public from federal, state or local government records.

****"***Personal information***"** shall mean any information concerning a person which, because of name, number, symbol, mark or other identifier, can be used to identify that person.

- b) "*Breach of the security of the system,*" shall mean unauthorized acquisition or acquisition without valid authorization of computerized data which compromises the security, confidentiality, or integrity of personal information maintained by the District. Good faith acquisition of personal information by an employee or agent of the District for the purposes of the District is not a breach of the security of the system, provided that private information is not used or subject to unauthorized disclosure.

Determining if a Breach Has Occurred

In determining whether information has been acquired, or is reasonably believed to have been acquired, by an unauthorized person or person without valid authorization, the District may consider the following factors, among others:

- a) Indications that the information is in the physical possession and control of an unauthorized person, such as a lost or stolen computer or other device containing information; or
- b) Indications that the information has been downloaded or copied;

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Non-Instructional/Business
Operations

SUBJECT: INFORMATION SECURITY BREACH AND NOTIFICATION (Cont'd.)

- c) Indications that the information was used by an unauthorized person, such as fraudulent accounts opened or instances of identity theft reported; or
- d) System failures.

Notification Requirements

- a) For any computerized data owned or licensed by the School District that includes private information, the District shall disclose any breach of the security of the system following discovery or notification of the breach to any New York State resident whose private information was, or is reasonably believed to have been, acquired by a person without valid authorization. The disclosure to affected individuals shall be made in the most expedient time possible and without unreasonable delay, consistent with the legitimate needs of law enforcement, or any measures necessary to determine the scope of the breach and restore the reasonable integrity of the data system. The District shall consult with the State Office of Cyber Security and Critical Infrastructure Coordination (CSCIC) to determine the scope of the breach and restoration measures.
- b) For any computerized data maintained by the District that includes private information which the District does not own, the District shall notify the owner or licensee of the information of any breach of the security of the system immediately following discovery, if the private information was, or is reasonably believed to have been, acquired by a person without valid authorization.

The notification requirement may be delayed if a law enforcement agency determines that such notification impedes a criminal investigation. The required notification shall be made after the law enforcement agency determines that such notification does not compromise the investigation.

Methods of Notification

The required notice shall be directly provided to the affected persons by one of the following methods:

- a) Written notice;
- b) Electronic notice, provided that the person to whom notice is required has expressly consented to receiving the notice in electronic form; and a log of each such notification is kept by the District when notifying affected persons in electronic form. However, in no case shall the District require a person to consent to accepting such notice in electronic form as a condition of establishing any business relationship or engaging in any transaction;
- c) Telephone notification, provided that a log of each such notification is kept by the District when notifying affected persons by phone; or

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Non-Instructional/Business
Operations

SUBJECT: INFORMATION SECURITY BREACH AND NOTIFICATION (Cont'd.)

- d) Substitute notice, if the District demonstrates to the State Attorney General that the cost of providing notice would exceed \$250,000, or that the affected class of subject persons to be notified exceeds 500,000, or that the District does not have sufficient contact information. Substitute notice shall consist of all of the following:
1. E-mail notice when the District has an e-mail address for the subject persons;
 2. Conspicuous posting of the notice on the District's website page, if the District maintains one; and
 3. Notification to major statewide media.

Regardless of the method by which notice is provided, the notice shall include contact information for the notifying District and a description of the categories of information that were, or are reasonably believed to have been, acquired by a person without valid authorization, including specification of which of the elements of personal information and private information were, or are reasonably believed to have been, so acquired.

In the event that any New York State residents are to be notified, the District shall notify the New York State Attorney General (AG), the New York State Consumer Protection Board (CPB), and the New York State Office of Cyber Security (OCS) as to the timing, content and distribution of the notices and approximate number of affected persons.

In the event that more than five thousand (5,000) New York State residents are to be notified at one time, the District shall also notify consumer reporting agencies, as defined pursuant to State Technology Law Section 208, as to the timing, content and distribution of the notices and approximate number of affected persons. Such notice shall be made without delaying notice to affected New York State residents. A list of consumer reporting agencies shall be compiled by the State Attorney General and furnished upon request to school districts required to make a notification in accordance with Section 208(2) of the State Technology Law, regarding notification of breach of security of the system for any computerized data owned or licensed by the District that includes private information.

State Technology Law Sections 202 and 208

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Personnel

SUBJECT: CODE OF ETHICS FOR BOARD MEMBERS AND ALL DISTRICT PERSONNEL

General Provisions

Pursuant to the provisions of the General Municipal Law Section 806, the Board of Education of the Mount Pleasant Central School District recognizes that there are rules of ethical conduct for members of the Board and employees of the District that must be observed if a high degree of moral conduct is to be obtained in our unit of local government. It is the purpose of this resolution to promulgate these rules of ethical conduct for the Board members and employees of the District. These rules shall serve as a guide for official conduct of the Board members and employees of the District. The rules of ethical conduct of this resolution, as adopted, shall not conflict with, but shall be in addition to any prohibition of the General Municipal Law Article 18 or any other general or special law relating to ethical conduct and interest in contracts of Board members and employees.

Standards of Conduct

Every Board member or employee of the Mount Pleasant Central School District shall be subject to and abide by the following standards of conduct:

Gifts

Pursuant to the General Municipal Law Section 805-a, he/she shall not, directly or indirectly, solicit any gift or accept or receive any gift having a value of seventy-five dollars (\$75) or more, whether in the form of money, services, loan, travel, entertainment, hospitality, thing or promise, or any other form, under circumstances in which it could reasonably be inferred that the gift was intended or expected to influence him/her in the performance of official duties or was intended as a reward for any official action on his/her part.

Confidential Information

He/she shall not disclose confidential information acquired by him/her in the course of his/her official duties or use such information to further his/her personal interest.

Disclosure of Interest in Contracts

Any District officer or employee, as well as his/her spouse, who has, will have, or later acquires an interest in any actual or proposed contract, purchase agreement, lease agreement or other agreement, including oral agreements, with the District shall publicly disclose the nature and extent of such interest in writing to his/her immediate Supervisor and to the Board of Education as soon as he/she has knowledge of such actual or prospective interest. Such written disclosure shall be made part of and set forth in the Board minutes.

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Personnel

SUBJECT: CODE OF ETHICS FOR BOARD MEMBERS AND ALL DISTRICT PERSONNEL (Cont'd.)

Representation before one's own agency.

He/she shall not receive, or enter into any agreement, express or implied, for compensation for services to be rendered in relation to any matter before any municipal agency of which he/she is an officer, member or employee or of any municipal agency over which he/she has jurisdiction or to which he/she has the power to appoint any member, officer or employee.

Representation before any agency for a contingent fee

He/she shall not receive, or enter into any agreement, express or implied, for compensation for services to be rendered in relation to any matter before any agency of his/her municipality, whereby his/her compensation is to be dependent or contingent upon any action by such agency with respect to such matter, provided that this paragraph shall not prohibit the fixing at any time of fees based upon the reasonable value of services rendered.

Disclosure of interest in resolution

To the extent that he/she knows thereof, a member of the Board of Education or employee of the Mount Pleasant Central School District, whether paid or unpaid, who participates in the discussion or gives official opinion to the Board of Education on any resolution before the Board of Education shall publicly disclose on the official record the nature and extent of any direct or indirect financial or other private interest he/she has in such resolution.

Investments in conflict with official duties

He/she shall not invest or hold any investment directly or indirectly in any financial, business, commercial, or other private transaction, that creates a conflict with his/her official duties.

Private employment

He/she shall not engage in, solicit, negotiate for or promise to accept private employment or render services for private interests when such employment or service creates a conflict with or impairs the proper discharge of his/her official duties.

Future employment

He/she shall not, after the termination of service or employment with the School District, appear before any board or agency of the Mount Pleasant Central School District in relation to any case, proceeding, or application in which he/she personally participated during the period of his/her service or employment or which was under his/her active consideration.

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Personnel

SUBJECT: CODE OF ETHICS FOR BOARD MEMBERS AND ALL DISTRICT PERSONNEL (Cont'd.)

Legal Remedies

District Officers

In accordance with the Penal Law Section 60.27(5), if a District officer is convicted of a violation against the District under Penal Law Article 155 relating to larceny, the courts may require an amount of restitution up to the full amount of the offense or reparation up to the full amount of the actual out-of-pocket loss suffered by the District.

Board Members and Employees

Nothing herein shall be deemed to bar or prevent the timely filing by a present or former Board member or employee of any claim, account, demand or suit against the Mount Pleasant Central School District, or any agency thereof on behalf of himself/herself or any member of his/her family arising out of any personal injury or property damage or for any lawful benefit authorized or permitted by law.

Distribution/Posting of Code of Ethics

The Superintendent of the Mount Pleasant Central School District shall cause a copy of this code of ethics to be distributed to every Board member and employee of the School District within thirty (30) days after the effective date of this resolution. Each Board member and employee elected or appointed thereafter shall be furnished a copy before entering upon the duties of his/her office or employment. The Superintendent shall also cause a copy of General Municipal Law Article 18 to be kept posted in each building in the District in a place conspicuous to its Board members and employees. Failure to distribute any such copy of this code of ethics or failure of any Board member or employee to receive such copy, as well as failure to post any such copy of General Municipal Law, Article 18, shall have no effect on the duty of compliance with such code of ethics or General Municipal Law Article 18, nor with the enforcement of provisions thereof.

Penalties

In addition to any penalty contained in any other provision of law, any person who shall knowingly and intentionally violate any of the provisions of this code may be fined, suspended or removed from office or employment, as the case may be, in the manner provided by law.

Effective Date

This resolution shall take effect immediately.

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Personnel

**SUBJECT: CODE OF ETHICS FOR BOARD MEMBERS AND ALL DISTRICT
PERSONNEL (Cont'd.)**

Education Law Section 410
General Municipal Law Article 18 and Section 803
Labor Law Section 201-d
Penal Law Article 155 and Section 60.27(5)

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Personnel

SUBJECT: EQUAL EMPLOYMENT OPPORTUNITY

It is the policy of this District to provide, through a positive and effective program, equal opportunities for employment, retention and advancement of all people regardless of race, color, creed, religion, national origin, political affiliation, sex, sexual orientation, age, marital status, military status, veteran status, disability, predisposing genetic characteristics, use of a recognized guide dog, hearing dog or service dog, or domestic violence victim status.

Sexual orientation is defined as heterosexuality, homosexuality, bisexuality or asexuality, whether actual or perceived.

The term "military status" means a person's participation in the military service of the United States or the military service of the state, including but not limited to, the armed forces of the United States, the army national guard, the air national guard, the New York naval militia, the New York guard, and such additional forces as may be created by the federal or state government as authorized by law.

Provisions will be provided for the publication and dissemination, internally and externally of this policy to ensure its availability to interested citizens and groups.

Additionally, administration shall establish grievance procedures that provide for the prompt and equitable resolution of complaints alleging discrimination. Those intending to file a grievance due to alleged discrimination must follow the grievance procedure as established by the District.

Prohibition of Retaliatory Behavior (Commonly Known as "Whistle-Blower" Protection)

The Board prohibits any retaliatory behavior directed against complainants, victims, witnesses, and/or any other individuals who participated in the investigation of a complaint of discrimination. Follow-up inquiries shall be made to ensure that discrimination has not resumed and that all those involved in the investigation of the discrimination complaint have not suffered retaliation.

Posting Requirement of Correction Law Article 23-A

The District shall post, in a place accessible to employees and in a visually conspicuous manner, a copy of Article 23-A of the Correction Law and any regulations promulgated under that statute. Article 23-A addresses the licensure and employment of persons previously convicted of one or more criminal offences.

Civil Penalties in Employment Discrimination Matters

New York State Human Rights Law imposes civil fines and penalties, payable to the State, of up to \$50,000 for unlawful acts of employment discrimination, and up to \$100,000 for willful, wanton, or malicious discrimination. In accordance with law, these penalties may be assessed in all cases of

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Personnel

SUBJECT: EQUAL EMPLOYMENT OPPORTUNITY (Cont'd.)

employment discrimination (e.g., whether such a claim is pursued in a more formal court action or through an administrative proceeding before the New York State Division of Human Rights). Under the legislation, an employer with fewer than fifty (50) employees may be allowed to pay the civil fines and penalties in installments.

The new civil fines do not replace or limit other relief under New York State Human Rights Law that may be awarded to a prevailing complainant in an administrative proceeding which includes, but is not limited to, affirmative relief from the employer (e.g., an order that the individual be hired, promoted or reinstated by the employer), backpay and other compensatory damages (e.g., emotional distress damages). The New York State *Division of Human Rights* cannot award punitive damages or attorney's fees to a prevailing complainant in an administrative proceeding. However, a *New York State Court* may award a prevailing plaintiff in a court action various relief, including, but not limited to, punitive damages and attorney's fees. (An administrative proceeding before the New York State *Division of Human Rights* and an action commenced in a *New York State Court* represent two different ways to seek redress for acts of alleged employment discrimination.)

Age Discrimination in Employment Act, 29 USC Section 621

Americans With Disabilities Act, 42 USC Section 12101 et seq.

Prohibits discrimination on the basis of disability.

Genetic Information Nondiscrimination Act of 2008 (GINA) Public Law 110-233

Prohibits discrimination in the workplace based upon genetic information.

Section 504 of the Rehabilitation Act of 1973, 29 USC Section 794 et seq.

Title VI of the Civil Rights Act of 1964, 42 USC Section 2000d et seq.

Prohibits discrimination on the basis of race, color or national origin.

Title VII of the Civil Rights Act of 1964, 42 USC Section 2000e et seq.

Prohibits discrimination on the basis of race, color, religion, sex or national origin.

Title IX of the Education Amendments of 1972, 20 USC Section 1681 et seq.

Prohibits discrimination on the basis of sex.

Civil Rights Law Section 40-c

Prohibits discrimination on the basis of race, creed, color, national origin, sex, sexual orientation, marital status or disability.

Civil Service Law Section 75-B

Executive Law Section 290 et seq.

Prohibits discrimination on the basis of age, race, creed, color, national origin, sex, sexual orientation, disability, military status, predisposing genetic characteristics, marital status, use of a recognized guide dog, hearing dog or service dog, or domestic violence victim status.

Labor Law Section 201-f

Military Law Sections 242 and 243

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