

Policy Committee Meeting Minutes
Thursday, October 18, 2018
3:00 p.m.
District Offices, Multi-purpose Room

Attendees: Rob Rubin, John Lumia (arrived 3:14 p.m.), Barbara Goodman (arrived 3:15 p.m.), Peggy Kelland, Dwight Bonk, Alberta Pedro

There were no members of the public present at the meeting. The meeting was called to order at 3:08 p.m. by Chairman Robert Rubin.

1. **Approval of Minutes** - Motion made by Peggy Kelland to approve the Policy Committee Minutes of August 7, 2018. The motion was seconded by Dwight Bonk. Vote taken.

Yes: Rob Rubin, Peggy Kelland, Dwight Bonk, Alberta Pedro

Not Present at Vote: Barbara Goodman, John Lumia

Motion carried.

2. **Sexual Harassment Policy and Regulation**

- a. The Chair requested feedback from the committee based on the review provided by Attorney Knapp. President Kelland shared that she recently attended a workshop facilitated by three attorneys regarding the proposed State Labor Law policy on Sexual Harassment. They advised that it is preferable for the district to adopt the policy recommended by the State for now and, while you can't make it less restrictive, you can make it more restrictive later, if needed. Mrs. Kelland raised the point that some of the language is ambiguous. For example, who does it include when they reference "contractors". The districts have people who come into the schools and provide special programs to students. It was recommended that if you have a guest speaker who is under constant supervision, then probably not, however if it is a regular contractual relationship then they must be provided with training in sexual harassment. Dr. Bonk, Mrs. Kelland, and Mr. Rubin were all in agreement to recommend the Sexual Harassment policy for First Reading to the Board of Education.

Mr. Rubin requested that the minutes reflect that Barbara Goodman in an email today requested that Attorney Melissa Knapp be present to answer questions she had about the proposed sexual harassment policy. The district requested Ms. Knapp to be present, however she was not

available. Chairman Rubin requested that if there are any questions about the policy, they should be submitted to the Committee Chair who will forward them for responses, which will be shared with the entire committee membership.

President Kelland confirmed that the school board will also receive training in Sexual Harassment.

John Lumia arrived at 3:14 p.m.

Barbara Goodman arrived at 3:15 p.m.

Mr. Lumia and Mrs. Goodman requested to go back to review the Sexual Harassment policy. Chairman Rubin indicated that the committee can return to this item at the end of the meeting.

3. Model Code of Ethics

- a. **Sample School Board Code of Ethics Policy from NYSSBA** - The Committee reviewed the sample NYSSBA School Board Code of Ethics. The attorney reviewed the Code of Ethics in a memo dated 8/29/18 and recommended that the model Code of Ethics not be added to 2160 but be adopted as a new policy. The attorney recommended not including two provisions which are already included in 2160: Exclusive Authority of School Boards and Official Conduct. The attorney also recommended not including the language under "Private Conduct" as it is too broad. The committee recommended this policy as modified by our attorneys for First Reading.

4. Policy Review Worksheet for 2018-2019 School Year

- a. The District Clerk shared the list of policies the committee will review this school year.

5. Review of Attendance Data

- a. A review of the attendance data for each school showed only a few schools with a reduction in attendance of less than .01%. The Committee wondered if such an insignificant decline in attendance warranted a review of the attendance policy. The committee acknowledged the improvement in attendance at Orchard View AHS. The efforts of the principal should be commended, in light of the many challenges the students face.

The Committee agreed that if a minor decline continues year after year then there may be a concern to warrant more information and a review. Dr. Bonk advised the committee that the district will meet the

requirements outlined by NYS in regards to the reporting and complete a report that is acceptable by NYS. Dr. Bonk will review the attendance data with Daren Lolkema.

6. Charging for School Meals and Prohibition Against Shaming

- a. Additional language was added to the policy due to the audit of Food Services (see underlined text). The Committee recommended this policy for First Reading.

7. 5110 Attendance Zone

- a. The Committee was provided with a draft policy. However, since it was submitted to the attorney on Oct. 3, we are awaiting attorney feedback. This policy is related to out-of-feeder requests. Chair Rubin requested if any committee members had any questions to please submit them so that the attorney can provide feedback.
- b. Some questions asked were:
 - i. When in the summer do attendance zones get changed?
 - ii. The Board discussed siblings of special ed children going to the same schools. There were some pros and cons regarding this issue. It may impact parents, friendship network, school community with children, and transportation. At this time programming is restrictive to certain schools. Dr. Bonk shared that there are approximately 200 out-of-feeder requests per year. Self-contained and inclusion classes may not be offered in every school.

Dr. Bonk requested an extension of two minutes for this discussion. The Committee agreed.

Dr. Bonk recommended that over time he would like to see the out-of-feeder process go away. However, until every program is offered in every school it would be difficult from an administrative perspective to change the process that has been in place for 30+ years. There may be a need to go outside of the attendance zone for other reasons besides special education programming. Right now, Dr. Bonk feels that we need to be flexible.

8. Public Use of Facilities

- a. The Committee discussed that the use of the turf fields was a selling point to the community for the Capital Project referendum. The Committee agreed that any district teams have priority over any community request for use of the fields. It was also discussed that many community members who approved the Capital Project do not have children in the district and

do not play football so we need to protect the investment on behalf of all taxpayers. The Committee agreed that more information was needed before making any decisions.

Motion to extend the discussion by two minutes made by John Lumia, second by Barbara Goodman. Unanimous.

Schools should be a community center and the turf field does encourage a sense of community. The Committee requested an opinion from the architect to get a break even point when the field will reach its projected age in order to develop a fee schedule.

9. Revisit Sexual Harassment Policy

- a. Barbara Goodman and John Lumia arrived late and missed the discussion on Sexual Harassment. Mrs. Goodman had requested Attorney Knapp to be present to answer questions. Chairman Rubin encouraged any committee member with questions to please submit them to the Chair so that they can be addressed.
- b. Mrs. Goodman asked why Attorney Knapp removed the gender based distinction when sexual harassment was introduced in the beginning of the regulation, however it is listed in item #8.
 - i. District Clerk Pedro clarified with Attorney Knapp that she added a new definition for sexual harassment to include both definitions for “sexual harassment” and “gender based harassment” in one definition rather than as NYSSBA provided two separate definitions.

Sexual harassment is a form of sex discrimination and is unlawful under federal, state, and (where applicable) local law. Sexual harassment includes harassment on the basis of actual or perceived or self-identified sex, sexual orientation, **gender identity, gender expression, and transgender status.**

- c. Mrs. Goodman asked about item #10 on the list which considers any “unwelcome and offensive skits, assemblies, productions that are sexually suggestive...” may be considered broad and possibly could mean not permitting a romance play production.
 - i. District Clerk Pedro clarified with Attorney Knapp that the key words in item #10 are “unwelcome and offensive”. The language is meant, for example, where a teacher gives an assignment to

students to act out someone catching them in an affair or a club wanting to put on a skit that can be “unwelcome or offensive”. It is not meant to prevent plays that have known educational value.

- d. The Committee recognized the importance of having a First Reading at the next Board meeting because policies had to be approved by Oct. 9th. The policy was recommended for First Reading.

10. Adjournment

- a. Motion by Rob Rubin to adjourn the Policy Committee meeting, seconded by John Lumia. Unanimous. The Committee adjourned at 4:03 p.m.