

**SMITHTOWN CENTRAL SCHOOL DISTRICT  
BOARD OF EDUCATION  
REGULAR MEETING**

December 12, 2013

Held in Joseph M. Barton Bldg.

Meeting called to order at 6:30p.m. by Gladys M. Waldron, President of the Board of Education. On motion by Ms. Plourde, seconded by Ms. McEnroy, the Board voted unanimously to convene in Executive Session to discuss matters regarding particular personnel and to obtain legal advice from the Board's attorney.

At 7:00 p.m. Mrs. Knox moved, Mr. Alcure seconded, and the Board voted unanimously to reconvene the regular meeting.

Members present:

Gladys M. Waldron	Grace Plourde
Theresa Knox	Christopher Alcure
Louis Liguori	Matthew Morton
Joanne McEnroy	

Also present:

Judith A. Elias, Superintendent  
Jennifer Bradshaw, Asst. Supt.  
Karen Ricigliano, Asst. Supt.  
Andrew Tobin , Asst. Supt.  
William J. Bushman, Ph.D., Asst. Supt.  
Lindsay Crocker, Board Counsel  
Visitors  
Maureen O'Connor, District Clerk

- I. **OPENING CEREMONY** - conducted by Mrs. Waldron.
  
- II. **MINUTES**- of the Regular Meetings held November 13<sup>th</sup> and 26<sup>th</sup> and the Special Meeting held November 19, 2013.

MOTION by Ms. Plourde seconded by Ms. McEnroy that the above minutes be approved as presented.

All aye. Motion carried (7-0)

**III. RECEIPT OF CLAIMS AUDITOR'S REPORT**

“Upon the recommendation of the Superintendent of Schools, be it

RESOLVED, that the Claims Auditor’s Report ending October 31, 2013, in the amount of \$14,823,703.39 be accepted.”

MOTION by Mr. Alcure seconded by Mr. Morton approving acceptance of the Claims Auditor’s Report ending October 31, 2013.

All aye. Motion carried (7-0).

**IV. COMMUNICATIONS - None**

**V. UNFINISHED BUSINESS-**

Mr. Liguori requested an update on the health care reform impact on the district. Mr. Tobin said that Allison Matthews from Lamb and Barnosky will be attending the next Executive Session on January 14<sup>th</sup> to give the Board an overview of the Affordable Care Act.

Mrs. Waldron stated that we will be sending a letter to Governor Cuomo and Commissioner King stating our support of the November 8<sup>th</sup> letter from Roberta Gerold the President of the Suffolk County School Superintendent’s Association. The letter is signed by the Superintendent, PTA Council president, SSAA president, STA president and Board of Education president.

**VI. COMMITTEE REPORTS-**

Instructional Services Committee – Mr. Alcure reported that a meeting was held on December 4<sup>th</sup>. Topics discussed included instructional priorities for budget planning and Common Core Curriculum for students with disabilities.

Business Affairs - Ms. Plourde mentioned a recent news story about a proposed property tax freeze for those municipalities including school districts that do not pierce the tax cap. Mr. Tobin explained that this would take effect in 2016-2017 year if it is enacted.

**VII. SUPERINTENDENT'S REPORT**

**A. Updates** Mrs. Elias updated the Board on the following items of interest:

Congratulations to JJ Foley and Taylor VanNostrand for winning the Suffolk Zone award for Smithtown West. This is an award given for students who excel and enjoy participating in Physical Education class. They are both outstanding student-athletes.

**B. Memorandum of Agreement Between SCSD and SSEA**

“Upon recommendation of the Superintendent of Schools be it RESOLVED, that the attached Memorandum of Agreement between the Smithtown Central School District and the Smithtown Schools Employees’ Association be ratified and approved”

**MOTION** by Ms. Plourde seconded by Mrs. Knox approving Superintendent’s Report Item B, Memorandum of Agreement Between SCSD and SSEA.

All aye. Motion carried (7-0)

**C. Tentative Calendar for January 2014** – the calendars were reviewed by the Board. A Negotiations Committee meeting was scheduled for January 22 at 7:00p.m. and Business Affairs Committee meeting was scheduled for January 22 at 8:00p.m.

**D. Litigation (Executive Session)**

**E. Appointment of Impartial Hearing Officer**

“RESOLVED that District Administration and legal counsel are authorized, retroactive to December 6, 2013, to initiate an Impartial Hearing to demonstrate that the District’s evaluations are appropriate and that there is no legal entitlement to an independent education evaluation at District expense, and it is further

RESOLVED, that Wendy Brandenburg is appointed Impartial Hearing Officer.”

**F. Revised Board of Education Regulation – Independent Educational Evaluations – 4321.3R**

“Upon recommendation of the Superintendent of Schools, be it **RESOLVED**, that the attached revised Regulation 4321.3 R – Independent Educational Evaluations is approved.

**INDEPENDENT EDUCATIONAL EVALUATIONS**

**4321.R**

Independent Educational Evaluation (“IEE”) is governed by the Commissioner’s Regulations 8 N.Y.C.R.R. § 200.5(g) and Board Policy 4321.3. If a parent disagrees with an evaluation obtained by the school district, the parent has a right to obtain an “IEE” at public expense, unless the school district serves a Due Process Complaint Notice requesting an impartial hearing to show that its evaluation is appropriate. The parents request must be in writing and must indicate which of the public evaluations the parent is in disagreement and seeks an independent evaluation. A parent is entitled to only one IEE at public expense each time the school district conducts an evaluation with which the parent disagrees.

The district has a right to initiate an impartial hearing to demonstrate that its evaluation is appropriate. If a public evaluation has in fact been conducted by the district, and the district decides not to initiate an impartial hearing, the parent shall have the right to the IEE at public expense pursuant to the district’s criteria applicable for IEE’s. Upon the parent’s request, the district shall provide information about where an IEE may be obtained, and the school district’s criteria applicable to such evaluations.

The criteria under which the IEE is obtained, including the location of the evaluation, the qualifications of the examiner and the cost of the evaluation are the same criteria as would apply to the District in conducting a public evaluation. This criteria is as follows:

1. The cost of the evaluation is limited to the reasonable and customary costs for the particular type of evaluation charged by teaching university hospitals within Suffolk or Nassau Counties. Unless there is a justification for the excess cost due to the specialized or unique nature of the evaluation or the need for an expedited evaluation, the IEE will be publicly funded only to the extent of such reasonable and customary costs.
2. The evaluation must be done in Suffolk or Nassau Counties absent a justification due to the specialized or unique nature of the evaluation or the need for an expedited evaluation.
3. Evaluators must hold minimum qualifications, which are defined as New York State Education Department Certification or Licensure within the specific area of evaluation.
4. In order for the District to pay for the IEE, it must receive a completed original of the evaluation report and findings, as well as an invoice from the evaluator.

**MOTION** by Mrs. Knox seconded by Mr. Alcure approving Superintendent’s Report Items E and F.

All aye. Motion carried (7-0).

**VIII. INSTRUCTIONAL REPORT**

A. Selection Classification Recommendation

Upon recommendation of the Superintendent of Schools, be it

Resolved, that permission is granted at the request of the Athletic Director to the following Middle School athletes to play on High School teams. They have been deemed “exceptional” and have passed the Selection/Classification process.

Jake Wallasch            8<sup>th</sup> Grade            V B Bowl            Smithtown Combined

B. Overnight Field Trip request for members of High School East & West Winter Girls Track Teams to compete in a tournament at Yale University, January 17-18, 2014, accompanied by four Smithtown teacher/coaches. Information attached.

MOTION        by Mrs. Knox seconded by Ms. Plourde approving Instructional Report Items A-B.

All aye. Motion carried (7-0).

**IX. PUPIL PERSONNEL SERVICES**

A. Committee on Special Education

1. **Committee on Special Education**

“RESOLVED, that the recommendations of the Committee on Special Education for Initial Placement Program/Services, for cases listed be approved.”

Committee on Special Education/Preschool Special Education:

As per attached CSE meetings held between 11/14/2013 and 12/10/2013.

Motion to acknowledge that the Board of Education has no objections to the recommendations of the Committee on Special Education/Preschool Special Education and approves the authorization of funds to implement the special education programs and services consistent with such recommendations dated:

2. **Sub-Committee on Special Education**

As per attached SCSE meetings held between 11/14/2013 and 12/10/2013.

“RESOLVED that the recommendations of the Sub-Committee on Special Education for cases listed be approved.”

B. **Committee on Preschool Special Education**

1. **Initial placement for Preschool Special Education Program/Services**

“RESOLVED, that the recommendations of the Committee on Preschool Special Education for Initial Placement Program/Services, for cases listed be approved.”

**See Attached –CPSE meetings from 11/19/13 to 11/26/13**

2. **Special Education Preschool Annual IEP Review/Amended IEP**

“RESOLVED, that the recommendations of the Committee on Preschool Special Education for Annual IEP Review/ Amended IEP for cases listed be approved.”

**See Attached –CPSE meetings from 11/19/13 to 11/26/13**

MOTION by Mrs. Knox seconded by Ms. McEnroy approving Pupil Personnel Services Items A and B.

Discussion: Dr. Bushman provided an update on a concern brought to the Board by a member of the audience at a previous meeting regarding legal requirements for the District to modify the Common Core . After researching the citations and law referenced, Education Law chapter 377 sec.200.2, that applies to textbooks and other instructional materials which need to be available in alternate format which refers to Braille or textbooks on tape. This law does not indicate the District is responsible to provide and alternate Common Core Curriculum for classified students.

All aye. Motion carried (7-0).

**IX. AUDIENCE** – Mrs. Waldron welcomed the members of the audience and called speakers to the podium from the sign in sheet.

1. Pam Farino has questioned the current BEDS numbers and health insurance rates.

**X. BUSINESS AFFAIRS**

**A. Finance**

1 - Financial Reports

"Upon recommendation of the Superintendent of Schools,  
be it

RESOLVED, that the following financial reports for the month(s) indicated are accepted:

1 – Trial Balance Report  
10/31/13

2 – Revenue Status Report  
10/31/13

3 – Budget Status Report – General Fund  
10/31/13

4– Budgetary Transfer Report  
10/31/13

5– Summary of Treasurer’s Report  
10/31/13

6 – Treasurer’s Monthly Report  
10/31/13

7 – Schedule of Investments  
10/31/13

8 – Collateralization of Bank Balances  
10/31/13

9 – Cash Flow Report  
10/31/13

10 – Report of Claims Auditor  
10/31/13

- 11 – Smithtown High School East Extra Classroom Activity Account  
10/31/13
- 12 – Smithtown High School West Extra Classroom Activity Account  
10/31/13
- 13 – Accomsett Middle School Extra Classroom Activity Account  
10/31/13
- 14 – Great Hollow Middle School Extra Classroom Activity Account  
10/31/13
- 15 – Nesaquake Middle School Extra Classroom Activity Account  
10/31/13
- 16 – Accomsett Elementary School Extra Classroom Activity Account  
10/31/13
- 17– Branch Brook Elementary School Extra Classroom Activity Account  
10/31/13
- 18– Dogwood Elementary School Extra Classroom Activity Account  
10/31/13
- 19 – Mills Pond Elementary School Extra Classroom Activity Account  
10/31/13
- 20 – Mt. Pleasant Elementary School Extra Classroom Activity Account  
10/31/13
- 21 – St. James Elementary School Extra Classroom Activity Account  
10/31/13
- 22 – Smithtown Elementary School Extra Classroom Activity Account  
10/31/13
- 23 – Tackan Elementary School Extra Classroom Activity Account  
10/31/13”

2 – Bid Recommendation

"Upon recommendation of the Superintendent of Schools,  
be it

RESOLVED, that the following bid recommendation be approved as submitted herein:

12/13-28 Ext. Fuel Tank Monitoring Systems



13/14-15R  
13/14-20

District-wide Roof Repair  
Tree Trimming & Removal Services”

3 – Health Service Rate for 2013-14

"Upon recommendation of the Superintendent of Schools,  
be it

RESOLVED, that the charge for health and health-related services provided for non-resident students attending private and parochial schools within the Smithtown Central School District in the 2013-14 school year, pursuant to Section 912 of the New York State Education Law, be set at \$861.11 per student."

4 - Agreement with SCOPE Education Services – Winter Explorations Program

"Upon recommendation of the Superintendent of Schools,  
be it

RESOLVED, that the President of the Board of Education is hereby authorized to execute an agreement between the Smithtown Central School District and SCOPE Education Services for the Winter Explorations Program at Accomsett Middle School for the period of January 11, 2014 through February 8, 2014.”

MOTION by Mrs. Knox, seconded by Ms. Plourde approving Finance Items 1- 4 on a consent motion.

All aye. Motion carried (7-0).

**B. Operations**

1 - Acceptance of Gift

"Upon recommendation of the Superintendent of Schools,  
be it

RESOLVED, that the Board of Education authorizes the acceptance of the following gift:

Donated By

\$1,000.00 for the St. James Playground  
Fund

Adelberg Montalvan  
62 Lake Avenue South

Nesconset, NY 11767”

MOTION by Mrs. Knox, seconded by Ms. Plourde approving Operations Item 1 on a consent motion.

All aye. Motion carried (7-0).

### **IX. PERSONNEL**

**A. Certified** – The following Amended Certified Personnel Items were presented for the Board’s approval:

1. Appointment of Regular Substitute Teacher
2. Certifications
3. Request for FMLA and/or Leave of Absence
4. Comments
5. Notice of Resignation
6. Comments
7. Approval of Athletic Program Assistant
8. Approval of Miscellaneous Pay Rate 2013-2014
9. Appointment of Substitute Teacher 2013-2014

MOTION by Mrs. Knox, seconded by Mr. Alcure approving the Certified Personnel Items 1-9, as detailed in the attached resolutions.

Discussion: Mr. Liguori questioned if Item #7 was a new position. Ms. Ricigliano explained that this position was created last spring and it is seasonal.

All aye. Motion carried (7-0).

**B. Classified** - The following Classified Personnel Items were presented for the Board’s approval:

1. Change of Status
2. Change of Status-Reasons
3. Leave of Absence
4. Leave of Absence – Reasons
5. Retirements
6. Resignation
7. Correction from Prior Board Meeting LOA

MOTION by Ms. Plourde, seconded by Ms. McEnroy approving the Classified Personnel Items 1-7, as detailed in the attached resolutions.

All aye. Motion carried (7-0).

X. **NEW BUSINESS** – None.

**XI. ADJOURNMENT**

ON A MOTION by Mr. Liguouri , seconded by Mr. Alcure and the Board voted unanimously to adjourn the Regular Meeting at 7:30p.m.

Respectfully submitted,

Maureen O'Connor  
District Clerk