

A REGULAR MEETING of the Board of Education of the West Babylon Union Free School District, of the Town of Babylon, Suffolk County, New York was held on Tuesday, April 12, 2011, in the Board Room of the Administration Wing adjacent to the Senior High School.

Those present: Trustees Lucy Campasano, Wendy DeGaetano, Patrick M. Farrell, Carmine Galletta, Kathy Jennings, Diane Klein, Jerry Nocera, Peter Scarlatos and Diane Thiel.

Also present: Mr. Anthony Cacciola, Superintendent, Dr. Dominick R. Palma, Assistant Superintendent for Curriculum and Student Services; Mr. Arthur Williams, Executive Director for Finance & Operations; Mrs. Amy E. Jones, District Clerk; Mr. David Desmond, Attorney; and residents.

The President opened the meeting at 7:03 p.m. and led those present in the salute to the flag.

Trustee Klein seconded by Trustee Jennings made a motion to go into Executive Session at 7:04 p.m. for personnel and legal matters.

The motion was **CARRIED** by all present.

The public portion began at 8:30 p.m.

Trustee Campasano seconded by Trustee Scarlatos made a motion to approve the minutes of the regular meetings of March 8 and 22, 2011 and the Special workshop meeting of March 29, 2011.

The motion was **CARRIED** by all present

Statement of the Superintendent and/or Board of Education:

Mr. Farrell wished trustee Thiel a happy birthday. He welcomed attorney David Desmond and explained that Mr. Morrell is in the hospital. Mr. Cacciola congratulated student Julio Estevez for recently winning the \$100 first prize in Suffolk County's Stop DWI poster contest.

Trustee DeGaetano read the following statement regarding financial concession:

"In light of challenging fiscal times, the presidents of each collective bargaining unit and employees with individual employment agreements were asked to consider salary and benefit concessions for the 2011-12 school year. To date, the Board accepted Mr. Cacciola's proposal to extend his contract until June 30, 2014. Conditions include a 3 year salary freeze and an increase in his payment of health insurance from 15 to 20%. All of the eight central office administrators have submitted proposals. Although each proposal is different, they include items such as paying additional toward their health insurance, forfeiture of payment for unused vacation days, or salary reduction. The proposals are under review by the Board. If approved, the district will realize a combined savings of approximately \$16,500 in the 2011-12 school year.

The response from the five bargaining units are as follows:

- ✚ The contracts of the West Babylon Administrator's and CSEA expire on June 30 of this year. Both units are in negotiations.
- ✚ The Paraprofessionals Unit did not submit concessions. They feel they gave concessions in previous years and do not receive any health insurance benefits.
- ✚ The Head & Chief Custodian's Unit did not provide concessions. They feel they gave concessions in the last contract in the area of health insurance & workers' compensation. They realize the problems facing the district and are open to discussion for next year's contract negotiations.
- ✚ The West Babylon Teachers' Association did not submit any salary concessions. They feel the timeline was too fast and there are concerns regarding opening an existing contract relating to the elements of APPR (annual professional performance review). They look forward to a continued dialogue in the future."

Statement of West Babylon Teachers Association:

WBTA President Patt Squicciarini expressed her regret that she is not able to save the jobs of members of the teaching staff who will be excessed due to the difficult budgetary times. In response to the concession request made by administration to the unions a few weeks ago, Mrs. Squicciarini said that there was not enough time for the WBTA to open their contract. In addition, there are concerns about the upcoming changes to the APPR and the uncertainty of these changes; opening the contract now could impact the implementation of the changes. She noted past difficult times for the district that the WBTA felt it did sacrifice for the benefit of the students and the district. Mrs. Squicciarini's complete statement is on file in the district clerk's office.

Statement of West Babylon Administrators' Association:

None

Statement of CSEA Representative:

None

Statement of Student Association Representative:

None

Statement of PTA Council Representative:

None

Statement of Residents:

In response to resident Raymond Cody's question, Mr. Cacciola said that he had been present at the superintendents' conference regarding the procedures for APP. However, at this time the law explaining compliance has not been written.

Superintendent's Report/Educational Presentation:

Mr. Cacciola and Mr. Williams presented the final review of the budget that the Board will be adopting this evening. The final budget to budget increase will be and the increase to the tax rate is 6.46%. If the budget is defeated, the Board may do any of the following; do nothing and adopt a contingency budget which cannot exceed 7.30%, place the same budget up for a revote on June 21, 2011, or readjust the budget and make any changes for a revote on June 21, 2011.

CONSENT AGENDA

Trustee Scarlatos seconded by Trustee Klein made a motion to approve the **Consent Agenda and addendum #FI-3**

The motion was **CARRIED** by all present

#BE-1

RESOLVED: that the West Babylon Board of Education approves the adoption of the 2011-2012 school district calendar, as attached.

BE IT FURTHER RESOLVED: that the 2011 Re-organizational Meeting of the West Babylon Board of Education will be held on Tuesday, July 12, 2011.

#BE-2

RESOLVED: that the following Junior High School club is approved for the 2010-2011 school year:

<u>Name of Club</u>	<u>Faculty Advisor</u>	<u>President</u>	<u>Treasurer</u>
Baseball	Jonathan Enriquez	Adam Dellisola	Daniel DiMaio

#PE-1

RESOLVED: that the following schedules, as attached, are approved:

- 10-P-17 Professional Personnel
- 10-C-17 Civil Service Personnel

SCHEDULE 10-P-17, Professional Personnel Schedule

NAME	POSITION	SCHOOL/ AREA	STEP/ SALARY	BEG/END APPT.	COMMENTS
Bodolai, Erin	Art Tchr.	TA/FA		3/10/11 -	Family Medical Leave
DiRocco, Denise	Special Education Tchr.	JH		3/17/11 -	Family Medical Leave
Carson, Jeffrey	English Tchr.	HS		3/28/11 -	Family Medical Leave
Kowalik, Jennifer	Science Tchr.	JH		4/5/11 -	Family Medical Leave
Doran, William	Music Tchr.	JH		4/7/11 -	Family Medical Leave
Marcik-McCloskey, Nicole	Assistant Principal	JH		6/24/11	Resignation

Iliou, Athena Elementary Tchr. TA Step A-3-1/
\$51,291. 4/13/11 Probationary Appt.
[from regular substitute]

SCHEDULE 10-P-17, Professional Personnel Schedule

NAME	POSITION	SCHOOL/ AREA	STEP/ SALARY	BEG/END APPT.	COMMENTS
Club & Advisors:		HS		2010-2011	
Jonasson, Christopher	Social Science Research		\$2,209.50		
Waldeck, Kristina	" "		\$2,209.50		
Student Teachers/Observers:				Spring, 2011	
Ernst, Jessica	Elementary	FA			
Ferriter, Meagan	Elementary	SA			
Van Ness, Benjamin	Social Studies	HS			
Per Diem Substitutes:		DW	\$90./day	2010-2011	
Colletti, Lauren					
Zito-Farello, Mary					

SCHEDULE 10-C-17, Civil Service Personnel Schedule

NAME	POSITION	SCHOOL/ AREA	STEP/ SALARY	BEG/END APPT.	COMMENTS
Brustad, Mary	Paraprofessional (school monitor)	HS		4/5/11	Resignation
Poggi, Judith	Paraprofessional (clerk typist)	Adm.		4/8/11	Resignation
Delaney, Dennis	Custodial Wrkr. I	HS		6/27/11	Resignation to Retire
Robertson, Kathleen	Clerk Typist	BO	Step 2/ \$30,906. (prorate)	7/27/10	Prior Service Credit [correction]
Per Diem Substitutes:		DW	\$9./hr.	2010-2011	Clerical/Paraprofessional
*Formosa, Kerry					"
*Rodriguez, Carrie					"
Poggi, Judith					Clerical
*Formosa, Kerry					Food Service
*Hernandez, Nolvía					"
*Rodriguez, Carrie					"

*Emergency Conditional Appointment

#FI-1
RESOLVED: that the West Babylon Board of Education approves the following resolution between the West Babylon Union Free School District and Eastern Suffolk BOCES to participate in cooperative bids for the purchase of various supplies, materials and equipment, for the 2011-2012 school year, as provided by General Municipal Law Section 119-o, at a cost of \$7,991.00:

JOINT MUNICIPAL COOPERATIVE BIDDING PROGRAM RESOLUTION (A)

WHEREAS, various educational and municipal corporations located within the State of New York desire to bid jointly for generally needed services and standardized supply and equipment items; and

WHEREAS, the West Babylon Union Free School District, an educational/municipal corporation (hereinafter the "Participant") is desirous of selectively participating with other educational and/or municipal corporations in the State of New York in joint bidding in the areas mentioned above pursuant to General Municipal Law § 119-o and Education Law Section 1950; and

WHEREAS, the Participant is a municipality within the meaning of General Municipal Law § 119-n and is eligible to participate in the Board of Cooperative Educational Services, First Supervisory District of Suffolk County (hereinafter "Eastern Suffolk BOCES") Joint Municipal Cooperative Bidding Program (hereinafter the "Program") in the areas mentioned above; and

WHEREAS, the Participant acknowledges receipt of the Program description inclusive of Eastern Suffolk BOCES' standard bid packet and the general conditions relating to said Program; and

WHEREAS, with respect to all activities conducted by the Program, the Participant wishes to delegate to Eastern Suffolk BOCES the responsibility for drafting of bid specifications, advertising for bids, accepting and opening bids, tabulating bids, awarding the bids, and reporting the results to the Participant.

BE IT RESOLVED, that the Participant hereby appoints Eastern Suffolk BOCES to represent it and to act as the lead agent in all matters related to the Program as described above; and

BE IT FURTHER RESOLVED, that the Participant hereby authorizes Eastern Suffolk BOCES to place all legal advertisements for any required cooperative bidding in Newsday, which is designated as the official newspaper for the Program; and

BE IT FURTHER RESOLVED, that a Participant Meeting shall be held annually consisting of a representative from each Program Participant. Notice of the meeting shall be given to each representative at least five (5) days prior to such meeting; and

BE IT FURTHER RESOLVED, that an Advisory Committee will be formed consisting of five to ten representatives of Program Participants for a term of three (3) years as authorized by General Municipal Law §119-o.2.j.

BE IT FURTHER RESOLVED, that this Agreement with the Participant shall be for a term of one (1) year as authorized by General Municipal Law §119-o.2.j.

BE IT FURTHER RESOLVED, that the Participant agrees to pay Eastern Suffolk BOCES an annual fee as determined annually by Eastern Suffolk BOCES to act as the lead agent for the Program.

#FI-2
RESOLVED: that the West Babylon Board of Education gratefully accepts a donation, in the amount of \$800.00, from The American Council on Education. The donation will be deposited into the Senior High School's Trust and Agency account.

#CU-1
RESOLVED: that the West Babylon Board of Education declares 51 books, located in the Senior High School library, obsolete. It was determined, by the school librarian, that the books are outdated and were weeded out.

#FA-1
RESOLVED: that the West Babylon Board of Education declares the following technology items, located in the Senior and Junior High schools, obsolete:

Bldg	Item	Model	Serial Number	WB CSD	WB UFSD	BOCES
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SHS	Acer PC	Aopen	220929	none		none
SHS	Dell Monitor	E551	MY-082CGN-46632-11C-851T			
SHS	Dell Monitor	E551	MY-082CGN-46632-11D-805Z			
SHS	Dell Monitor	E771P	MX-0419TG-47801-17Q-11143			113797
SHS	Dell Monitor	E771P	MX-0419TG-47801-17Q-H1RT			
SHS	Dell Monitor	E771P	MX-0419TG-47801-17Q-H1RF			113615
SHS	Dell Monitor	E771P	MX-0419TG-47801-17Q-H1R9			113619
SHS	Dell Monitor	E771P	MX-0419TG-47801-17Q-H1RR			
SHS	Dell Monitor	E771P	MX-0419TG-47801-17N-H2PK			
SHS	Dell Monitor	E771P	MX-0419TG-47801-17Q-H0D1			113788
SHS	Dell Monitor	E771P	MX-0419TG-47801-17Q-H0NW			113601
SHS	Dell Monitor	E771P	MX-0419TG-47801-17Q-H1RK			113617

SHS	Dell Monitor	E771P	MX-0419TG-47801-17N-H2NT			
SHS	Dell Monitor	E771P	MX-0419TG-47801-17Q-H23V			113609
SHS	Dell Monitor	E771P	MX-0419TG-47801-17Q-H23U			113605
SHS	Dell Monitor	E771P	MX-0419TG-47801-17Q-H1RG			
SHS	Dell Monitor	E771P	MX-0419TG-47801-17Q-H0ND			
SHS	Dell Monitor	E771P	MX-0419TG-47801-17Q-H0NK			113461
SHS	Dell Monitor	E771P	MX-0419TG-47801-17Q-H240			
SHS	Dell Monitor	E771P	MX-0419TG-47801-17Q-H0NG			113456
SHS	Dell Monitor	E771P	MX-0419TG-47801-17Q-H23Y			113459
SHS	Dell Monitor	E771P	MX-0419TG-47801-17Q-H23N			113455
SHS	Dell Monitor	E771P	MX-0419TG-47801-17N-H2PB			113538
SHS	Dell Monitor	E771P	MX-0419TG-47801-17Q-H23R			113450

SHS	Dell Monitor	E771P	MX-0419TG-47801-17N-H2P6			
SHS	Dell Monitor	E771P	MX-0419TG-47801-17Q-H0Y7			114438
SHS	Dell Monitor	E771P	MX-0419TG-47801-17N-H2PH			113564

Bldg	Item	Model	Serial Number	WB CSD	WB UFSD	BOCES
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SHS	Dell PC	GX150	E1G2S01	20071421		113604
SHS	Dell PC	GX150	42G2S01	20071439		113439
SHS	Dell PC	GX150	D1G2S01	20071442		113438
SHS	Dell PC	GX150	63G2S01	20071448		113637
SHS	Dell PC	GX150	H6G2S01	20071449		113631
SHS	Dell PC	GX150	16G2S01	20071451		113636
SHS	Dell PC	GX150	G2G2S01	20071498		113586
SHS	Dell PC	GX150	B2G2S01	20071500		113573

SHS	Dell PC	GX150	85G2S01	20071704		missing
SHS	Dell PC	GX150	74G2S01	20071706		113618
SHS	Dell PC	GX150	64G2S01	20071707		113616
SHS	Dell PC	GX150	9ZK2S01	20071722		missing
SHS	Dell PC	GX150	76G2S01	20071729		113437
SHS	Dell PC	GX150	604NW11	20071778		missing
SHS	Dell PC	GX150	94G2S01	20071786		113454
SHS	Dell PC	GX150	1ZK2S01	20071790		113555
SHS	Dell PC	GX150	8XK2S01	20071793		113561
SHS	Dell PC	GX150	65G2S01	20071837		113553
SHS	Dell PC	GX150	7ZK2S01	20072044		113559
SHS	Dell PC	GX150	7Z34S01	20072073		113682
SHS	Dell PC	GX150	FTK2S01	20072131		missing

SHS	Dell PC	GX150	J4G2S01	20072252		113594
SHS	Dell PC	GX150	2XK2S01	20072271		113623
SHS	Dell PC	GX150	45G2S01	20072347		113435
SHS	Dell PC	GX150	6WK2S01	20072354		113537
SHS	Dell PC	GX150	6YK2S01	missing	002210	missing
SHS	Dell PC	GX150	FVK2S01	missing	002008	113531
SHS	Dell PC	GX150	5JRFW01	missing	002010	missing
SHS	Dell PC	GX150	2YG4V01	missing	000224	missing
SHS	Dell PC	GX150	5ZK2S01	missing		113668
SHS	Dell PC	GX150	J2G2S01	missing	002021	missing
SHS	Dell PC	GX150	96G2S01	missing	000262	113629
SHS	Dell PC	GX270	6ZH7N51	20072021		124251
SHS	Dell PC	GX60	missing	20071452		missing

Bldg	Item	Model	Serial Number	WB CSD	WB UFSD	BOCES
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SHS	Dell PC	GX60	missing	20071453		124370
SHS	Dell PC	GX60	FM77N51	20071454		124389
SHS	Dell PC	GX60	BM77N51	20071455		124388
SHS	Dell PC	GX60	7N77N51	20071456		124391
SHS	Dell PC	GX60	missing	20071458		124386
SHS	Dell PC	GX60	DM77N51	20071459		missing
SHS	Dell PC	GX60	6M77N51	20071460		missing
SHS	Dell PC	GX60	9M77N51	20071461		124393
SHS	Dell PC	GX60	CM77N51	20071462		124392
SHS	Dell PC	GX60	9N77N51	20071463		124387

SHS	Dell PC	GX60	3N77N51	20071735		124373
SHS	Dell PC	GX60	2N77N51	20071736		124376
SHS	Dell PC	GX60	6N77N51	20071737		124380
SHS	Dell PC	GX60	3M77N51	20071738		124377
SHS	Dell PC	GX60	JM77N51	20071739		124379
SHS	Dell PC	GX60	5M77N51	20071740		124366
SHS	Dell PC	GX60	4N77N51	20071741		missing
SHS	Dell PC	GX60	missing	20071742		missing
SHS	Dell PC	GX60	1N77N51	20071743		124368
SHS	Dell PC	GX60	GM77N51	20071744		124369
SHS	Dell PC	GX60	HM77N51	20071745		124372
SHS	Dell PC	GX60	5N77N51	20071746		124374
SHS	Dell PC	GX60	7M77N51	missing		124378
SHS	Dell PC	GX60	EN77N51	missing		124385

SHS	Optiquest Monitor	VCDTS21915-5M	707004900340			
SHS	Dell	E771P	MX-0419TG-47801-17Q-H1RE			113613
SHS	Dell	E772P	CN-04P121-47804-2A1-L363			
SHS	Dell	E771P	MX-0419TG-47801-17Q-H1RC			113574

SHS	Dell	E772P	CN-04P121-47804-2A1-L35Y			
SHS	Dell	E771P	MX-0419TG-47801-252-C04Q			
SHS	Dell	E772P	CN-04P121-47804-2A1-C1UH			

Bldg	Item	Model	Serial Number	WB CSD	WB UFSD	BOCES
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SHS	Dell	E771P	MX-0419TG-47801-17Q-H0NN			113599
SHS	Dell	E771P	MX-0419TG-47801-17N-H2QE			113536
SHS	Dell	E771P	MX-0419TG-47801-17Q-H23X			113458
SHS	Dell	E771MM	CN-05E532-47803-485-C4A4			
SHS	Dell	E771MM	CN-05E532-47803-485-C4JD			
SHS	Dell	E772P	CN-04P121-47804-2BQ-L5BW			
SHS	Dell	E772P	CN-04P121-47804-2BQ-L59H			
SHS	Dell	E772P	CN-04P121-47804-2A1-L35V			
SHS	Dell	E771P	MX-0419TG-47801-17Q-H1RP			113595
SHS	Dell	E551	MY-095WUP-46632-16J-91PE			113665
SHS	Dell	E551	MY-095WUP-46632-2CP-16T9			
SHS	Dell	E772P	CN-04P121-47804-2BQ-L1KE			
SHS	Dell	M992	CN-04N736-47606-41G-B7T6			
SHS	Dell	E771P	MX-0419TG-47801-17Q-H242			113441

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SHS	Dell	E771P	MX-0419TG-47801-17N-H2N6			113548
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SHS	Dell	E771P	MX-0419TG-47801-17N-H2PW			113669
SHS	Dell	E771P	MX-0419TG-47801-17N-H2P3			
SHS	Dell	E771P	MX-0419TG-47801-17N-H2NR			
SHS	Dell	E771MM	CN-05E532-47803-476-CW8F			
SHS	Optiquest Q51	VCDTS21915-5M	707004900315			
SHS	Dell	E771P	MX-0419TG-47801-26B-B43G			
SHS	Dell	E772P	CN-04P121-47804-28Q-L58X			
SHS	Dell	E771P	MX-0419TG-47801-17N-H2PF			
SHS	Dell	E772P	CN-04P121-47804-28Q-L4FH			
SHS	Dell	E772P	CN-04P121-47804-28Q-L1KQ			
SHS	Dell	E772P	CN-04P121-47804-28Q-L59D			
SHS	Dell	E771P	MX-0419TG-47801-17Q-H1QS			

SHS	Dell	E771P	MX-0419TG-47801-17Q-H245			113554
SHS	Dell	E771P	MX-0419TG-47801-17N-H2PD			113628
SHS	Dell	GX150	D4G2S01	20071732	256	113635
SHS	Dell	GX150	H5G2S01	20071437	2009	113598
SHS	Dell	GX150	82B3S01	20072568	2122	113789
SHS	Dell	GX260	B1Q2221	20072306	2361	

Bldg	Item	Model	Serial Number	WB CSD	WB UFSD	BOCES
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SHS	Dell	GX270	9ZH7N51	20072030	2089	124242
SHS	Dell	GX150	J1G2S01	20072246	2206	113451
SHS	Dell	GX270	4ZH7N51	20072022	2097	124233
SHS	Dell	GX150	9BK2S01	20072242	2205	113666
SHS	Dell	GX270	18W8Q51	20071428	2015	126841
SHS	Dell	GX260	2M6R121	20072146	2123	
SHS	Dell	GX260	41NL821	20072272	2179	
SHS	Dell	GX270	7DMPP31	20072350	2349	
SHS	Dell	GX150	5BHLH11	20071422	62	
SHS	Dell	GX270	6ZH7M51	20072021	2098	124251
SHS	Dell	GX260	FXML821	20072328	2369	
SHS	Dell	GX260	9XML821	20072352	2167	
SHS	Dell	GX150	GWK2S01	20072129	2147	113547
SHS	Dell	GX150	83G2S01	20072052	2324	113632
SHS	Dell	GX260	CVML821	20071254	5295	
SHS	Dell	GX260	BHZ7021	20072318	2363	
SHS	Dell	GX260	9YML821	20072257	2211	

SHS	Dell	GX270	67BK441	20072132	2145	
SHS	Dell	GX260	BWML821	20071985	2188	
SHS	Dell	GX260	6YML821	20072244	2207	
SHS	Dell	GX150	6VK2S01	20072055	2345	113670
SHS	Dell	GX150	DWK2S01	20072127	2149	113549
SHS	Dell	GX260	SZML821	20071227	5303	
SHS	HP Printer	DESKJET 880C	MY92E160CN			
SHS	HP Printer	DESKJET 930C	MX0981F00H			
SHS	HP Printer	LASERJET 5P	USHB134563		184	
SHS	HP Printer	LASERJET 2100	USCD001200	20072145	401	

SHS	APC	SMARTUPS 700	NS9851165488			
SHS	Dell	GX150	34G2S01	20071969	2070	
SHS	Dell	GX260	FZML821	20072309	2364	
SHS	Dell	GX150	J144S01	20072261	2193	113479
SHS	Dell	GX150	HYK2S01	20072262	2186	113627

Bldg	Item	Model	Serial Number	WB CSD	WB UFSD	BOCES
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SHS	Dell	GX280	C81XJ71	20072564	2227	
SHS	Dell	GX150	H3B3S01	20072263	2195	113798
SHS	Dell	GX260	JXML821	20072234	2218	
SHS	Dell	GX260	9PSCZ11	20072300	2359	
SHS	ACER		271771.00104811146AK		420	
SHS	Dell	E771P	MX-0419TG-47801-17Q-H23P			113585

SHS	Dell	E771P	MX-0419TG-47801-17Q-H1RN			113434
SHS	Dell	E772P	CN-04P121-47804-2BQ-L59B			
SHS	Dell	E771P	MX-0419TG-47801-17Q-H2SL			113480
SHS	Dell	E772P	CN-04P121-47804-2A1-L35D			
SHS	Dell	E772P	CN-04P121-47804-2BQ-L1JW			
SHS	Dell	E772P	CN-04P121-47804-2BQ-L1KA			
SHS	SCEPTRE		043AU0C2U02286			
JHS	Dell CPU	GX270	3LTYN41	20070014	002999	
JHS	Dell CPU	GX150	4254S01	20070221	005010	114310
JHS	Dell Monitor	E771P				114410
JHS	Dell CPU	GX150	9044S01	20070214	005009	

JHS	Dell Monitor	E771P	MX-0419TG-47801-17Q-H0YP			
JHS	Dell Monitor	E771P	MX-0419TG-47801-17Q-H0YS			114398

JHS	Dell CPU	GX150	14B3S01	20070264	113790
JHS	Dell CPU	GX150	F344S01	20070998	114397
JHS	Dell Monitor	E771MM	CN-05E532-47803-516-C40X		
JHS	Dell Monitor	E771P	MX-0419TG-47801-17Q-H0D7		113786
JHS	Dell Monitor	E771P	MX-0419TG-47801-17P-H1Q1		114426
JHS	Dell Monitor		CN-05E532-47803-4AF-C3SW		
JHS	Printer HPDJ 990CXI	C6455A	MY0AG1D0QV		

ADDENDUM:

#FI-3
RESOLVED: that the school district budget for the 2011-2012 school year in the amount of **\$93,975,510** proposed by the West Babylon Board of Education, in accordance with Section 1716 of the Education Law, be hereby adopted, and that said budget be voted upon by the residents on May 17, 2011.

POLICY REVIEW: Trustee Klein seconded by trustee Campasano made a motion to adopt the following policies:

- 5151 Homeless Children
- 5151-R Homeless Children – Regulation
- 5152 School Admissions
- 5162 Student Dismissal Precautions
- 5162-R Student Dismissal Precautions – Regulation
- 5210 Student Organizations –
- 5220 School Sponsored Student Expression
- 5405 West Babylon School District’s Wellness Policy

The motion was **CARRIED** by all present

HOMELESS CHILDREN

5151

The Board of Education recognizes its responsibility to identify homeless children within the district, encourage their enrollment and eliminate existing barriers to their education which may exist in district practices. The Board will provide that homeless children attending the district’s schools access to the same free and appropriate public education, including preschool education, as other children.

A homeless child is a child who lacks a fixed, regular, and adequate nighttime residence or who has a primary nighttime location in a public or private shelter designed to provide temporary living accommodations, or a place not designed for, or ordinarily used as, a regular sleeping accommodation for human beings. This definition also includes a child who shares the housing of others due to loss of housing, economic hardship, or similar reason; lives in motels, hotels, trailer parks, or camping grounds due to the lack of alternative adequate accommodations; lives in a car, park, public space or abandoned building, substandard housing, bus or train station or similar setting; has been abandoned in a hospital or is awaiting foster care placement; or is a migratory child who qualifies as homeless.

A homeless child has the right to attend school in either the district of origin (i.e., where he/she resided before becoming homeless), the district of current location, or a district participating in a regional placement plan.

The Superintendent of Schools shall develop procedures necessary to expedite the homeless child's access to the designated school. Such procedures shall include:

1. **Admission:** Upon designation, the district shall immediately admit the homeless child to school, even if the child is unable to produce records normally required for enrollment, such as previous academic records, medical records, proof of residency or other documentation and even if there is a dispute with the child’s parents regarding school selection or enrollment.
 Homeless children will have the same opportunity as other children to enroll in and succeed in the district’s schools. They will not be placed in separate schools or programs based on their status as homeless.
2. **Transportation:** The district shall provide transportation for homeless students currently residing within the district as required by applicable law.
3. **School Records:** For homeless students attending school out of the district, the district shall, within five days of receipt of a request for records, forward a complete copy of the homeless child's records including proof of age, academic records, evaluation, immunization records and guardianship paper, if applicable.

The Superintendent shall also designate a liaison for homeless children and ensure that this person is aware of his or her responsibilities under the law. The liaison's responsibilities shall include, but not be limited to, ensuring that:

1. parents of homeless children are informed of the educational and related opportunities available to them, including transportation;
2. enrollment disputes involving homeless children are promptly mediated and resolved;
3. school personnel in coordination with shelters and social service agencies and other appropriate entities identify homeless children, including homeless preschoolers;
4. homeless children receive educational services, including Head Start and preschool services to which they are eligible, as well as referrals to health care and other appropriate services;

In accordance with Commissioner's regulations, the district shall collect and transmit to the Commissioner information necessary to assess the educational needs of homeless children within the State.

Ref: 42 USC §§11431, et seq.
School Enrollment Guidelines on the McKinney-Vento Act, 67 Fed. Reg. 10,697-10,701 (March 8, 2002)
Education Law §§207; 305; 3202; 3205; 3209
Executive Law §§532-b; 532-e
Social Services Law §§17; 62; 397
8 NYCRR §§100.2; 175.6

Adoption date:

5151-R

HOMELESS CHILDREN REGULATION

Each school in the district shall maintain forms provided by the Commissioner of Education for designating a homeless child's district of attendance. These forms must be provided to any homeless child or parent or guardian who seeks to enroll a child in school. The district's liaison for homeless students shall assist the homeless child and/or parent or guardian in understanding their rights under the law and provide them with information regarding the educational and related opportunities available to them.

School placement decisions for homeless children will be based on the "best interest of the child." Unless doing so is contrary to the wishes of the child's parent or guardian, to the extent possible, a homeless child will continue to attend the school of origin (the school the child attended when he or she became homeless).

If the district wishes to send a homeless child to a school other than the school of origin or a school requested by the parent or guardian, the Superintendent or designee shall provide the parent or guardian with a written explanation of its decision, together with a statement regarding the right to appeal the placement process. The Superintendent or designee shall refer any such dispute to the district's liaison for the homeless for resolution. The homeless child must be enrolled in the school sought by the parent or guardian pending resolution of the dispute.

Admission Procedures

Upon designation, the Superintendent of Schools or designee shall immediately:

1. review the designation form to ensure that it is complete;
2. admit the homeless child even if the child or his/her parent or guardian is unable to produce records normally required for enrollment or there is an unresolved dispute regarding school selection or enrollment;
3. where applicable, make a written request to the school district where a copy of the child's records are located for a copy of the homeless child's school records;
4. notify the liaison for homeless children of the child's admission. The liaison shall:
 - a. notify the child and/or the parent or guardian of the educational and related opportunities available to homeless children including transportation;
 - b. ensure that the child receives the educational services for which they are eligible, including Head Start and Even Start and preschool programs administered by the district;
 - c. make necessary referrals to health care services, dental services, mental health services, and other appropriate services; and
 - d. ensure that any enrollment disputes are mediated promptly and in accordance with law.

The Superintendent or designee shall forward a copy of the designation form to the Commissioner of Education and the school district of origin where

applicable.

Unless the homeless child is entitled to transportation provided by the Division for Youth or the Department of Social Services, the district shall provide transportation services to the child in accordance with applicable law.

Promulgated:

SCHOOL ADMISSIONS

5152

RESIDENTS:

District residents over five and under twenty-one years of age and veterans, except those who received dishonorable discharges, shall be eligible to attend the public schools of West Babylon free of charge if they have not received a high school diploma.

Upon registration, all new students or their parents or guardians shall be required to present:

- > Proof of date of birth
- > Record of immunizations and a health certificate from a licensed physician
- > Proof of residency
- > Proof of guardianship

IN DISTRICT TRANSFERS:

Students in grades kindergarten through four whose parents or guardians move to the attendance zone of another elementary school within the West Babylon district after the start of the school year are eligible to finish the school year in their original school. Students must transfer to the new school for the start of the next school year (if space permits). Students who have completed fourth grade prior to moving to the attendance zone of another elementary school within the West Babylon School District may complete the fifth grade in their original school. Upon parental request, the student may transfer immediately if space permits in the receiving school.

NON RESIDENTS:

The Board of Education affirms that its primary responsibility is to provide the best possible educational opportunities for the children who are legal district residents and who are of legal age to attend school.

However, a non-resident student may be admitted to district schools upon payment to the district of the Board-adopted tuition charge, if and only if, in the judgment of the Superintendent of Schools:

1. there is sufficient space to accommodate the non-resident student;
2. no increase in the size of faculty or staff will be necessary to accommodate them;
3. the non-resident student meets the district's criteria for admission; and
4. the admission of such non-resident student is and continues during the enrollment period to be in the best interests of the district.

CHILDREN OF DISTRICT EMPLOYEES:

The Superintendent is authorized to accept the children of district employees who are not district residents for enrollment in the schools of the district. Tuition is to be charged at the rate set by the Board. Transportation to and from school is the responsibility of the staff member. Field trip transportation will be made available as it is to district residents.

CHILDREN OF NON-RESIDENTS WHO ARE NOT DISTRICT EMPLOYEES:

Children of nonresidents, other than district employees, may be accepted for enrollment in the West Babylon Schools only upon approval by the Board of Education. Tuition will be charged as established yearly. Tuition payments are to be made monthly unless otherwise arranged by the Superintendent or a designee. Transportation to and from school is the responsibility of the student's parent or guardian. Field trip transportation will be made available as it is to district residents.

FORMER RESIDENTS

Students who are in their senior year of schooling and whose parents or guardians move to another district during the course of the academic year, shall be allowed to finish the year in West Babylon in order to graduate with their classmates. Parents or guardians of these students are responsible for transporting the students to and from school.

Students in grades kindergarten through eleven (11) whose parents or guardians move to another district during the course of the academic year are

eligible to finish the school year in West Babylon only if the move takes place during the final ten (10) weeks of the academic year. Parents or guardians of these are responsible for transporting the students to and from school.

Ref: Education Law §3202(2)

Adoption date:

STUDENT DISMISSAL PRECAUTIONS

5162

No student may be released from school to anyone other than the parent, guardian or child protective services personnel and law enforcement officers pursuant to law, unless the individual's name seeking release of the student appears on an emergency contact list provided by the parent or guardian.

Parents are urged to make appointments with physicians, dentists, special tutors, etc., after school hours. If a request is necessary, parents should make note of the date, time and reason for the release. Without prior written notice, a child cannot be release to anyone other than his/her parent/guardian.

A student may be released to either parent unless a custodial parent supplies the building principal with a certified copy of a court order or divorce decree to the contrary.

The Superintendent shall develop procedures to enable parents and guardians to amend the list of persons authorized to obtain the release of their children.

Ref: Education Law §3210(1)(c)

Adoption date:

5162-R

STUDENT DISMISSAL PRECAUTIONS REGULATION

The Superintendent of Schools or his/her designee shall maintain a list of individuals who are authorized to obtain the release of students in attendance at the school. No student may be released to the custody of any individual not the parent or guardian of the student, unless the individual's name appears upon the list.

Parents or guardians may submit a list of individuals authorized to obtain the release of their children from school at the time of the child's enrollment. The signature of the parent or guardian must be on or attached to such list.

A parent or guardian may amend a list submitted pursuant to this regulation at any time, in writing.

Certified copies of any court orders or divorce decrees provided by the custodial parent, which restrict a parent's ability to seek the release of their child, shall be maintained by the building principal.

In the case of illness, suspected contagious disease, or other *urgent* situations requiring a child to leave before the close of school, the nurse will utilize the child's emergency home contact card which has been filled out by a parent or legal guardian, to enable the student to be picked up and signed out by a designated adult.

If any individual seeks the release from school of a student he or she must report to the school office and present identification deemed satisfactory by the Superintendent or his/her designee, who must check the authorized list and relevant court orders or divorce decrees before a student may be released. Particular caution should be exercised when the person seeking the release of a child exhibits to the school official an out-of-state custody order.

Early excuses for emergency reasons should be requested in writing by a parent/guardian. [Medical releases are handled through the Nurse's Office. All other reasons for release must go through the Main Office, and students must be picked up in the Main Office.] The person seeking the release must sign the register in the office.

In the event of an emergency, the building principal may release a student to some individual not appearing on the approved list only if the parent or guardian has been contacted by the building principal and has approved the release, and the building principal determines that an emergency exists.

Promulgated:

5210

STUDENT ORGANIZATIONS

The Board of Education recognizes the educational values inherent in student participation in the extracurricular life of the school, and supports the concept of the formation of student groups for such purposes as building sound social relationships, developing interests in an academic area, and gaining an understanding of the elements and responsibilities of good citizenship.

The Superintendent of Schools, with the aid of students, faculty and administration, is charged with developing procedures for registering and regulating student groups or clubs. Such procedures shall ensure that the district will register any group organized for a purpose not prohibited by Board policy or by law, if such group submits a list of its members designated as contacts, a copy of its constitution and/or bylaws, and the constitution and bylaws of any off-

campus organization with which it may be affiliated. Student groups may not restrict membership on the basis of race, sex, national origin or other arbitrary criteria.

The Board may prohibit the formation of any clubs, including fraternities or sororities, or any other secret society, whose deliberations and activities have caused or created, or are likely to cause or create, a disruption of or interference with the school program.

Administrative regulations governing the use of school facilities shall abide by the Equal Access Act in the creation of a "limited open forum." All noncurricula-related student activities, regardless of religious or political content, shall have the same opportunities as any other such activity to operate on school grounds.

Ref: Education Law §§207; 1709-a; 2503-a; 2554-a
 Equal Access Act, 20 U.S.C. §§4071-4074
 8 NYCRR Part 172
 Board of Education of the Westside Community Schools v. Mergens, 496 U.S. 226 (1990)
 Garnett By Smith v. Renton School Dist. No. 403, 865 F.2d 1121 (9th Cir., 1989)
 Thompson v. Waynesboro Area School Dist., 673 F.Supp. 1379 (M.D. Pa. 1987)
 Student Coalition v. Lower Merion School Dist. Bd., 633 F.Supp. 1040
 (E.D. Pa. 1986)
 Tinker v. Des Moines Independent Community School Dist., 393 U.S. 503, 89 S.Ct. 733 (1969)
 Healy v. James, 408 U.S. 169, 92 S.Ct. 2338 (1972)

Adoption date:

5220

SCHOOL-SPONSORED STUDENT EXPRESSION

The Board of Education encourages student expression in its many forms, including the school newspaper, yearbook, literary magazine, concerts, shows, art exhibits. The Board believes these activities are an important part of student learning and enrich the life of the school community. The school newspaper, for example, is an important part of the school not only because it offers an educational activity through which students gain experience in reporting, writing, editing, and understanding responsible journalism, but also because it provides an opportunity for students to express their views in a responsible manner. Each school-sponsored activity offers unique opportunities for students to engage in creative and educational modes of expression.

All school-sponsored opportunities for student expression will comply with the rules set forth in this policy and in the Code of Conduct. Libelous statements, unfounded charges and accusations, obscenity, false statements; materials or performances advocating racial or religious prejudice, hatred, violence, the breaking of laws and school policies and/or regulations; or materials or performances designed to disrupt the educational process will not be permitted.

In addition, the school-sponsored activities listed above are not considered public forums. In such cases, the principal reserves the right to edit or delete such student expression which it believes is inconsistent with the district's basic educational mission.

Procedural Due Process

When a student(s) presents material for inclusion in a school sponsored publication to a school official with authority over the school publication, the school official must review and make a decision on inclusion in the publication within two (2) school days of submission of the material to him/her. If publication is denied, the student(s) may appeal the decision to the Building Principal. If the principal agrees with the decision to withhold approval, the principal must state the reasons in writing and provide the students with a copy of the reasons within two (2) school days of the receipt of the appeal. The aggrieved student(s) may, within two (2) school days, appeal in writing to the Superintendent of Schools. The Superintendent of Schools must issue a written decision within two (2) school days after receiving the appeal.

Cross-ref: 5300, Code of Conduct
 5225, Student Personal Expression

Ref: *Morse v. Frederick*, 127 S Ct 2618 (2007)
Hazelwood School District v. Kuhlmeier, 484 US 260, 108 S Ct 562, (1988) (limits on student free speech rights in school-sponsored student publications)
Bethel School District v. Fraser, 478 US 675 (1986)
Tinker v. DesMoines Independent Community School Dist., 393 US 503, (1969) (limits on student free speech rights in school setting)
Thomas v. Board of Education, Granville Central School Dist., 607 F 2d 1043 (1979)
Trachtman v. Anker, et al., 563 F 2d 512 (1977)
Frasca v. Andrew et al., 463 F Supp 1043 (1979)
Matter of Beil and Scariati, 26 EDR 109(1986)

Adoption date:

5405

WEST BABYLON SCHOOL DISTRICT'S WELLNESS POLICY

The Board of Education is committed to providing school environments that promote and protect children's health, well-being, and ability to learn by supporting healthy eating habits and physical activity. Therefore, it is the policy of the West Babylon School District that:

The district will engage students, parents, teachers, administrators, food service professionals, health professionals, and other interested community members in developing, implementing, monitoring, and reviewing district-wide nutrition and physical activity policies. This group will serve as the West Babylon District-wide Wellness Committee.

All students in grades K-12 will have opportunities, support and encouragement to be physically active on a regular basis.

Foods and beverages served at school will meet the nutrition recommendations of the West Babylon Wellness Policy.

Only healthful foods and beverages in appropriate portions may be used in classroom celebrations. All snack foods provided to students at parties or other events during the school day shall meet either the nutrition guidelines set by the Alliance for a Healthier Generation or the New York State Nutrition Association's Choose Sensibly guidelines. Items must be commercially prepared. These items must be in original sealed package with labeling of ingredients and nutritional content. Whole fruits are permissible. If the fruit must be cut-up, this should be done at school following appropriate food handling standards.

Items containing ingredients to which a member of a classroom is allergic must be avoided. Under no circumstances should a student be served foods that contain ingredients to which he or she is allergic.

Homemade foods are for personal consumption only. These items are not to be shared, served or sold to students during school hours.

All foods sold by student organizations for fundraisers must meet the nutrition guidelines set by the Alliance for a Healthier Generation or the New York State Nutrition Association's Choose Sensibly guidelines. Items must be commercially prepared. These items must be in the original sealed package with labeling of ingredients and nutritional content. During the school day only foods compliant with these guidelines shall be sold to students.

The exception to the above provisions is food produced as part of course work and instruction. All foods prepared as part of classroom instruction shall follow appropriate food handling standards.

Organizations affiliated with the district (e.g., the PTA, Sports Parents Association, and Music Parents Association) are encouraged to offer healthy choices among the foods served or sold at after school events.

Qualified child nutrition professionals will provide students with access to a variety of affordable, nutritious and appealing foods that meet the health and nutrition needs of students; will provide clean, safe and pleasant settings and adequate time for students to eat; and will comply with federal, state and local child nutrition program requirements.

Schools will provide nutrition education and physical education to foster lifelong habits of healthy eating and physical activity, and will establish linkages between health education and school meal programs, and with related community services.

Each school will maintain a School Wellness Committee that meets at least every other month. These committees shall seek to include members who are representative of the diversity of our community. At least one parent/guardian representative shall be part of the committee. The committees will solicit input from the community at large, including students, parents/guardians and staff members. The committees will promote activities that further the goals of the policy. To accomplish this, the committees will be committed to reflecting the importance of diversity and culturally inclusive practices.

All school-based activities are consistent with local wellness policy goals.

The Superintendent of Schools or designee will develop a summary report on district-wide compliance with the district's established nutrition and physical activity wellness policies, based upon input from schools within the district every three years.

Ref: P.L. 108-265 (Child Nutrition and WIC Reauthorization Act of 2004)
 42 USC §§1758(f)(1); 1766(a) (Richard B. Russell National School Lunch Act)
 42 USC §1779 (Child Nutrition Act)
 7 CFR §210.10; 210.11 (National School Lunch Program participation requirements — standards for lunches, snacks, and competitive foods)
 7 CFR §220.8 (School Breakfast Program participation requirements — nutrition standards)
 8 NYCRR Part 135 (Health and Physical Education curricular requirements); §114.1 (School Breakfast Program Requirements)
 Appeal of Phillips, 37 EDR 204 (1997) (dec. no. 13,843)
 Appeal of Williams, 32 EDR 621 (1993) (dec. no. 12,934)

Adoption date:

COMMITTEES:

Trustee Scarlatos read from the minutes of the March 31, 2011 Facilities Meeting (on file in the District Clerk's office).

Mr. Scarlatos also noted that the Energy Performance Contract has been approved by SED.

OLD/NEW BUSINESS:

Mr. Cacciola discussed the South Bay project and said that the windows are on the premises. He showed photos of the progress on the interior of the building. Mr. Cacciola made the following recommendations, which the trustees unanimously approved; using a "curtain" room divider instead of mechanical bi-folding doors and using synthetic flooring for the gymnasium (similar to those used in the West Babylon Youth Center). Mr. Cacciola thanked Mr. Graziano for managing this project and for all of his work during the renovation keeping the work on track.

April 12, 2011

'10 -304

Mr. Cacciola expanded on the Energy Performance Contract approval mentioned earlier by trustee Scarlatos. He said that the RFPs (requests for proposals) will be sent out May 2 with a two week turn around which will enable the Board to approve by May 23. Work should begin on July 1 with approximately one year until completion. Mr. Cacciola also noted that payments begin 14 months after completion. The work will be paid through the savings on the utilities. If the savings is not realized as contracted, the district would not be obligated to pay for the work.

In response to Trustee DeGaetano's request for information about how many parents are aware of and utilize the parent portal on the district's website, Dr. Palma said that E-School will be updating the current version and the new portal will be much more user friendly. In addition, alternatives to paper notifications are being considered.

STATEMENT OF RESIDENTS

In response to residents Mr. Saravinsky, Mr. Romano, Mr. Cody and Mr. Kranz, Board President Patrick Farrell and Attorney David Desmond explained that the incident in question is not a matter for the Board of Education. Mr. Desmond added that complaints of this nature can be addressed to the Superintendent of Schools or sent to the State Education Department.

In response to resident Diana Edmunds question regarding a plan B if the budget is defeated, Board President Patrick Farrell said that it is the hope of the Board that the budget presented this evening will pass. If it doesn't pass, the Board will deal with the options at that time.

In response to resident Carolyn Lilly's question, Mr. Cacciola said that the budget presented this evening will be available on the district's website tomorrow.

Trustee Galletta seconded by trustee Campasano made a motion to adjourn at 9:37 p.m.

The motion was **CARRIED** by all present

Attested to: _____
District Clerk