

**DRAFT**

**BOARD AGENDA  
BUSINESS MEETING**

Thursday, December 16, 2021

CV-S Central School  
Cherry Valley, NY

6:30 PM In the School Cafeteria **\*\*Please Note Start Time-due to 7:00 PM Concert\*\***

I. OPENING OF MEETING

A. QUORUM CHECK

B. CALL TO ORDER

C. PLEDGE OF ALLEGIANCE

D. SPECIAL PRESENTATIONS - Community Service, Student Representative, Administration & Board Committee Reports

E. ADDITIONS TO AGENDA

F. CORRESPONDENCE RECEIVED

G. SUPERINTENDENT'S REPORT

H. BOARD OF EDUCATION COMMITTEE REPORTS

I. RECOGNITION OF VISITORS

II. PROPOSED EXECUTIVE SESSION SUBJECT TO BOARD APPROVAL

III. CONSENT AGENDA ITEMS – Consider motion to approve consent agenda items to include RESOLUTIONS #1-12-2021 through RESOLUTION #8-12-2021.

A. RESOLUTION 1-12-2021  
APPROVAL OF MINUTES – November 18, 2021

B. RESOLUTION 2-12-2021  
ACKNOWLEDGE RECEIPT OF TREASURER'S AND FINANCIAL REPORTS – November 2021

C. FINANCIAL  
RESOLUTION 3-12-2021

RESOLVED, that the Board of Education of the Cherry Valley-Springfield Central School District, upon the recommendation of the Superintendent does approve the following transfers:

From A2855150 \$35,000	To A2855160 \$35,000
From A2110130 \$40,000	To A2110120 \$40,000
From A2250490 \$16,000	To A1480490 \$16,000
From A2250490 \$120,000	To A2250400 \$120,000

**D. SPECIAL EDUCATION AGREEMENT**

**RESOLUTION 4-12-2021**

RESOLVED, that the Board of Education of the Cherry Valley-Springfield Central School District, upon the recommendation of the Superintendent, does hereby approve the special education agreement with Cobleskill-Richmondville Central School for November 21, 2021 through June 24, 2022.

**E. PERSONNEL**

**RESOLUTION 5-12-2021**

BE IT RESOLVED, that the Cherry Valley-Springfield CSD, Location code 73612, hereby establishes the following as standard work days for its employees and will report days worked to the New York State and Local Employees' Retirement System based on the timekeeping system or the record of activities maintained and submitted by these members to the clerk of this body:

<b>Title</b>	<b>Standard Work Day (hrs/day)</b>
Food Service Worker	7.5
Teacher Aide	7.0
LPN/Aide	7.0
Keyboard Specialist	8.0
Secretary I	8.0
Bus Monitor	6.0
Cleaner	8.0
Building Maintenance Worker	8.0
Building Maintenance Mechanic	8.0
Mechanic	8.0
Head Custodian	8.0
Bus Driver	6.0
Network Administrator	8.0
Cook/Manager	8.0
Driver/Cleaner	8.0
Account Clerk	8.0
Secretary to Superintendent	8.0
Support Staff Substitute	7.0

RESOLUTION 6-12-2021

UPDATE PAY RATE FOR SUBSTITUTES (Effective January 1, 2022)

Non-Certified - \$95.00/day

Non-certified after 60 days of service - \$100.00/day

Certified - \$100.00/day

Certified after 60 days of service - \$105.00/day

Substitute Bus Driver - \$21.00/hour

Substitute Nurse - \$26.00/hour

Licensed Teacher and Teacher Aide Substitute - Minimum Wage

RESOLUTION 7-12-2021

RESOLVED, that the Board of Education of the Cherry Valley-Springfield Central School District, upon the recommendation of the Superintendent, does hereby accept the retirement of Annie Ostrander effective June 30, 2022.

RESOLUTION 8-12-2021

RESOLVED, that the Board of Education of the Cherry Valley-Springfield Central School District, upon the recommendation of the Superintendent, does hereby appoint the following as an Instructional Substitute for the 2021-2022 school year: Richard Daley

IV. NEW BUSINESS

V. OLD BUSINESS

A. POLICY REVIEW

RESOLUTION 9-12-2021

RESOLVED, that the Board of Education of the Cherry Valley-Springfield Central School District does hereby conduct a second reading of 0101, Gender Neutral Single-Occupancy Bathrooms, 1230, Public Comment at Board Meetings, 2342, Agenda Preparation and Dissemination, 8505, "Charging" School Meals and Prohibition Against Shaming.

RESOLUTION 10-12-2021

RESOLVED, that the Board of Education of the Cherry Valley-Springfield Central School District does hereby direct the District Clerk to transmit the NYSSBA updated Policies - 0101, Gender Neutral Single-Occupancy Bathrooms, 1230, Public Comment at Board Meetings, 2342, Agenda Preparation and Dissemination, 8505, "Charging" School Meals and Prohibition Against Shaming. to the New York State School Boards Association by December 22, 2021.

VI. PROPOSED EXECUTIVE SESSION SUBJECT TO BOARD APPROVAL

- Matters leading to the employment of particular individual(s)
- Employment history of particular individual(s) or corporation(s)
- To review the collective negotiations pursuant to Article 14 of the Civil Service Law (the Taylor Law)

VII. ADJOURNMENT



## **GENDER NEUTRAL SINGLE-OCCUPANCY BATHROOMS**

**(X) Required**

Local

Notice

All single-occupancy bathroom facilities in the district are designated as gender neutral. Signs designating gender neutral single-occupancy bathrooms must be posted on the wall next to the door of that bathroom facility.

A "single-occupancy bathroom" is as defined in Public Buildings Law §145(d) as "a bathroom intended for use by no more than one occupant at a time or for family or assisted use and which has a door for entry into and egress from the bathroom that may be locked by the occupant to ensure privacy."

The Superintendent of Schools or designee is directed to post appropriate signage to implement this policy consistent with applicable laws. Handbooks, directional signs, memos, safety plans, and maps will also be updated as necessary.

Ref:

Education Law §409-m (single-occupancy bathrooms designated gender neutral)

Public Buildings Law §145(d)

Building Code of New York State §§1111; 2902.4

Adoption date:

Adoption Date:

Classification:

Revised Dates: ; **10.21, 12.21**



## **PUBLIC COMMENT AT BOARD MEETINGS**

- Required
- Local**
- Notice

The Board of Education encourages public comment on school related matters at Board meetings, as outlined in this policy. To allow members of the public to address the Board, a period not to exceed 30 minutes will be set aside during the first part of each Board meeting for public comment, with priority given to comments on items on the meeting's agenda. This period may be extended by a majority vote of the Board.

Persons wishing to address the Board will advise the Board President within a reasonable time prior to the start of the public comment period of the meeting. The request will be made in writing on a form provided by the district. To maintain a first come, first served process, the district will request the name of the speaker. For purposes of following up with speakers later, the district may request the speaker's preferred contact information such as home address, telephone number, or email address, or speak with them in person. To limit comments to matters which may be properly discussed in public session, the board will request a brief description of the topic to be addressed. Any group or organization wishing to address the Board must identify a single spokesperson. The Board President may limit the number of repetitive comments to keep within time limit for the public comment period.

Presentation should be as brief as possible. No speaker will be permitted to speak for longer than five minutes. Speakers may not give unused time to other speakers. Speakers may comment on: (1) any matter related to district business; (2) any agenda item; or (3) matters related to agenda items specifically or district matters generally, depending on the public comment section.

The Board will not permit in public session discussion involving individual district personnel or students. Persons wishing to discuss matters involving individual district personnel or students should present their comments and/or concerns to the Superintendent during regular business hours.

All speakers and observers are to conduct themselves in a civil manner. Obscene language, defamatory statements, threats of violence, statements advocating racial, religious, or other forms of prejudice will not be tolerated.

Persons making presentations at a Board meeting will address remarks to the President and may direct questions or comments to Board members or other district officials only upon the approval of the President. Board members and the Superintendent have the privilege of asking questions of any person who addresses the Board, but commenters should not expect to engage in discussion with the Board. However, the Board may correct comments that are not accurate, and may refer to an existing policy when it answers a question.

Questions and comments from the public concerning matters which are not on the agenda will be taken under consideration and referred to the Superintendent for appropriate action. Persons wishing to have matters included on the agenda will contact the Superintendent in accordance with Policy 2342, Agenda Preparation and Dissemination.

The President will be responsible for the orderly conduct of the meeting and will rule on such matters as the time to be allowed for public discussion and the appropriateness of the subject being presented, as outlined in this policy and applicable provisions of law and regulation, and subject to the Board's

parliamentary procedure. If there is disagreement about whether a speaker's topic falls within the topics permitted for public comment, the whole board will vote on the issue.

The President will remind speakers whose presentations are inconsistent with this policy of the rules for public comment. For speakers that continue to violate this policy, the President may discontinue the presentation or call for a brief recess of the meeting. The President may order the removal of speakers from the speakers' area, or from the meeting in general, or may close the public comment period.

For members of the public who are unwilling or unable to speak during public comment periods, including when these periods are closed, they may submit comments to the Board in writing, to the following address: PO Box 485 Cherry Valley, NY 13320 or the Board President's email. Complaints from the public are addressed in Board policy 1400.

All individuals at Board meetings are expected to abide by the rules for Public Conduct on School Property as set forth in the district's Code of Conduct. At board meetings, speakers and observers may not engage in behavior that disrupts the meeting, such as shouting, interrupting others, blocking the free movement of others, or obstructing the views of others. In the event of such disruption, the President will remind those in attendance of the rules under this policy. Any Board member may request a brief recess of the meeting. The President may order the removal of those who are a threat to the safety of others or who disrupt the orderly conduct of the meeting. If appropriate, law enforcement may be called to remove disruptive individuals.

Cross-ref:

1400, Complaints from the Public  
2342, Agenda Preparation and Dissemination  
5300, Code of Conduct

Ref:

*Appeal of Kushner*, 49 EDR 263 (2010) (boards not required to allow the public to speak)  
*Matter of Martin*, 32 EDR 381 (1992) (boards need not permit nonresidents to speak)  
*Appeal of Wittneben*, 31 EDR 375 (1992) (boards encouraged to permit citizens to speak)  
*Matter of Kramer*, 72 St. Dept. Rep. 114 (1951) (boards may put time limits on public speaking)  
NYS Department of State, Committee on Open Government, Advisory Opinions OML-AO-#2696 (1/8/1997), OML-AO-#2717 (2/27/1997), OML-AO-#3295 (4/16/2001), OML-AO-#3518 (8/30/2002), OML-AO-#4024 (8/23/2005), OML-AO-#4044 (9/30/2005), OML-AO-#4141 (2/24/2006), OML-AO-#4292 (12/6/2006), OML-AO-#4573 (3/3/2008), OML-AO-#5296 (6/12/2012), OML-AO-#5607 (2/22/2019)

Adoption date:

Adoption Date:

Classification:

Revised Dates: ; **10.21, 12.21**



## AGENDA PREPARATION AND DISSEMINATION

- ( ) Required
- (X) Local**
- (X) Notice

The Superintendent along with the Board President will prepare the agenda for each Board meeting according to the order of business, to facilitate orderly and efficient meetings, and to allow Board members sufficient preparation time.

Items of business may be suggested by any Board member, district employee, parent, student, or other member of the public, and must relate directly to district business. The inclusion of items suggested by district employees, parents, students, or other members of the public is at the discretion of the Superintendent, subject to the approval of the Board President.

Persons suggesting items of business must submit the item to the Superintendent at least six (6) days prior to a regular meeting and one (1) day prior to a special meeting. Items will not be added to the agenda later than these time periods, unless the item is of an emergency nature and authorized by the Superintendent in consultation with the Board President.

The agenda will specify whether the item is an action item, a consent item, a discussion item or an information item.

### **Availability of Agenda and Supporting Materials**

The agenda and any supporting materials will be distributed to board members six (6) days in advance of the board meeting to permit careful consideration of items of business. The agenda, and supporting material to be discussed at the board meeting that is permissible to be released to the public, will be posted on the district's website, and made available upon request to the District Clerk, to the extent practicable, twenty-four hours before the meeting. In addition, the agenda will be released to the news media including local newspapers, radio stations and television stations in advance of the meeting. Copies of the agenda, and supporting material to be discussed at the board meeting that is permissible to be released to the public, will also be available in the Superintendent's office, twenty-four hours before the meeting and at the Board meeting, to anyone who requests a copy.

The District Clerk is responsible for ensuring that the agenda is available to the public and the media.

Cross-ref:  
2350, Board Meeting Procedures

Ref:  
Public Officers Law §103(e)

Adoption date:

Adoption Date:  
Classification:  
Revised Dates: ; **10.21, 12.21**



## **"CHARGING" SCHOOL MEALS AND PROHIBITION AGAINST SHAMING**

**Required**

Local

Notice

The Board of Education recognizes that on occasion, students may not have enough funds for a meal. To ensure that students do not go hungry, the Board will allow students who do not have enough funds to "charge" the cost of meals to be paid back at a later date subject to the terms in this policy.

To comply with State guidelines and maintain a system for accounting for charged meals, regarding both full and reduced-price meals, the Board shall:

1. allow only regular reimbursable meals to be charged, excluding extras, à la carte items, side dishes, additional meals, and snacks ("competitive foods"); and
2. use a computer-generated point of sale system, which identifies and records all meals as well as collects repayments.

Charged meals must be counted and claimed for reimbursement on the day that the student charged (received) the meal, not the day the charge is paid back. When charges are paid, these monies are not to be considered "à la carte" transactions, as a section on the daily cash report or deposit summary reads "charges paid."

Students shall not be denied a reimbursable meal, even if they have accrued a negative balance from other cafeteria purchases, unless the parent/guardian has provided written permission to the school to withhold a meal. No student with unpaid charges will be prohibited from purchasing food if they have money that day.

If school food authorities (SFAs) suspect that a student may be abusing this policy, written notice will be provided to the parent/guardian.

Students who cannot pay for a meal or who have unpaid meal debt shall not be publicly identified or stigmatized (including wristbands or hand stamps), required to do chores or work to pay for meals, or have meals thrown away after they have been served. District staff shall not discuss a student's unpaid meal debt in front of other students. The district shall not take any action directed at a student to collect unpaid school meal fees. However, the district may discreetly notify students of their account balances, and why certain items (e.g., à la carte, etc.) could not be provided with charged meals.

### **Community Eligibility Provision/Provision 2**

Any school in the district participating in the Community Eligibility Provision or Provision 2 option of the USDA's Food and Nutrition Services provides free meals to all students attending that school. Each student at such a school receives one meal per day per type (e.g., breakfast, lunch). Any such student who wishes to purchase additional meals or other food items must pay for those items at the time of the sale. Charging to accounts for such "à la carte" items is not permitted if students do not have funds available.

### **Student Account Balance Notification**

The district's payment system allows for automatic replenishment when a balance reaches a certain amount set by the parent/guardian. The district shall encourage parents/guardians to utilize this option.

Parents/guardians shall be discreetly notified of student account balances regularly. When a student's account balance falls below \$0.00 and whenever a meal is charged, the district will discreetly notify the parent/guardian of the balance, and the process to refill the account. This notification will continue regularly until the account is replenished. Parents/guardians must repay all unpaid charges remaining at the end of the year or before their child leaves the district, whichever occurs first.

The district shall discreetly notify parents/guardians of students with negative balances of at least five meals, determine if the student is directly certified to be eligible for free meals, and attempt to reach the parent/guardian to assist them in the application process for free and/or reduced price meals, and determine if there are other issues within the household causing the insufficient funds and offer appropriate assistance. If a parent/guardian regularly fails to provide meal money and does not qualify for free or reduced price meals, the district may take other actions as appropriate, including notifying the local department of social services if neglect is suspected.

The school district shall notify all parents/guardians in writing on an annual basis at the start of the school year and to families transferring during the year, outlining the requirements of this policy. The policy shall also be published in appropriate school and district publications. All staff involved in implementing and enforcing this policy shall also be notified of these requirements and their responsibilities. The district's enrollment process shall include the application process for free and reduced price meals. If the district becomes aware that a student is so eligible, it shall file an application for the student. Staff responsible for assisting foster, homeless and migrant students shall coordinate with the food services staff to ensure such students receive free school meals.

### **Unpaid Meal Charges and Debt Collection**

Unpaid meal charges are a financial burden to the district and taxpayers and can negatively affect the school program. Unpaid meal charges shall be considered "delinquent" as per the district's accounting practices. The district shall attempt to recover unpaid meal charges before the end of the school year, but may continue efforts into the next school year. The district shall notify parents/guardians of unpaid meal charges at regular intervals, and may engage in collection activities by district staff, which do not involve debt collectors as defined in federal law (15 USC §1692a), and may not charge fees or interest or file a lawsuit against students' parents or guardians. The district shall offer repayment plans, and may take other actions that do not result in harm or shame to the child, until unpaid charges are paid.

### **Remaining Account Balances**

Remaining funds may be carried over to the next school year. When students leave the district or graduate, the district will attempt to contact the parent/guardian to return remaining funds. Parents/guardians may request that funds be transferred to other students (e.g., siblings, unpaid accounts). All transfer requests must be in writing. Unclaimed funds remaining after August 31st shall be absorbed by the school meal account.

Building Principals, working with the head of food services, shall ensure that all district and food service staff with responsibilities under this policy will be trained on the provisions of this policy and the requirements of Education Law section 908.

### **Staff**

Staff members are allowed to purchase food from the district's food services. However, all purchases must be paid for at the point of sale: cash, or payment account. Staff members are not allowed to charge meals to be repaid later.

Cross-ref:

8520, Free and Reduced Price Meal Services

Ref:

42 USC §1779 (Child Nutrition Act of 1966)

42 USC §§1758(f)(1); 1766(a) (National School Lunch Act)

2 CFR §200.426 (accounting for debt in federal programs)

7 CFR §§210.9 210.12; 210.19; 220.13; 245.5 (accounting in federal school meal programs)

Healthy, Hunger-Free Kids Act (Public Law 111-296), §143

15 USC §1692a (debt collector defined)

Education Law §908

8 NYCRR §114.5

USDA Report to Congress, *Review of Local Policies on Meal Charges and Provision of Alternate Meals*, June 2016, [www.fns.usda.gov/sites/default/files/cn/unpaidmealcharges-report.pdf](http://www.fns.usda.gov/sites/default/files/cn/unpaidmealcharges-report.pdf)

*Unpaid Meal Charges: Local Meal Charge Policies*, USDA FNS Memo SP 46-2016 (07/08/16),

[www.fns.usda.gov/unpaid-meal-charges-local-meal-charge-policies](http://www.fns.usda.gov/unpaid-meal-charges-local-meal-charge-policies)

*Unpaid Meal Charges: Guidance and Q&A*, USDA FNS Memo SP 57-2016 (09/16/16), <https://fns-prod.azureedge.net/sites/default/files/cn/SP57-2016os.pdf>

*Unpaid Meal Charges: Guidance and Q&A*, USDA FNS Memo SP 23-2017 (03/23/17), <https://fns-prod.azureedge.net/sites/default/files/cn/SP23-2017os.pdf>

*Unpaid Meal Charges: Clarification on Collection of Delinquent Meal Payments*, USDA FNS Memo SP 47-2016 (07/08/16), [www.fns.usda.gov/sites/default/files/cn/SP47-2016os.pdf](http://www.fns.usda.gov/sites/default/files/cn/SP47-2016os.pdf)

*Overcoming the Unpaid Meal Challenge - Proven Strategies from Our Nation's Schools*, USDA FNS Guidance Document (May 2017), <https://fns-prod.azureedge.net/sites/default/files/cn/SP29-2017a1.pdf>

*New York State Legislation - Prohibition Against Meal Shaming*, NYSED Memo (5/1/18),

<http://www.cn.nysed.gov/content/prohibition-against-meal-shaming>

*Meal Charge Plan Template*, NYSED (5/1/18), <http://www.cn.nysed.gov/content/meal-charge-and-prohibition-against-meal-shaming-policy-template>

Adoption Date:

Classification:

Revised Dates: ; **10.21, 12.21**

