BOARD OF EDUCATION

The business meeting was held on July 20, 2006 in Room 145 in the Cherry Valley-Springfield Central School Building.

Members Present:
Ellen Johnson, President
Steve Schneider, Vice President
Donald Drake
Peter Freehafer
Chris Graham
Frank McGrath
Kathleen Taylor

Members Absent:

Others Present

Nicholas Savin, Superintendent
Charles Strange, High School Principal
Victoria Gaughan, Business Official

Laura Carson, District Clerk

3 Community Members

Meeting called to order at 6:15 PM by President Johnson.

President Johnson led the board and visitors in the Pledge of Allegiance.

Motion made by D. Drake, seconded by F. McGrath to enter into Executive Session to discuss grievances from the Cherry Valley-Springfield Central School Teachers' Association as follows:

a. Mentor Plan Grievance
b. Elementary teachers wishing to dismiss their students prior to the end of the school day grievance.

Motion carried unanimously.

The Board entered into Executive Session at 6:16 PM.

Motion made by D. Drake, seconded by K. Taylor to come out of Executive Session at 7:03 PM. Motion carried unanimously.

Motion made by K. Taylor, seconded by C. Graham to approve the Minutes of July 6, 2006 and July 10, 2006. Motion carried unanimously.

Treasurer's Report not available at this time.

Warrants not available at this time.

Motion made by S. Schneider, seconded by K. Taylor.
RESOLVED, that the Cherry Valley-Springfield Central School District, upon the recommendation of the Superintendent, does hereby approve the Cherry Valley "FOG" Football Team to use the Soccer Field on July 19 & 21, 2006 from 5:30 PM to 8:00 PM - pending receipt of their insurance. Motion carried unanimously.

Superintendent Savin spoke about the Advisors Handbook and the Athletic Handbook and both Committees will have members attending the August 3, 2006 Board Meeting to give an overview of their progress to date. Mr. Savin spoke about planning reports and presentations for the upcoming Board meetings. Superintendent Savin will be inviting the school attorney to the August Business meeting to speak to the Board about the options and decision points with regards to wind power. Mr. Strange will also review the Regents results at the August Board business meeting.

President Johnson recognized the visitors. Discussion was held with regards to the windmills and if the windmills are built in Cherry Valley how the school can benefit. A parent also shared their concern with regards to a breakdown in communication and Mr. Savin and Mrs. Gaughan responded.

Board of Education Committee Report – Mr. Schneider gave a report on the Negotiations Committee. Joint impasse was offered by the Teacher's Association. However, the Board decided to go a different route. There are no further meetings scheduled. Ms. Taylor gave a report on the Wind Turbine Committee. Discussion was held with regards to the SEQRA.

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Motion made by S. Schneider, seconded by F. McGrath.
CONSENT AGENDA ITEMS – Consider motion to approve consent agenda items to include RESOLUTIONS #18-7-2006 through RESOLUTION #25-7-2006.

RESOLUTION 18-7-2006
RESOLVED, that the Board of Education of the Cherry Valley-Springfield Central School District, upon the recommendation of the Superintendent, does hereby approve the Dental Contract with EBS Benefit Solutions for the 9/1/2006-8/31/2007 year.

RESOLUTION 19-7-2006
RESOLVED, that the Board of Education of the Cherry Valley-Springfield Central School District, upon the recommendation of the Superintendent, does hereby approve the Agreement with ONC BOCES as per ATTACHMENT IV B.

RESOLUTION 20-7-2006
RESOLVED, that the Board of Education of the Cherry Valley-Springfield Central School District, upon the recommendation of the Superintendent, does hereby approve the Change Order No. PC-02 of the Capital Project in the amount of $17,290.

RESOLUTION 21-7-2006
RESOLVED, that the Board of Education of the Cherry Valley-Springfield Central School District, does hereby accept the donation of $1,700 from the Class of 2006 for the use of replacing the message board in front of the school and to fix the sign out by Co. Hwy. 54 and any leftover money is to be donated to the American Cancer Society.

RESOLUTION 22-7-2006
RESOLVED, that the Board of Education of the Cherry Valley-Springfield Central School District, upon the recommendation of the Superintendent, does hereby accept the resignation of Lisa Rice, Elementary Teacher, effective September 1, 2006.

RESOLUTION 23-7-2006
RESOLVED, that the Board of Education of the Cherry Valley-Springfield Central School District, upon the recommendation of the Superintendent, does hereby accept the resignation of TheriJo Climenhaga, Physical Education Teacher and Athletic Director, effective July 31, 2006.

RESOLUTION 24-7-2006
RESOLVED, that the Board of Education of the Cherry Valley-Springfield Central School District, upon the recommendation of the Superintendent, does hereby conditionally appoint the following as Substitute Teachers for the 2006-2007 school year:

Stephanie Clark	Oneonta	Susan Hayes	Cherry Valley

RESOLUTION 25-7-2006
RESOLVED, that the Board of Education of the Cherry Valley-Springfield Central School District, upon the recommendation of the Superintendent, does hereby conditionally appoint the following as an Instructional Support Staff Substitute for the 2006-2007 school year: Susan Hayes Cherry Valley
Motion carried unanimously.

Discussion was held regarding the operations of the Board of Education and the monthly meetings.
Motion made by D. Drake, seconded by F. McGrath to have the first meeting of the month be Committee meetings and the second meeting of the month to be Business meetings. Further discussion was held referring to the Board Goals and Operation Plan, 2006-2007 that Mr. Schneider had given to all of the Board members.
Motion made by D. Drake, seconded by K. Taylor to table the discussion on the Board goals and operation plan to the August 3, 2006 meeting when the Board will meet as a committee as a whole. Motion carried unanimously.

Ms. Taylor asked why Cherry Valley-Springfield does not participate in NY History Day. Mr. Strange responded and he will revisit the idea with the history teachers.

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Motion made by S. Schneider, seconded by K. Tyalor.
Whereas, the CV-S Board of Education believes that the adoption of a set of Board goals and operational parameters for the 2006-2007 school year will contribute to its ability to accomplish its goals, objectives and statutory responsibilities, now therefore be it resolved that the Board adopts the attached document, "Board Goals and Operations Plan, 2006-2007," and directs the President to take the necessary steps to implement the operations plan, including calling for resolutions establishing a Board calendar of meetings and appointing and charging Standing Committees.
Motion made by S. Schneider, seconded by F. McGrath to table the above motion. Motion carried unanimously.

Motion made by S. Schneider, seconded by F. McGrath.
Whereas, the CV-S Board of Education believes that the establishment and publication of a comprehensive calendar and listing of Board activities and responsibilities will contribute to its ability to accomplish its goals, objectives and statutory responsibilities,

Now therefore be it resolved, that the Board directs the Board Clerk or her designee to

- Create and maintain a BOE calendar, directory and file listing on the District Web site identifying specific actions required or expected of the Board during the period of time from July 1, 2006 through June 30, 2007; listing all meetings of the Board and its Committees; and providing any other communications approved by the Board; and to
- Notify, via email on a regular and timely basis, all Board members and other interested members of the community,. when any changes, updates or additions have been made to the BOE calendar.

Motion made by S. Schneider, seconded by F. McGrath to table the above motion. Motion carried unanimously.

Ms. Taylor would like for the Boar d to review the No Child Left Behind forms that are in the Newsletter.

Motion made by C. Graham, seconded by D. Drake to enter into Executive Session to hear a Stage Three Grievance Hearing - Mentor Plan. Motion carried with opposition from S. Schneider and K. Taylor.

The Board entered into Executive Session at 8:55 PM.

Motion made by S. Schneider, seconded by K. Taylor to come out of Executive Session at 10:00 PM. Motion carried unanimously.

Motion made by S. Schneider, seconded by C. Graham.
Whereas, the Cherry Valley-Springfield Teachers' Association (CVSTA) filed a grievance on January 25, 2006 alleging that the District violated the collective bargaining agreement by not complying with the articles of the Teacher Mentor Program Policy; and
Whereas, the CVSTA requested a Stage 3 hearing before the Board of Education (BOE) in a letter dated March 22, 2006; and
Whereas, the BOE conducted a hearing on this grievance on July 20, 2006; and
Whereas, the BOE has carefully considered the grievance record and the testimony and information offered by the CVSTA;
Now therefore be it resolved that the BOE does hereby deny this grievance, and directs the Labor Consultant to draft a letter for approval by the BOE president, based on the Superintendent letter of 3/15/06, and to include the text of the letter in the meeting minutes.
A letter to the CVSTA grievance chair with text to be;
"Mrs. Cathy Croston"
Grievance Chair
"Dear Mrs. Croston:"

"This letter is in response to the Stage 3 Hearing that was held before the Board of Education. The Board considered and discussed the merits of the grievance after the hearing, and agreed with the Superintendent's position as outlined in the Stage 2 Response. We are denying the grievance for the following reasons."

"First, this grievance is not timely. Mentor/mentee pairings would have been arranged during August, in order to begin the school year with the beginning teachers' knowing their mentors. This would have included an orientation session in August as well, as outlined in the Mentor Plan document in Section XII. Moreover, as per Article V, Section IV, sub-section 4.2, the grievance should have been filed within 60 days after the teacher knew or should have known of the act on which the grievance is based. Mrs. Rebecca Carter is the Mentor Panel Chairperson and should have known by September 6, 2005. The grievance should have been filed long before January 25, 2006. On this basis alone, the grievance should be denied."

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"Second, the grievance does not contain the necessary information required by the contract. Article V, Section 3.1, requires that the grievance "include the name and position of the aggrieved party, identity of the provision of law, this agreement, policies, etc, involved in the said grievance." The grievance you filed does not identify the name and position of the aggrieved party, nor does it specifically state the provision of the contract and Mentor Plan that has been violated. The Board hopes future grievances will contain complete information – not waiting until a Stage 3 hearing to provide the information. On this basis alone the grievance should be denied. It should be noted that the BOE had some concerns about the inclusion of Adrienne Rowley in the grievance, since she did not "fit" the definition of those you stated had been aggrieved. The explanation given – that she was just "thrown in" – was not understandable to the BOE."

"In addition, we do not believe your grievance has merit for the following reasons:"

1. "When the Mentor Plan was developed, it was in response to the law and SED requirements that had been enacted. Specifically, we developed a plan that assisted teachers in their first year of teaching service by providing them with a mentor. As stated in the first sentence of our Mentor Plan, "The purpose of the CVSCS Teacher Mentor Plan program is to meet SED regulation requirements by forging a partnership with new staff." Neither the law nor the CVS Mentor Plan requires the District to provide a mentor beyond the first year of teaching service."

2. "The Purpose Section of the Mentor Plan, states that the "specific goals of the Mentor Program will include the following:

   "Help beginning teachers transition from preparation to practice. "

   In fact, beginning teachers is mentioned two other times in that section and in other places throughout the document and at not time discusses teachers in their second and beyond years receiving a mentor. The Mentor Plan program is designed to assist teachers in their first year of teaching service, transitioning them from preparation to practice. Anyone else receiving a mentor would be offered assistance to move from teaching practice to teaching practice. The District has met the law, SED and our Mentor Plan requirement."

3. "November 1, 2004, Mrs. Margaret Bouck, CVSTA President, wrote a letter to the Superintendent regarding the Mentor Plan and stated that the mentor Plan "reflects the terms and conditions associated with the plan as agreed between the District and the Association." If the Mentor Plan were to provide service to teachers not in their first year of teaching service it would have stated so. All of our efforts were to develop a plan that satisfied the law and SED requirements."

"Moreover, the document sent from Joseph B. Porter, Esquire and Executive Director of the Office of teaching Initiatives at SED, was a guiding document we used, among others, in the development of the mentor plan. In the first sentence of the document it states " At its November 2004 meeting, the Board of Regents adopted a regulation requiring school districts and BOCES to plan and implement mentoring programs for first-year teachers in their employ." When the Mentor Plan document was developed and approved, it became the instrument to meet SED requirements."

4. "Section XII of the Mentor Plan states that Mentees will need to attend an Orientation Program during the summer vacation period and that the Mentees would not be paid or receive any other compensation, except for in-service credit as outlined in the bargaining agreement. If the Mentor Plan was to provide Mentors to teachers not in their first year of teaching service, we would have outlined exceptions and/or pay for second year teachers."

5. "The grievance you filed also raises the issue of the District "historically" offering mentors to teachers that have changed assignments. It would be more accurate to state that a committee comprised of teachers and administration worked together to approach teachers that would be willing to volunteer their time to mentor staff. These teachers accepted a professional responsibility to assist their colleagues and offer a mentor services. These mentors were not approved by the BOE, nor did they receive a stipend for their service. The mentors offered this service as a professional responsibility and courtesy to their colleagues. This was not a BOE program – it was never approved by the Board. If you wish to continue the historical arrangement that had existed, a committee can ask for volunteers as it had and provide any teacher with mentor."

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6. "The Superintendent did discuss extending the Mentor Plan requirements to include other teachers with Ms. Margaret Bouck and Mrs. Rebecca Carter. The Mentor Plan does allow for discussion about the plan. Under Section II, it states, "to annually evaluate the mentor program." It was under this provision that the Superintendent was discussing the recommendations from Ms. Bouck and Mrs. Carter. His notes indicate that their suggestion was to recommend mentoring for a second year. They wished to know how they should make a recommendation. The Superintendent made it clear from the beginning that the District had no obligation to provide this service. After some discussion with the BOE and upon the Superintendent's recommendation, the District did in fact offered a second year mentor to a teacher that was under a Teacher Improvement Plan. However, this is strictly a District choice once the recommendation is made."

7. "At the hearing, the Association could not point to any specific sections of Mentor Plan that were violated. The BOE could find no violation in the sections of the Plan."

8. "There have been no changes made to the mentoring plan. Future negotiations are the appropriate forum for altering this plan."

9. "The Board of Education has the responsibility for the finances of the District. The assignment of additional mentors was not contemplated by the BOE or budgeted for."

"With the above stated reasons, the Board of Education is denying the grievance. Your grievance does not have merit."

"Sincerely,
Ellen Johnson, President,
Board of Education"

Motion made by S. Schneider, seconded by C. Graham to enter into Executive Session o discuss collective negotiations with the Cherry Valley-Springfield Central School Teachers' Association, to discuss particular personnel matters for particular persons and to discuss grievances from the Cherry Valley-Springfield Central School Teachers' Association as follows: a. Mentor Plan Grievance and b. Elementary teachers wishing to dismiss their students prior to the end of the school day grievance.

The Board entered into Executive Session at 10:15 PM.

Motion made by S. Schneider, seconded by F. McGrath to come out of Executive Session at 10:45 PM.

Motion made by C. Graham, seconded by F. McGrath to adjourn the meeting at 10:45 PM. Motion carried unanimously.

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Laura Carson, District Clerk