

**New Paltz Central School District Board of Education
7:00 PM Workshop Meeting – High School Auditorium
MEETING MINUTES**

CALL MEETING TO ORDER

CALL TO ORDER

Meeting was called to order at 6:04 PM by Glenn LaPolt, Board President.

EXECUTIVE SESSION

EXECUTIVE SESSION

Motion made by Bianca Tanis and seconded by Brian Cournoyer that the Board of Education move into Executive Session at 6:05 PM for the purpose of discussing matters leading to the appointment, employment, promotion, demotion, discipline, suspension, dismissal, or removal of a particular person or corporation.
Motion carried 7 - 0 with 7 members voting.

DISTRICT CLERK PRO-TEMPORE

DISTRICT CLERK PRO-TEMPORE

Board President, Glenn LaPolt, acted as District Clerk Pro-Tempore for the Executive Session portion of the meeting.

BOARD MEMBERS PRESENT:

QUORUM CHECK

Glenn LaPolt
Diana Armstead
Brian Cournoyer
Michael O'Donnell
Bianca Tanis
Teresa Thompson
Matthew Williams

ALSO PRESENT:

Angela Urbina-Medina, Superintendent
Sharifa Carbon, Assistant Superintendent for Business

ROLL CALL

ROLL CALL

The roll was called as reflected above.

OUT OF EXECUTIVE SESSION

Motion made by Matthew Williams and seconded by Teresa Thompson that the Board return to Public Session at 6:55 PM.
Motion carried 7 - 0 with 7 members voting.

CALL TO ORDER/LAND ACKNOWLEDGMENT

CALL TO ORDER

The Public Meeting was called to order at 7:05 PM by Glenn LaPolt, Board President.

BOARD MEMBERS PRESENT:

QUORUM CHECK

Glenn LaPolt
Diana Armstead
Brian Cournoyer
Michael O'Donnell
Bianca Tanis
Teresa Thompson
Matthew Williams

ALSO PRESENT:

Angela Urbina-Medina, Superintendent
Sharifa Carbon, Assistant Superintendent for Business
Keith Baisley, Director of Integrated Technology
Janety Encarnacion, Director of Pupil Personnel Services and Special Education
Meri Lederer, Interim Coordinator of Student Support Services
Dr. Mario Fernandez-New Paltz Central High School
Ann Sheldon, Principal-New Paltz Middle School
Ross Hogan, Principal-Duzine Elementary School
Sandra Ermo, District Clerk

Members of the Public and Press

ROLL CALL The roll was called as reflected above.

ROLL CALL

PLEDGE TO THE FLAG

PLEDGE

AGENDA CHANGES

AGENDA CHANGES

Motion made by Brian Cournoyer and seconded by Matthew Williams to accept the agenda change to remove the Recognition of the 2021 Valedictorian and Salutatorian from the agenda. This item will be added to May 19, 2021 BOE Meeting Agenda.

Motion carried 7-0 with 7 members voting.

PUBLIC HEARING

- 2021-2022 Budget – Angela Urbina-Medina, Superintendent and Sharifa Carbon, Assistant Superintendent for Business

There were no public comments or questions pertaining to the 2021-2022 budget.

The Board President asked for a motion to end the public hearing on the budget. Motion made by Bianca Tanis and seconded by Matthew Williams.

Motion carried 7-0 with 7 members voting.

PUBLIC COMMENTS

PUBLIC COMMENT

The following people made public comments:

Stana Weisburd

Cathy Sanchez

STUDENT REPRESENTATIVE REPORT

STUDENT REP

There was no Student Representative Report.

SUPERINTENDENT'S REPORTS & DISCUSSION ITEMS

SUPT REPORT

- Educational Update

BOARD COMMUNICATIONS

BOARD COMMUNICATION

COMMITTEE REPORTS

CMTE REPORTS

- Audit Committee - Michael O'Donnell, Chair
- Policy Committee - Brian Cournoyer, Chair
- Facilities Committee - Teresa Thompson, Chair
- Legislative Action Committee - Bianca Tanis, Chair
- Racial Equity Initiative Advisory Committee – Molly Brooks, REIAC Member & Diana Armstead, BOE Representative

MINUTES OF MEETING

MINUTES

Motion made by Matthew Williams and seconded by Teresa Thompson that the Board of Education approve the following resolution:

BE IT RESOLVED: that the New Paltz Central Schools Board of Education accept the minutes of the Business Meeting of April 21, 2021.

Motion carried 7-0 with 7 members voting.

Minutes - Workshop Meeting

May 5, 2021

PERSONNEL (CONSENT AGENDA)**PERSONNEL**

Motion made by Bianca Tanis and seconded by Teresa Thompson that the Board of Education approve the following personnel (consent agenda) resolutions: 12.1-12.4.

12.1 Administrative Appointment – Acting Deputy Superintendent

BE IT RESOLVED, that the New Paltz Central School District Board of Education, upon the recommendation of Angela Urbina-Medina, Superintendent of Schools, does hereby appoint Alexandra Mackinnon as Acting Deputy Superintendent, effective May 6, 2021, and terminating June 30, 2021 at a per diem rate of \$425 per day.

12.2 Administrative Appointment – Acting Coordinator of Student Support Services

BE IT RESOLVED, that the New Paltz Central School District Board of Education, upon the recommendation of Angela Urbina-Medina, Superintendent of Schools, does hereby appoint Katherine Banks as Acting Coordinator of Student Support Services assigned to the Secondary level, effective May 6, 2021, and terminating June 30, 2021 at a per diem rate of \$550 per day.

12.3 Appointment of Election Inspectors

BE IT RESOLVED, that the Board of Education does hereby appoint the following individuals as election inspectors for the 2020-2021 School Year: Maryann Tozzi, Muriel Browne, Barbara Londa, Sifu Jai, Randy Kitzmann, Linda Hunt, Adam Zielinski, Pearl Lee, Colleen Toder, June Sanson, Luella Bouchard, Eileen Hagen, Alma Sloan, Manny Sloan, Ron Mironchik, Kathleen Mironchik, Dawn Lipinski, and Linda Mellor at a rate of \$200 for full day inspectors and a rate of \$12.50 per hour for hourly inspectors; and

BE IT FURTHER RESOLVED, that the Board does hereby appoint June Sanson as Chairperson of the 2021 Annual Meeting and Election.

12.4 Instructional Appointment-Substitutes

Recommendation that the New Paltz Central School District Board of Education, upon the recommendation of Angela Urbina-Medina, Superintendent of Schools, does hereby appoint the following substitute teachers with remuneration as per rates established at the July 8, 2020 Organizational Meeting:

Name	Effective Dates
Lauren Aidan Koehler	5/06/2021– 6/30/2021

Motion carried 7-0 with 7 members voting.

Motion made by Matthew Williams and seconded by Michael O'Donnell that the Board of Education approve the following personnel (consent agenda) resolutions: 12.5.

12.5 Instructional Resignation for the Purpose of Retirement

Recommendation that the New Paltz Central Schools Board of Education, upon the recommendation of Angela Urbina-Medina, Superintendent of Schools, does hereby accept the resignation, of the following instructional employee for the purpose of retirement:

Name	Title	Effective Date	Years in District
Ellen Allis	Elementary Teacher	7/01/2021	33

Motion carried 7-0 with 7 members voting.

Motion made by Brian Cournoyer and seconded by Bianca Tanis that the Board of Education approve the following personnel (consent agenda) resolutions: 12.6-12.11.

12.6 Instructional Leave of Absence

Recommendation that the New Paltz Central Schools Board of Education, upon the recommendation of Angela Urbina-Medina, Superintendent of Schools, does hereby approve an unpaid FMLA leave of absence for the following instructional employee:

Name	Title	Effective Dates
Alicia Tuttle	Family and Consumer Science Teacher	4/28/2021 – 5/21/2021

12.7 Instructional Leave of Absence - Extension

Recommendation that the New Paltz Central Schools Board of Education, upon the recommendation of Angela Urbina-Medina, Superintendent of Schools, does hereby approve an extended unpaid leave of absence for the following instructional employee:

Name	Title	Extension Effective Dates
Alicia Tuttle	Family and Consumer Science Teacher	5/24/2021 – 5/27/2021

12.8 Non-Instructional Appointment

Recommendation that the New Paltz Central Schools Board of Education, upon the recommendation of Angela Urbina-Medina, Superintendent of Schools, does hereby submit the following non-instructional appointments:

Name	Title	Effective Date	Salary/Rate
Stuart Elkins	School Bus Driver, Part Time	5/6/2021	\$29.00/hour
Arthur Lee	School Bus Driver, Full Time	5/7/2021	\$29.00/hour
Karyn Morehouse	Light & Sound	9/1/2020 – 6/30/2021	\$25.00/hour

12.9 Non-Instructional Substitute Appointment

Recommendation that the New Paltz Central Schools Board of Education, upon the recommendation of Angela Urbina-Medina, Superintendent of Schools, does hereby submit the following non-instructional substitute appointment:

Name	Title	Effective Date	Salary/Rate
Kimberly Mesic	Substitute Cashier	4/19/2021	\$13.91/hour

12.10 Coaching Appointment

Recommendation that the New Paltz Central Schools Board of Education, upon the recommendation of Angela Urbina-Medina, Superintendent of Schools, does hereby appoint the following coach appointment for the 2020/2021 school year with remuneration as per the NPUT contract:

Name	Title	Stipend
Olivia Pacheco	Boys Modified Soccer	\$2,480.00

12.11 Approval of Non-Instructional Leave of Absence Extension

Upon the recommendation of Angela Urbina-Medina, Superintendent of Schools, the Board of Education does hereby approve unpaid leave of absence extension for the following employee:

Name	Title	Effective Date
Valeries Mesceda-Grajewski	School Bus Driver	2/23/2021 afternoon thru 5/21/2021 unpaid

Motion carried 7-0 with 7 members voting.

OLD BUSINESS

OLD BUSINESS

Motion made by Michael O'Donnell and seconded by Brian Cournoyer that the Board of Education discuss Policy #3430 – Anti-Racism.

Motion carried 7-0 with 7 members voting.

After Board discussion pertaining to Policy #3430, Brian Cournoyer made a motion to table Policy #3430 – Anti-Racism to a future BOE meeting. This motion was seconded by Glenn LaPolt.

Motion carried 7-0 with 7 members voting.

13.1 Second Reading of Policy #3430 – Anti-Racism (DRAFT)

2021 3430

Community Relations

SUBJECT: ANTI-RACISM

The New Paltz Central School District recognizes that all forms of racism are destructive to the District's mission, vision, and guiding principles. The District is committed to the following principles:

- Establishing and sustaining a school community that shares the collective responsibility to **affirmatively** address, eliminate, and prevent actions, decisions, and outcomes that result from and perpetuate racism.

- Eliminating inequitable practices and cultivating the unique gifts, talents, interests, and backgrounds of every student to end the predictive value of social or cultural factors on student success.
- Respecting and championing the diversity and life experiences of all community members to support the District’s mission, vision, and guiding principles.
- Acknowledging that racism is often compounded by other forms of discrimination, including, but not limited to, national origin, religion, class, sexual orientation, gender identity, and refugee or immigration status.
- Recognizing diversity as an asset to our school community.
- Acknowledging Indigenous Americans as the traditional owners and custodians of this land and valuing their place in our society.
- Recognizing the unique challenges facing refugee and immigrant students and families, including, but not limited to, interrupted formal education and language barriers.

Purpose

Personal and institutional racism has always existed and continues to exist in the District. Combating racism in our schools is a moral and legal imperative.

Anti-racist practices place race at the center of its analysis. Focusing on race exposes direct links to unequal power, systems of oppression and privilege, and harmful institutional practices.

In this District, there are significant disparities between racial groups in student academic performance and participation in academic and non-academic programs. These include disparities in course participation, special education identification, traditional measures of academic achievement, and discipline. Disparities also exist between the racial demographics of the students in the District and the current composition of the District’s staff. These disparities produce inequitable outcomes for students of color and advantages for white students.

These equity gaps exist because of inequitable access to opportunities that have significant intergenerational effects and perpetuate economic, social, and educational inequity. However, racial inequities were foundational elements in the construction of this nation and must be deconstructed and remedied. Similarly, personal prejudice and implicit bias is learned and can be unlearned or mitigated. Educators play a vital role in reducing racism and inequity by first recognizing their own biases and racism by which they can then recognize the manifestations of racism in our schools, creating culturally inclusive learning and working environments, and dismantling educational systems that directly or indirectly perpetuate racism and privilege through teaching, policy, and practice.

The purpose of this policy is to eliminate all forms of racism from the District in conjunction with related Board policies.

Expectations

Policy Communication

- Each school shall post a public statement against racism, affirming their anti-racist commitments, and encouraging anti-racist actions in a location visible to students, staff, and visitors entering the school. The District will also post a public statement in high traffic locations at its main offices and on the District website.
- Each school shall have an active Racial Equity Team that meets at least once bi-monthly, and will report out to the Racial Equity Initiative Advisory Committee (REIAC) once per marking period. Ideally all Racial Equity Teams will report out at the same REIAC meeting so that they can learn from each other and build relationships across the district.
- This policy shall be included in student handbooks provided to students and families.
- This policy shall be translated into other languages and be made available in other accessible forms as necessary.

Leadership and Administration

- The Board of Education shall incorporate dismantling racism in every policy proposal, policy revision, and budgetary decision.
 - Questions the Board should consider when making these decisions:

- *Proposal:* What is the policy, program, practice or budget decision under consideration? What are the desired results and outcomes?
 - *Data:* Are there data available to support the decision? What do the data tell us? Which data are missing that need to be collected in order to facilitate a more comprehensive analysis of our district?
 - *Community engagement:* How have communities been engaged or not engaged? Are there opportunities to expand engagement?
 - *Analysis and strategies:* Who will benefit from or be burdened by the proposal? What are the strategies for advancing racial equity or mitigating unintended consequences?
 - *Implementation:* Have we ensured that the administration has the tools and support necessary for implementation?
 - *Accountability and communication:* How will we ensure accountability, communicate, and evaluate results?
- The Administration shall continue to identify processes and practices that cause or contribute to inequitable outcomes. The assessment shall also include an inventory of which equity-related data are currently collected by the District, and which missing data need to be collected and included going forward. Following the assessment, strategies will be developed and implemented to address the identified issues.
 - The Administration shall address disparities in academic course and extracurricular participation.
 - The Board and Administration shall partner to implement alternative discipline processes, such as restorative justice, to reduce racial disparities in discipline, suspension, and interpersonal relations.
 - Develop a systematic approach to assessing and monitoring institutional climate, ensuring that implicit bias and its potential consequences are understood, and that people of diverse backgrounds feel welcome and respected.
 - The Board and Administration shall commit the necessary efforts and resources to both recruit and retain teachers and staff of color in the district in order to diversify the teaching and support staff across the district.
 - Commit to the full enfranchisement of our school community, with an immediate emphasis on our non-English speaking and immigrant communities.

Curriculum and Instruction

- Curriculum and instructional materials for all grades shall reflect cultural and racial diversity and include a range of perspectives and experiences, particularly those of historically underrepresented groups and Indigenous Americans.
- All curriculum materials shall be examined for racial bias. Where materials reflect racial bias, teachers utilizing the materials will acknowledge the bias and communicate it to students and parents.
- The District shall implement an anti-racist curriculum and provide educational resources for students at every grade level.
- Student in-class and extra-curricular programs and activities shall be designed to provide opportunities for cross-cultural and cross-racial interactions to foster respect for cultural and racial diversity.
- Reduce reliance on standardized measures of success that have been shown to be both discriminatory and of limited value in identifying ability and predicting success.
- Create classroom environments where hierarchy and privilege, including white supremacy, can be identified and challenged while encouraging and supporting freedom of thought and expression.

Training and Professional Development

- All Board members, faculty, staff, and administrators shall engage with ongoing training in anti-racism practices and be provided with the emotional, legal, and professional support necessary to effectively engage in this work.
- All District staff shall be trained about the history of racism in the United States and about how racism continues to produce inequitable practices and outcomes at both individual and systemic levels.
- The District will acknowledge, utilize, and celebrate endemic anti-racist practices and practitioners.
- Encourage and support research efforts by faculty directed to better understanding racism, its causes and effects, and practical interventions to reduce or eliminate the harm.
- Promote community education and dialogue about racism, its causes and effects, through a variety of channels.

Policy Enforcement, Accountability, and Transparency

- The District shall collect, review, and provide an annual report to the Board of Education on data regarding racial disparities. The written reports shall also be made available to the public.
- The staff shall collect, review, and provide an annual report to the Board of Education with data regarding racial disparities. The written reports shall also be made available to the public, to the student diversity committee, and to school equity teams.
- A District-wide reporting protocol (i.e./ for disciplinary actions, bias incident events, etc.) will be developed so that data gathered are consistent across grades and buildings. These protocols should include how to accurately code incidents, and staff responsible for data entry shall be properly trained so that data are accurately recorded.
- Each school and the District shall ensure there are various, including anonymous, means for students and staff to report racism and other forms of discrimination.

Definitions

- *Anti-racism*: Anti-Racism is defined as the work of actively opposing racism by advocating for changes in political, economic, and social life. Anti-racism tends to be
- an individualized approach, and set up in opposition to individual racist behaviors and impacts.
- *Racism*: Racism is different from racial prejudice, hatred, or discrimination. Racism involves one group having the power to carry out systematic discrimination through the institutional policies and practices of the society and by shaping the cultural beliefs and values that support those racist policies and practices.
- *Institutional racism*: Institutional racism refers specifically to the ways in which institutional policies and practices create different outcomes for different racial groups. The institutional policies may never mention any racial group, but their effect is to create advantages for whites and oppression and disadvantage for people from groups classified as people of color.
- *White supremacy*: The idea (ideology) that white people and the ideas, thoughts, beliefs, and actions of white people are superior to People of Color and their ideas, thoughts, beliefs, and actions. While most people associate white supremacy with extremist groups like the Ku Klux Klan and the neo-Nazis, white supremacy is ever present in our institutional and cultural assumptions that assign value, morality, goodness, and humanity to the white group while casting people and communities of color as worthless (worth less), immoral, bad, and inhuman and "undeserving." Drawing from critical race theory, the term "white supremacy" also refers to a political or socio-economic system where white people enjoy structural advantage and rights that other racial and ethnic groups do not, both at a collective and an individual level.
- *Diversity*: Diversity includes all the ways in which people differ, and it encompasses all the different characteristics that make one individual or group different from another. It is all-inclusive and recognizes everyone and every group as part of the diversity that should be valued. A broad definition includes not only race, ethnicity, and gender — the groups that most often come to mind when the term "diversity" is used — but also age, national origin, religion, disability, sexual orientation, socioeconomic status, education, marital status, language, and physical appearance. It also involves different ideas, perspectives, and values. It is important to note that many activists and thinkers critique diversity alone as a strategy. For instance, Baltimore Racial Justice Action states: "Diversity is silent on the subject of equity. In an anti-oppression context, therefore, the issue is not diversity, but rather equity. Often when people talk about diversity, they are thinking only of the "non-dominant" groups."
- *Inclusion*: Authentically bringing traditionally excluded individuals and/or groups into processes, activities, and decision/policy making in a way that shares power.
- *Racial equity*: Racial equity is the condition that would be achieved if one's racial identity no longer predicted, in a statistical sense, how one fares. When we use the term, we are thinking about racial equity as one part of racial justice, and thus we also include work to address root causes of inequities not just their manifestation. This includes elimination of policies, practices, attitudes and cultural messages that reinforce differential outcomes by race or fail to eliminate them.

References: <https://www.racialequitytools.org/glossary>

NOTE: See also Policy #7370 – Dignity for All Students
See also Policy #6211 – Recruiting, Certificated Staff

Adopted: ??/??/2021

After Board discussion pertaining to Policy 7680, a motion was made by Brian Cournoyer and seconded by Bianca Tanis that the Board of Education table Policy 7680 – Independent Educational Evaluations to a future BOE meeting. Motion carried 7-0 with 7 members voting.

13.2 Second Reading of Policy 7680 - Independent Educational Evaluations

2021 7680

Students

SUBJECT: INDEPENDENT EDUCATIONAL EVALUATIONS

An Independent Educational Evaluation is an individual evaluation of a student thought to have a disability, conducted by a qualified examiner who is not employed by the New Paltz Central School District or any public agency responsible for educating the student.

If a parent disagrees with the initial evaluation or re-evaluation conducted by the school district, the parent should explain, in writing, to the Director of Pupil Personnel Services(PPS) and Special Education, the reason(s) why they disagree with the district’s evaluation. The Director of PPS and Special Education will promptly make a decision as to whether the request for an independent educational evaluation at public expense will be granted. If such a request is denied, the district will, without unnecessary delay, commence an impartial hearing to demonstrate the appropriateness of the challenged evaluation(s). If the hearing officer's decision is that the challenged evaluation is appropriate, the parent still has the right to an independent educational evaluation, but not at public expense. The results of any independent educational evaluation will be considered by the Committee on Special Education (CSE) or the Committee on Preschool Special Education (CPSE) in any decision made with respect to the student’s educational program.

Whenever an independent educational evaluation is at public expense, the criteria under which the evaluation is obtained, including the location of the evaluation and the qualifications of the examiner, must be the same as the criteria that the district uses when it initiates an evaluation. Thus, whenever approval of a parent’s request for an independent evaluation is granted, the independent evaluator must be licensed or certified or have met any minimum qualification requirements that an evaluator(s) employed by the District would need to possess to perform the same evaluation.

The Board hereby directs the Superintendent of Schools to develop regulations which ensure that information regarding independent educational evaluations are made available to parents who request the same. Such information should include the minimum qualifications required of independent evaluators and provide a schedule of the fees that the District will pay for independent educational evaluations in a variety of disciplines. The fee schedule shall be reflective of community standard rates in each discipline. In exceptional circumstances (e.g., if an unusual evaluation is needed, or if no appropriately certified independent evaluators can be found whose rates meet those set by the District), the Director of PPS and Special Education may authorize an independent evaluation for which the fee charged will exceed the allowable fee which may be paid for a particular type of independent evaluation.

Adopted: 7/16/08
Revised: ??/??/2021

4. NEW BUSINESS

NEW BUSINESS

Motion made by Matthew Williams and seconded by Diana Armstead that the Board of Education approve the following resolution:

14.1 Request for Approval of Committee on Special Education Recommendations and Student Placements

Recommendation - that the following resolution be approved: BE IT RESOLVED, that the Board of Education of the New Paltz Central School District approve the Committee on Special Education (CSE) and Committee on Pre-School Special Education (CPSE) recommendations and student placements: 15033, 15118, 15267, 13971, 14416, 14296, 14295, 13060, 11525, 14971, 13776, 12997, 13185, 15065, 12922, 15261, 12169, 11500, 15073, 11036, 15032, 14074, 14812, 14345, 14824, 14585, 15148, 14664, 12972, 14395, 15449, 14405, 14418, 14566, 14929, 14930, 14845, 14318, 15050, 14572, 15371, 15379, 14342, 14797, 14394, 14355, 15003, 12864, 14312, 15121, 15281, 14529, 15447, 11533, 12110, 12928, 14259, 11426, 15270, 12961, 11532, 14227, 13949, 15063, 14780, 12498, 14459, 12378, 14223, 12981, 14541, 11319, 13923, 14799.

Motion carried 7-0 with 7 members voting.

Motion made by Matthew Williams and seconded by Teresa Thompson that the Board of Education approve the following resolution:

14.2 Request for Approval of Modification of Student Scholarship Award

BE IT RESOLVED, that the New Paltz Central School District Board of Education, upon the recommendation of Angela Urbina-Medina, Superintendent of Schools, does hereby approve the modification of the LBGTQ Leadership Award. Two (2) \$1,250.00 awards will be given to two (2) seniors, chosen by select faculty of the school, that have demonstrated kindness to their peers, involvement in school activities, and a passion for giving back to their community and helping others.

Motion carried 7-0 with 7 members voting.

Motion made by Matthew Williams and seconded by Bianca Tanis that the Board of Education approve the following resolution:

14.3 Request for Approval of Student Scholarship Awards

BE IT RESOLVED that the New Paltz Central School District Board of Education approves the New Paltz Central School District Foundation for Student Enhancement Scholarships for the Class of 2021 in the amount of \$1,800.00. There are two stipulations to this scholarship award. 1) This funding is due to pandemic-related conditions. Once these conditions abate, full funding of the scholarships will revert to the PTSA. 2) The foundation will not take part in choosing the scholarship recipients. The scholarship committee will be fully responsible for these choices.

Motion carried 7-0 with 7 members voting.

Motion made by Bianca Tanis and seconded by Michael O'Donnell that the Board of Education discuss policy #6471 – Staff Computer Network and Acceptable Use Policy.

Motion carried 7-0 with 7 members voting.

After Board discussion pertaining to Policy #6471, a motion was made by Brian Cournoyer and seconded by Bianca Tanis that the Board of Education waive the two-meeting rule and accept policy #6471 – Staff Computer Network and Acceptable Use Policy, as amended.

Motion carried 7-0 with 7 members voting.

14.4 First Reading of Policy #6471-Staff Computer Network and Acceptable Use Policy

2019 6471

Personnel

SUBJECT: STAFF COMPUTER NETWORK AND INTERNET ACCEPTABLE USE POLICY (AUP)

The New Paltz Central School District recognizes the value of electronic resources to enhance student learning and the overall operation of our schools. To this end, the District encourages the responsible use of computers, the Network/Internet and other electronic resources to support the mission and vision of the New Paltz Central School District. This policy is designed to protect and provide guidance for our students and staff with access to these resources.

The Network/Internet is provided for students and staff for educational purposes. Access to Network/Internet services will be provided to users who act in accordance with this policy. The smooth operation of the Network/Internet relies upon the responsible conduct of the end users and requires efficient, ethical, and legal utilization of the Network/Internet resources.

Digital Citizenship and Personal Accountability

The New Paltz Central School District advocates for equal digital rights and access for all. Through this process it is imperative that all students and staff understand the importance of being responsible, ethical digital citizens. This includes, but is not limited to:

- (a) Treating all others with respect online;
- (b) Refraining from participating in cyberbullying and report any harassing activities you witness;
- (c) Making appropriate decisions while communicating online through any digital channels;
- (d) Respecting others' digital work. Do not steal or damage anyone's digital property;
- (e) Using network and online tools effectively to empower and enhance your learning experience;
- (f) Limiting screen time and the health risks of technology. Technology is a learning tool, but should not be used exclusively in the learning environment. Maintaining awareness of the physical and psychological risks.

Internet Safety/Managing Your Digital Footprint

In addition to being a good digital citizen, users must also be aware of their own digital footprint. Developing a positive digital footprint is essential. It can be harmful to the user or District's reputation if mismanaged, or in the event a user's account has been compromised. Good management includes, but is not limited to:

- (a) Protecting the user: Users may not give out any personal identifiable information online (name, age, ID numbers, address, etc.);
- (b) Protection of passwords: Passwords are confidential. If a user believes their password has been compromised, it should be changed immediately and an administrator alerted. Each user is responsible for keeping their password secure;
- (c) Privacy on the District network: District email, files, and anything else created and stored on local or cloud-based servers are not private. The network administrator may monitor any account at any time for subject, content, and appropriateness. Users are responsible for their actions on the District network and any violations of this policy will be reported to the school administrator;
- (d) Internet etiquette and social media: Users must follow the District Code of Conduct for guidelines on accepted behaviors both online and in our schools. Each user is responsible for what they say online. Social media platforms or other online programs may not be used to create, send, display, or distribute anti-social, harassing or threatening messages, pictures, **icons, avatars**, or other media, including that which is defamatory, abusive, obscene, profane, racially offensive, or offensive to human dignity;
- (e) Videos and photographs: No user is permitted to take photos or videos of any staff member or student without their explicit consent;
- (f) Proxy use: Users are not permitted to employ the use of proxies to circumvent the content filtering put in place by the District;
- (g) Refraining from plagiarism and adhering to copyright laws.

Additional Responsibilities

- a) Users may only use the school Network/Internet for educational purposes.

- b) Users are responsible for all material received via the Internet.
- c) Users may NOT:
 - 1. Attempt to circumvent Network/Internet security measures;
 - 2. Tamper with or in any way adjust default or teacher-created settings;
 - 3. Create and/or place a computer virus onto any computer;
 - 4. Trespass in another's user's folder, work, or files;
 - 5. Share his/her their own ID Password with others;
 - 6. Log in under another person's user's account;
 - 7. Reveal personal information about themselves or others on websites, including last names, addresses and/or phone numbers;
 - 8. Complete and/or submit forms found on websites without permission
 - 9. Receive or transmit information pertaining to dangerous instrumentalities such as bombs, automatic weapons, or other illicit firearms, weaponry, or explosive devices;
 - 10. Create, send, display, or receive hate mail, discriminatory or other antisocial remarks, or information which is intended to harass;
 - 11. Damage, dismantle, detach, or remove computers, computer systems, computer networks, computer mice, printers, scanners, or cameras;
 - 12. Remove keys from the keyboard;
 - 13. Disconnect or alter any computer cables;
 - 14. Intentionally waste limited resources (paper, connect time, student and teacher searching time, ink cartridges, laser jet toner, printer ribbons, data storage devices diskettes discs, storage space, etc.);
 - 15. Employ the Network/Internet for commercial purposes;
 - 16. Bring gum, food or drink into computer/electronic equipment areas;
 - 17. Access the Network to play non-educational games or for other non-academic activities;
 - 18. Delete, rename, move, copy, any file or its properties, other than their personally owned data files;
 - 19. Violate the federal copyright laws and/or software license agreements;
 - 20. Load software or executable files of any kind onto any of the District's computers or network server;
 - 21. Run or copy executable programs for any drive on any of the District's computers;
 - 22. Have directories on any stand-alone computers;
 - 23. Send messages from one computer to another via the LAN or WAN.
- d) Users will have only those access and system rights assigned by the network administrator.
- e) Users will be responsible for any cost to the District due to user negligence or misuse.

Users must also conform to any additional site restrictions that may be in effect. All Board policies and school regulations apply to the use of the Network/Internet.

Consequences

It is the user's responsibility to abide by the rules set forth in this policy. Violations will result in the user's account being removed from the Network/Internet for a period of one week, one month, one semester, or one year depending on the gravity of the offense.

Depending on the gravity of the offense, other administrative and/or legal action may occur.

Attempts to log in to the system as a system administrator will result in immediate cancellation of user privileges.

The network administrator, school administrators, Superintendent, and/or the School Board may request specific accounts to be denied, revoked, or suspended.

Adopted: 7/16/08

Revised: 11/19/14

Revised: 4/24/2019

Revised: ??/??/2021

Motion made by Brian Cournoyer and seconded by Bianca Tanis that the Board of Education waive the two-meeting rule and accept policy #7315 – Student Computer Network and Acceptable Use Policy, as amended.

Motion carried 7-0 with 7 members voting.

14.5 First Reading of Policy #7315-Student Computer and Acceptable Use Policy

2019 7315

Students

SUBJECT: STUDENT COMPUTER NETWORK AND INTERNET ACCEPTABLE USE POLICY (AUP)

The New Paltz Central School District recognizes the value of electronic resources to enhance student learning and the overall operation of our schools. To this end, the District encourages the responsible use of computers, the District Network, the /Internet, and other electronic resources to support the mission and vision of the New Paltz Central School District. This policy is designed to protect and provide guidance for our students and staff that will have access to these resources.

The Network and Internet are provided to students and staff for educational purposes. Access to the Network and Internet will be provided to users who act in accordance with this policy. The smooth operation of the Network and Internet relies upon the responsible conduct of the end users and requires efficient, ethical, and legal utilization of the Network and Internet resources.

Digital Citizenship and Personal Accountability

The District advocates for equal digital rights and access for all. Through this process it is imperative that all students and staff understand the importance of being responsible, ethical digital citizens. This includes, but is not limited to:

- (a) Treating all others with respect online;
- (b) Refraining from participating in cyberbullying and reporting any harassing activities you witness;
- (c) Making appropriate decisions while communicating online through any digital channels;
- (d) Respecting others' digital work. Do not steal or damage anyone's digital property;
- (e) Effective use of using network and online tools effectively to empower and enhance your learning experience.

- (f) Limiting screen time and the understanding the health risks of technology. Technology is a learning tool, but should not be used exclusively in the learning environment. Maintaining awareness of the physical and psychological risks.

Internet Safety/Managing Your Digital Footprint

In addition to being a good digital citizen, users must also be aware of their own digital footprint. Developing a positive digital footprint is essential. It can be harmful to the user or District's reputation if mismanaged, or in the event a user's account has been compromised. Good management includes, but is not limited to:

- (a) Protecting the user: Users may not give out any personal identifiable information online (name, age, ID numbers, address, etc.);
- (b) Protection of passwords: Passwords are confidential. If a user believes their password has been compromised, it should be changed immediately and an administrator alerted. Each user is responsible for keeping their password secure;
- (c) Privacy on the District network: District email, files, and anything else created and stored on local or cloud-based servers are not private. The network administrator may monitor any account at any time for subject, content, and appropriateness. Users are responsible for their actions on the District network and any violations of this policy will be reported to the school administrator;
- (d) Internet etiquette and social media: Users must follow the District Code of Conduct for guidelines on accepted behaviors both online and in our schools. Each user is responsible for what they say online. Social media platforms or other online programs may not be used to create, send, display, or distribute anti-social, harassing or threatening messages, pictures, **icons**, **avatars**, or other media, including that which is defamatory, abusive, obscene, profane, racially offensive, or offensive to human dignity;
- (e) Videos and photographs: No user is permitted to take photos or videos of any staff member or student without their explicit consent;
- (f) Proxy use: Users are not permitted to employ the use of proxies to circumvent the content filtering put in place by the District;
- (g) Refraining from plagiarism and adhering to copyright laws.

Additional Responsibilities

- a) Each user must use the school Network and Internet primarily for educational purposes.
- b) Each user is responsible for all material retrieved via the Internet.
- c) Each user may NOT:
 - 1. Attempt to circumvent Network and Internet security measures;
 - 2. Tamper with or in any way adjust default or teacher-created settings;
 - 3. Create a computer virus or place a virus onto any computer;
 - 4. Trespass in another-user's folder, work, or files;
 - 5. Share their own ID or password with others;
 - 6. Log in using another user's account;
 - 7. Reveal personal information about themselves or others on Websites, including last names, addresses, and/or phone numbers;

8. Receive or transmit information pertaining to dangerous instrumentalities such as bombs, automatic weapons, or other illicit firearms, weaponry, or explosive devices;
 9. Create, send, or display hate mail, discriminatory or other antisocial remarks, or information which is intended to harass;
 10. Damage, dismantle, detach, or remove computers, mobile devices, network equipment, computer peripherals, printers, scanners, or cameras;
 11. Remove keys from keyboards;
 12. Disconnect or alter cables;
 13. Intentionally waste limited resources (paper, ink and toner, storage space, etc.);
 14. Employ the Network or Internet for commercial purposes;
 15. Bring gum, food, or drink into computer equipment areas;
 16. Access the Network to play non-educational games or for other non-academic activities;
 17. Delete, rename, move, copy, any file or its properties, other than your personally owned data files;
 18. Violate federal copyright laws or software license agreements;
 19. Load, run, or copy software or executable files of any kind onto any of the District's computers or network servers;
- d) User's access and system rights will be assigned by the network administrator.
- e) The user will be responsible for any cost to the District due to user negligence or misuse.

Users must also conform to any additional site restrictions that may be in effect. All Board policies and school regulations apply to the use of the Network and Internet.

Consequences

It is the user's responsibility to abide by the rules set forth in this policy. Violations will result in the user's account being removed from the Network or Internet for a period of one week, one month, one semester, or one year depending on the gravity of the offense.

Depending on the gravity of the offense, other administrative and/or legal action may occur.

Attempts to log in to the system as a system administrator will result in immediate cancellation of user privileges.

The network administrator, school administrators, Superintendent, School Board may request specific accounts to be denied, revoked, or suspended.

Adopted: 7/16/08

Revised: 2/01/12

Revised: 4/24/2019

Revised: ??/??/2021

Motion made by Brian Cournoyer and seconded by Bianca Tanis that the Board of Education waive the two-meeting rule and accept policy #5741 – Drug and Alcohol Testing for School Bus Drivers.

Motion carried 7-0 with 7 members voting.

14.6 First Reading of Policy #5741-Drug and Alcohol Testing for School Bus Drivers (replaces Policy #5761)

SUBJECT: DRUG AND ALCOHOL TESTING FOR SCHOOL BUS DRIVERS

In order to help prevent accidents and injuries resulting from the misuse of drugs and/or alcohol by school bus drivers, the Board adopts this policy in compliance with federal and state law and regulation.

The District has designated the Director of Transportation to answer driver questions about this policy and related materials.

Drug and Alcohol Testing Program

School bus drivers are subject to drug and/or alcohol testing in a variety of circumstances. The District will comply with all federal and state law and regulation regarding the implementation of a drug and alcohol testing program for school bus drivers.

The District will both establish and manage its own drug and alcohol testing program, or, by contract, have a consortium/third-party administrator manage all, or part of, its drug and alcohol testing program for school bus drivers.

Under federal law and regulation, individuals who operate a Commercial Motor Vehicle (CMV) designed to transport 16 or more occupants (including the driver) and are subject to commercial driver's license (CDL) requirements established by the United States Department of Transportation are safety-sensitive employees and are subject to the following drug and/or alcohol testing:

- a) **Pre-employment drug testing** which will be conducted after a conditional offer to hire has been extended, but before the actual performance of safety-sensitive functions for the first time. This pre-employment testing will also be required when employees transfer to a safety-sensitive position.
- b) **Random drug and/or alcohol testing** which will be conducted on an unannounced basis.
- c) **Reasonable suspicion drug and/or alcohol testing** which will be conducted when reasonable suspicion exists that a driver has engaged in prohibited use of drugs and/or alcohol. The required observation for reasonable suspicion drug and/or alcohol testing must be made by a supervisor or official who has been trained in accordance with federal law and regulation.
- d) **Post-accident drug and/or alcohol testing** which will be conducted as soon as practicable following certain occurrences involving a CMV operating on a public road.
- e) **Return-to-duty drug and/or alcohol testing** which will be conducted on a driver who has engaged in prohibited drug and/or alcohol conduct before the driver returns to perform a safety-sensitive function.
- f) **Follow-up drug and/or alcohol testing** which will be conducted on a driver who has engaged in prohibited drug and/or alcohol conduct and has returned to performing a safety-sensitive function. This testing will be conducted on an unannounced basis in accordance with a written follow-up testing plan developed by a substance abuse professional (SAP).

All procedures used to test for the presence of drugs and/or alcohol will conform to the requirements outlined in federal law and regulation for protecting the driver, ensuring the integrity of the testing process, safeguarding the validity of the test results, and ensuring that all test results are attributed to the correct driver.

Under New York State law and regulation, all school bus drivers are subject to pre-employment and random drug and alcohol testing in accordance with the provisions and requirements of federal regulations, regardless of commercial driver's license endorsement. Every school bus driver will be included in the random testing pool and must submit to testing when selected.

Prohibitions and Consequences for School Bus Drivers

Under federal law and regulation, individuals who operate a CMV designed to transport 16 or more occupants (including the driver) and are subject to CDL requirements established by the United States Department of Transportation are prohibited from:

- a) Reporting for duty or remaining on duty to perform safety-sensitive functions while having an alcohol concentration of 0.04 or greater. If testing shows an alcohol concentration of 0.02 or greater but less than 0.04, the employee must be removed from performing safety-sensitive activities for not less than 24 hours, but no punitive action will be taken by the employer;
- b) Using alcohol while performing safety-sensitive functions;
- c) Performing safety-sensitive functions within four hours after using alcohol;
- d) When required to take a post-accident alcohol test, using alcohol within eight hours following the accident or prior to undergoing a post-accident alcohol test, whichever comes first;
- e) Refusing to submit to a drug or alcohol test required by post-accident, random, reasonable suspicion, return-to-duty, or follow-up testing requirements;
- f) Refusing to submit to a pre-employment drug test;
- g) Reporting for duty or remaining on duty, requiring the performance of safety-sensitive functions, when the driver uses any drugs, as defined by federal law and regulation. This prohibition does not apply when the use is pursuant to the instructions of a licensed medical practitioner who is familiar with the driver's medical history and has advised the driver that the substance will not adversely affect the driver's ability to safely operate a CMV; or
- h) Reporting for duty, remaining on duty, or performing a safety-sensitive function, if the driver tests positive for drugs.

Additionally, under New York State law, all school bus drivers are prohibited from:

- a) Consuming a drug or intoxicating liquor, regardless of its alcoholic content, or be under the influence of a drug or intoxicating liquor, within six hours before going on duty or operating, or having physical control of a bus;
- b) Consuming a drug or intoxicating liquor, regardless of its alcoholic content while on duty, or operating, or in physical control of a bus; or
- c) Possessing a drug or intoxicating liquor, regardless of its alcoholic content while on duty, operating or in physical control of a bus. However, this paragraph does not apply to the possession of a drug or intoxicating liquor which is transported as part of a shipment or personal effects of a passenger or to alcoholic beverages which are in sealed containers.

It is the employer's responsibility to ensure that no school bus driver:

- a) Violates any of the above listed provisions of New York State law; or
- b) Be on duty or operate a school bus if, by a person's general appearance or by a person's conduct or by other substantiating evidence, a person appears to have consumed a drug or intoxicating liquor within the preceding eight hours.

Any violation of this policy and/or District procedures, and applicable federal and state law and regulation by a school bus driver will be grounds for disciplinary action and penalties including, but not limited to, fines, suspension, and/or discharge in accordance with the District's and/or the vendors' or contract bus companies' policies, collective bargaining agreements, and applicable law.

Drivers who are found to have engaged in prohibited conduct under federal law and regulation will be removed immediately from safety-sensitive functions and will not be allowed to return to perform safety-sensitive functions until they:

- a) Are evaluated by a **substance abuse professional (SAP)**~~SAP~~;
- b) Complete any requirements for rehabilitation as set by the employer and the SAP; and
- c) Pass a return-to-duty test with the result below 0.02 if the conduct involved alcohol, or a drug test with a verified negative result if the conduct involved drug use.

Employee Notification

The Superintendent or designee will ensure that each school bus driver receives a copy of District policy, educational materials that explain the requirements of drug and alcohol testing law and regulation, and any regulations and/or procedures developed by the District with respect to meeting those requirements.

The Superintendent or designee will ensure that a copy of these materials is distributed to each school bus driver, who will sign for receipt of all of the above documents, as well as other appropriate personnel, prior to the start of any drug and/or alcohol testing as well as at the beginning of each school year or at the time of hire for any school bus driver. Representatives of applicable collective bargaining units will be notified of the availability of this information.

The Superintendent or designee will further ensure that each school bus driver receives educational materials concerning: the effects of drug and alcohol use on an individual's health, work, and personal life; signs and symptoms of a drug or alcohol problem (the driver's or a co-worker's); and available methods of intervening when a drug or alcohol problem is suspected, including confrontation, referral to any employee assistance program and/or referral to management.

The Superintendent or designee will arrange for training of all supervisors who may be utilized to determine whether reasonable suspicion exists to test a driver for prohibited conduct involving drugs and/or alcohol.

Records Management and Retention

Employee records relating to drug and/or alcohol testing, as well as to substance abuse and/or alcohol prevention programs, will be maintained in accordance with law and regulation. All employee drug and/or alcohol testing will be kept confidential and will only be revealed as required or authorized by law or regulation.

*49 USC §§ 31136 and 31306
49 CFR Parts 40, 382, and 383
Vehicle and Traffic Law §§ 142, 509-g, 509-l*

Adopted: ??/??/2021

Motion made by Bianca Tanis and seconded by Matthew Williams that the Board of Education discuss Policy #2210 – Committees of the Board.

Motion carried 7-0 with 7 members voting.

During the discussion of Policy #2210, the Board of Education made the determination that the Racial Equity Initiative Advisory Committee (REIAC) should be considered a standing committee and the policy should be updated accordingly.

Motion made by Matthew Williams and seconded by Teresa Thompson that the Board of Education waive the two-meeting rule and accept policy #2210, as amended.

Motion carried 7-0 with 7 members voting.

14.7 First Reading of Policy #2210-Committees of the Board

2021 2210
Internal Operations

SUBJECT: COMMITTEES OF THE BOARD

Standing and Ad-Hoc Committees

The Board of Education has established Standing and Ad-Hoc Committees for the purpose of undertaking a specific task in connection with Board activity. These committees are advisory and cannot make legal decisions for the entire Board. The President shall appoint committees consisting of less than a quorum of the full membership. The President of the Board shall be an ex-officio, non-voting member of such committees.

Standing Committees

Audit Committee

Purpose: Provisions of Education Law Chapter 263 of the Laws of 2005, require the Board of Education of School Districts to establish an audit committee to oversee and report upon the annual independent audit of the school district's records. Education law also requires school districts to establish an internal audit function and for the audit committee to assist the Board of Education in the oversight of that function. This charter provides a framework and guidance of the audit committee.

Facilities Committee

Purpose: The purpose of the Facilities Committee of the Board of Education will be to provide oversight and support to the administration and staff of the District and advise and recommend to the full Board of Education action pertaining to the District's facilities.

Policy Committee

Purpose: The purpose of the Policy Committee is to review and evaluate proposed policies and changes to existing policies, including researching and analyzing the proposals for necessity, effectiveness, legality and cost.

Legislative Action Committee

Purpose: The purpose of the Legislative Action Committee is to inform, educate and advise the Board of Education and community concerning legislative issues and matters affecting public education.

Racial Equity Initiative Advisory Committee (REIAC)

Purpose: The Racial Equity Initiative Advisory Committee shall evaluate and support the District's evolving Racial Equity Initiative in accordance with the District's Guiding Principles and in accordance with the Board of Education's purview and legal authority.

Ad-Hoc Committees

~~Racial Equity Initiative Advisory Committee (REIAC)~~

~~Purpose:~~ ~~The Racial Equity Initiative Advisory Committee shall evaluate and support the District's evolving Racial Equity Initiative in accordance with the District's Guiding Principles and in accordance with the Board of Education's purview and legal authority.~~

Superintendent's Evaluation Committee

Purpose: The purpose of the Superintendent's Evaluation Committee is to communicate the Board's evaluation of the superintendent's performance and to set the following year's Board priorities. The committee is made up of the President of the Board, the Vice President or the immediate Past President.

Communications Committee

Purpose: This Ad-Hoc Committee is created on an as needed basis, for example, to create a letter for the full BOE to review, revise and approve.

Community Advisory Committees

The Board of Education recognizes that it may be necessary from time to time to authorize advisory committees for the purpose of enlisting opinions and counsel of the general public. Such committees shall be appointed by the Board of Education. The Board has the right to accept, reject or modify any or all parts of a committee recommendation.

District Committee Representation

The President shall appoint a member of the Board of Education to serve a two-year term on the District’s **Health Advisory Committee (HAC)**.

Purpose: The purpose of the Health Advisory Committee is to advise the school district on programs required by federal and state regulation and develop on behalf of the Board of Education any plans essential to compliance and/or the health of the school community.

Education Law Sections 1708, 2116-c and 4601

Temporary Committees

At the request of the Board, the President shall appoint temporary committees consisting of less than a quorum of the full membership for special purposes. These committees shall be discharged on the completion of their assignment. The President of the Board shall be an ex-officio member of such committees.

NOTE: Refer also to Policy #5572—Audit Committee

Adopted: 7/16/08

Revised: 10/20/10

Revised: ??/??/2021

Motion made by Matthew Williams and seconded by Diana Armstead that the Board of Education approve the following resolution:

14.8 Request for Approval to Sell/Dispose of Surplus Equipment

Recommendation that the following resolution be approved:

BE IT RESOLVED that the Board of Education declares the following equipment as excess, unneeded property and authorizes the excise of this equipment:

Tag #	Item
003565	Portable Cres Cor Hot Box
No tag	Portable Cres Cor Crown X Hot Box
1852	5 ft. Rolling Metal Sheet Pan Holding Cabinet
3542	Portable Shellematic Lowrator Milk Cooler
1836	Portable Lowrator Tray Cart
1856	Portable Lowrator Tray Cart

Motion carried 7-0 with 7 members voting.

Motion made by Bianca Tanis and seconded by Brian Cournoyer that the Board of Education table Item 14.9 to a future BOE meeting.

Motion carried 7-0 with 7 members voting.

14.9 Request for Approval of Payment in Lieu of Tax (PILOT) Agreement

Recommendation – that the Board of Education, upon the recommendation of the Legislative Action Committee, does hereby approve the following:

NEW PALTZ CENTRAL SCHOOL DISTRICT BOARD OF EDUCATION RESOLUTION ON PAYMENT IN LIEU OF TAX (PILOT) AGREEMENTS

WHEREAS, the New Paltz Central School District’s Board of Education (“The Board”) is committed to maintaining the fiscal health of the New Paltz Central School District (“The District”) and recognizes excellent fiscal planning as a key factor in attaining the District’s educational goals and priorities; and

WHEREAS, the Board’s budget development shall be carefully organized and planned to ensure thorough understanding of the District's financial needs within the context of the community's fiscal resources; and

WHEREAS, the District has seen a decline in State and Federal Aid over the last several years that has shifted the burden of education funding to the local taxpayer; and

WHEREAS, The New York State Gap Elimination Adjustment (GEA) has significantly reduced the total amount of state aid the District has received with an average loss of \$1.9 million dollars per year since the 2009-2010 school year; and

WHEREAS, New York State has implemented an unprecedented number of new unfunded mandates that have placed significant financial pressure on the District; and

WHEREAS, in 2011 the New York State Legislature and the Governor enacted "Chapter 97" legislation that establishes a “property tax cap” on the amount that a local government’s or school district’s property tax levy can increase each year, limiting the District’s ability to raise local revenue; and

WHEREAS, the New Paltz Central School District’s Board of Education has been forced to make difficult choices to balance the budget with reduced revenue including making programmatic cuts and depleting reserve funds; and

WHEREAS, while payment-in-lieu-of-tax (“PILOT”) agreements may supply some revenue to the New Paltz Central School District, they also have the negative effect of lowering the District’s tax levy limit; and WHEREAS, the New York State Education Department (“NYSED”) provides Tax Cap Guidance on the NYSED website that states that “Districts with increasing or new PILOTs could have a tax levy limit that represents a change from the prior year that is less than zero. They would have to successfully seek an override from the voters to increase the levy above that limit.”; and

WHEREAS The Board cannot overlook the adverse financial implications that the District must endure as a result of New York State property tax cap legislation when coupled with PILOT arrangements granted by Industrial Development Agencies (“IDAs”) as exemplified in the following presentations:

- Camoin Associates’ 2012 presentation to the New York State Economic Development Corporation’s Board of Directors: “NYS Tax Cap Legislation - Impact of IDA PILOTs”
- Thomas, Drohan, Waxman, Petigrow & Mayle, LLP’s 2013 presentation at the New York State School Boards Association’s Convention: “Navigating the PILOT Maze in the Tax Cap Age;” and

WHEREAS, according to the aforementioned presentations property value increases brought on by investments under IDA programs are excluded from the Tax Base Growth Factor (“TBGF”), which partially determines the allowed tax levy increase; and

WHEREAS, according to the aforementioned presentations PILOT arrangements exempt the real property improvements and therefore suppress the TBGF; and

WHEREAS, according to the aforementioned presentations harm is perpetual, since the TBGF does not get adjusted at the end of the PILOT when the property becomes taxable; and

WHEREAS, Michael N’dolo, Camoin Associates, stated the following in his 2012 memo to the Saratoga County Industrial Development Agency and the Saratoga Economic Development Corporation:

With a suppressed Tax Base Growth Factor, the municipality or school district has a lower maximum local revenue level (which includes both the maximum tax levy plus any PILOT payments) than if the PILOT did not exist... In effect, the way the legislation is currently formulated, school districts and municipalities are materially adversely affected by PILOT arrangements. As such, it is natural to assume that school districts and municipalities may strongly oppose any PILOT agreements; and

WHEREAS, the Board is not opposed to the original intention of New York State legislation enabling PILOT agreements, envisioned to facilitate economic development and improve local economic conditions, which created IDAs and the Ulster County Industrial Development Agency (“UCIDA”); and

WHEREAS, the District is the only interested taxing authority that needs referendum approval to leverage taxes, and needs a 60% supermajority vote of the voting public to exceed the tax cap;

BE IT RESOLVED that the New Paltz Central School District Board of Education declares its opposition to any PILOT agreements that result in a reduction of real property taxes versus full taxation based on a full market value assessment determined by the New Paltz assessor's office; and

BE IT FURTHER RESOLVED that that New Paltz Central School District Board of Education calls on the UCIDA to recognize the District's position that PILOT agreements have an adverse impact on school districts due to the Tax Levy Limit formula.

**OTHER DISCUSSION
ADJOURN**

**OTHER DISCUSSION
ADJOURN**

Motion made by Brian Cournoyer and seconded by Bianca Tanis that the Board adjourn at 9:00 PM.
Motion carried 7 - 0 with 7 members voting.

Respectfully submitted,

Sandra Ermo
District Clerk