

NISKAYUNA CENTRAL SCHOOL DISTRICT
BOARD OF EDUCATION REGULAR MEETING MINUTES
December 6, 2016

MEMBERS OF THE BOARD PRESENT: Ms. Nicky Foley, Mr. David Koes, Ms. Rosemarie Perez Jaquith, Dr. Howard Schlossberg

STUDENT REPRESENTATIVES PRESENT: Ambreen Aslam, Mariah Mizbani

MEMBERS OF THE BOARD ABSENT: Mr. David Apkarian, Mr. Jack Calareso, Ms. Patricia Lanotte

ADMINISTRATORS PRESENT: Dr. Cosimo Tangorra, Jr., Superintendent of Schools; Ms. Lauren Gemmill, Assistant Superintendent for Instruction;

ADMINISTRATORS ABSENT: Ms. Carrie Nyc-Chevrier, Director of Business and Finance; Mark Treanor, Director of Student and Staff Support Services

ALSO ATTENDING: Matt Leon, John Rickert, Judy Tomisman, Zach Matson, Joseph Hehir

1. President Perez Jaquith called the regular meeting of the Board of Education to order at 6:01 p.m. in the High School Library Classroom.

B. Mr. Koes moved that the Board of Education, upon the recommendation of the Superintendent of Schools, approve the agenda for the December 6, 2016 regular meeting. Dr. Schlossberg seconded. Motion carried 4-0.

C. Student Representative Report –

Mariah Mizbani spoke about the most recent student forum, touching on expanding diversity initiatives, composting on a larger scale than is currently done, and coordination efforts by student government in the areas of a rotation of annual activities and fundraising efforts. She also spoke about Student Government designing a Niskayuna app with information that students need, and partnering with the IT Help Desk for implementation. A hope is that parents and teachers could also communicate through the app, including a translation feature for non-English speaking parents.

The next student forum will be Wednesday, January 18 at 7:00 p.m.

D. Privilege of the Floor -

There were no comments from the community.

2. Reports and Recommendations -

A. The Superintendent provided an overview from the Legislative Committee from Capital Region BOCES. Last week, the Educational Conference Board (ECB) released their report, recommending an increase of \$2 billion in state aid to schools next year in order to provide current level of services, address teacher training, provide help for English Language Learner students, and streamline kindergarten. The ECB is also asking for straight 2% tax cap, not reliant on the Consumer Price Index, to allow for predictability in fiscal planning for schools.

Now that GEA has been restored, foundation aid will be the focus for advocacy on the state budget this year. ELL enrollment has been frozen since 2008-09 and needs review, as do other weightings, such as that for poverty. Local officials will be joining BOCES for lunch in a couple of weeks, and discussions will begin. Board members and students will also be asked to accompany the superintendent in Albany to discuss recommendations that will impact Niskayuna Schools in a real way.

Call to Order

Approve Agenda

Student Representative Report

Privilege of the Floor

Reports and Recommendation

Superintendent's Report

B. Report from Response to Intervention (Rtl) Committee -

Assistant Superintendent of Instruction, Lauren Gemmill, addressed the Board with a report on the Response to Intervention Committee. The purpose of this committee is to develop a District Rtl plan that is in compliance with the law and district policy, involving all stakeholders in its creation. It is expected to be implemented in the fall of 2017.

C. Mr. Koes moved that the Board of Education, upon the recommendation of the Superintendent of Schools, approve the (attached) Memorandums of Agreement with the Niskayuna Nurses Association as per ASM 2C. Mrs. Foley seconded. Motion carried 4-0.

D. Mrs. Foley moved that the Board of Education, upon the recommendation of the Superintendent of Schools, adopt Erie 1 BOCES draft Policy 6150 *Alcohol, Drugs and Other Substances* (Personnel) for inclusion in the Niskayuna Board of Education policy manual and repeal current Policy 9610 *Staff Substance Abuse*. Mr. Koes seconded. Motion carried 4-0.

E. Mrs. Foley moved that the Board of Education, upon the recommendation of the Superintendent of Schools, adopt Erie 1 BOCES draft Policy 6151 *Drug Free Workplace* for inclusion in the Niskayuna Board of Education policy manual, and repeal current Policy 9320 with the same name. Mr. Koes seconded. Motion carried 4-0.

3. **Board Forum**

A. N-CAP survey results are available on Niskayuna student drug and alcohol use and is available on the website. Also of concern in the survey is the number of students who reported feelings of depression.

B. The Board was represented at the Junior Prom After-Prom Committee meeting.

4. There being no further business, Dr. Schlossberg moved to adjourn at 6:43 p.m. Mr. Koes seconded. Motion carried 4-0.

Report from Rtl
Committee

Approve
Memorandums of
Agreement/NNA

Adopt Policy
6150
Repeal Policy
9610

Adopt Policy
6151
Repeal Policy
9320

President's
Report

Member Report

Adjourn

Memorandum of Agreement

By and Between
Niskayuna School District Nurses Association
And
Niskayuna Central School District

1. The Niskayuna Central School District ("District") and Niskayuna Nurses Association ("NNA") are parties to a collective bargaining agreement dated July 1, 2014 – June 30, 2016 ("Agreement") and a successor Memorandum of Agreement dated July 1, 2016 – June 30, 2017.
2. Article 5 of the Agreement covers and concerns the work year and work day. Specifically, Article 5 provides that the work day is exclusive of lunch.
3. Based on staffing needs within the District as well as the work day currently being performed by unit members, the parties agree that all unit members shall now be paid for a working lunch effective for the 2016-17 school year. Effective July 1, 2016 the parties agree that Article 5 shall be revised as follows:

The work year for school nurses shall be the school calendar year adopted each year by the Niskayuna Board of Education. Specifically, all student days (182) plus (5) additional days to be used before the school year, conference days or after the conclusion of the school year. Additional days may be granted with approval by the Administrator for Human Resources. The full-time work day shall vary by school as set forth below:

Work Day (includes paid 30 minute lunch)

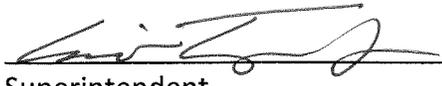
Elementary	7.00 hrs/day
Middle School	7.50 hrs/day
High School	8.00 hrs/day
St. Kateri	6.75 hrs/day

For purposes of seniority within the unit, personnel assigned 30 hours or more per week will receive fulltime credit.

For purposes of New York State retirement credit, the regulations of the applicable New York Retirement System shall be followed."

4. The parties acknowledge that retroactive pay for any thirty (30) minute lunch periods worked on or after the first day of the 2016-17 school year shall be granted to unit members as soon as is practicable following agreement and signature of this Memorandum of Agreement.

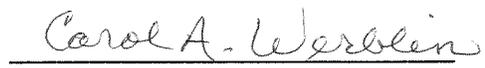
5. The parties agree that violations of this Memorandum of Agreement are arbitrable, and a grievance may be filed through the grievance process as set forth in the Article 18 of the Agreement and heard before an Arbitrator if necessary.



Superintendent
Niskayuna Central School District

12/8/16

Date



President
Niskayuna Nurses Association

12-8-16

Date

Memorandum of Agreement

By and Between

The Niskayuna Nurses Association

And

The Niskayuna Central School District

This Memorandum of Agreement between the Niskayuna Nurses Association, AFT/NEA, AFL-CIO ("Union") and the Niskayuna Central School District ("District") shall set forth the full agreement between the parties relating to an extension of the current collective bargaining agreement. The terms of the Memorandum of Agreement shall be subject to ratification by the members of the Union and approval by the Board of Education of the District. Unless otherwise modified, changed or altered by the terms of this Memorandum of Agreement, the provisions of the collective bargaining agreement between the parties covering the dates July 1, 2014 – June 30, 2016, as well as the Memorandum of Agreement between the parties dated April 29, 2015 shall remain in full force and effect in the successor collective bargaining agreement.

1. The term of this Memorandum of Agreement shall extend the current contract until June 30, 2019.
2. Revise Appendix A as follows: "Unit members shall receive a wage increase of two percent (2%) to their hourly rate effective July 1, 2017 and July 1, 2018. On the first payroll date in December, 2017 unit members shall receive a one-time lump sum amount equal to one percent (1%) of his or her annualized contract salary as of July 1, 2017. On the first payroll date in December, 2018 unit members shall receive a one-time lump sum amount equal to one percent (1%) of his or her annualized contract salary as of July 1, 2018. The District shall provide the lump-sum amount that each member shall receive on or before November 1, 2017 and November 1, 2018 to the Association for review and verification."
3. Add new Article 16 entitled "Union Leave" as follows:

"The District shall grant excused absences with pay up to a total of two (2) workdays per year to designees of the Association for attendance at meetings of the Association and its related parent organizations. Such days shall not be deducted from the designee's personal or sick leave.

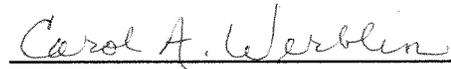
The President of the Association shall notify the CSO at least ten (10) days in advance of such meetings, except where a State or National affiliate give such short notice as to make compliance impracticable. In such cases, notice shall be given at the earliest possible date."

4. Revise Appendix "A" as follows: "The minimum hourly rate for new employees shall be \$24.70 effective July 1, 2017. The minimum hourly rate for new employees shall be \$25.19 effective July 1, 2018."
5. Revise Article 10(3) as follows: "District seniority shall be based upon an employee's total continuous service with the District commencing with the employees' first date of employment in the District in this bargaining unit. A voluntary break in District service shall reset a unit member's District seniority, unless otherwise agreed upon by the parties."
6. Add new Article (10)(7), "Direct Deposit": All unit members shall enroll in and receive all wages, salary, and other disbursements through direct deposit unless otherwise agreed upon by the parties.
7. Revise Article 5 as follows: Delete sentence: "The full-time work day consists of 7.5 hours exclusive of lunch" and add sentence: "The full-time work day shall vary by school as set forth below. All unit members shall be compensated for a daily thirty (30) minute working lunch period."

Work Day (includes paid 30 minute lunch)

Elementary	7.00 hrs/day
Middle School	7.50 hrs/day
High School	8.00 hrs/day
St. Kateri	6.75 hrs/day


DISTRICT


UNION

Personnel

ALCOHOL, DRUGS AND OTHER SUBSTANCES (SCHOOL PERSONNEL)

The Board of Education, recognizing that students are often influenced by teachers and other members of a school's staff, impresses upon staff members the importance of maintaining a high level of professionalism appropriate to their position, which, in turn, shall set a positive example for students.

The Board, therefore, prohibits the consumption, sharing and/or selling, use and/or possession of illegal drugs, counterfeit and designer drugs, drug paraphernalia for the use of such drugs or alcoholic beverages in the workplace, or when the effects of such drugs and/or alcohol use may impair an employee's job performance. Non-medical use of prescription drugs shall also be disallowed.

Information about any drug and alcohol counseling and/or rehabilitation programs shall be made available to employees. Data will also include the range of penalties (consistent with local, state and federal law) up to and including termination of employment and referral for prosecution that will be imposed on employees who have transgressed the terms of this policy.

Additionally, confidentiality shall be ensured as required by state and federal law.

The Superintendent/designee shall periodically review the drug and alcohol abuse prevention program to determine its effectiveness and support appropriate modifications, as needed.

Safe and Drug-Free Schools and Communities Act, as reauthorized by the No Child Left Behind Act of 2001

20 USC Section 7101 et seq.

Civil Service Law Section 75

Education Law Sections 913, 1711(2)(e), 2508(5) and 3020-a

NOTE: Refer also to Policies #3410 -- Code of Conduct on School Property
#7320 -- Alcohol, Tobacco, Drugs and Other Substances
(Students)
District Code of Conduct

Adopted December 6, 2016

Personnel

DRUG-FREE WORKPLACE

It shall be the general policy of the Board of Education to affirm that all programs in the District that receive Federal funds shall guarantee that their workplaces are free of controlled substances. "Controlled substance" means a controlled substance in schedules I through V of Section 202 of the Controlled Substances Act (21 USC 812) and as further defined in regulation at 21 Code of Federal Regulations (CFR) Sections 1308.11-1308.15. An acknowledgment form shall be signed by the Superintendent indicating that the District is in full compliance with the Drug-Free Workplace Act. This policy shall guarantee that not only federally funded programs, but the entire District is free of controlled substances.

"Workplace" is defined as a school building or other school premises; any school-owned vehicle or any other school-approved vehicle used to transport students to and from school or school activities; off school property during any school sponsored or school-approved activity, event or function, such as a field trip or athletic event, where students are under the jurisdiction of the School District.

The Board of Education directs the administration to develop regulations to comply with this policy, and further supports such actions and activities of the administration as shall be required to maintain a drug-free workplace.

Drug-Free Workplace Act, 20 USC Section 7101 et seq.
21 USC Section 812
21 CFR Sections 1308.11-1308.15
34 CFR Part 85

NOTE: Refer also to Policies #3410 -- Code of Conduct on School Property
#6150 -- Alcohol, Drugs and Other Substances (School Personnel)
#7320 -- Alcohol, Tobacco, Drugs and Other Substances (Students)
District Code of Conduct

Adopted December 6, 2016