

**MINUTES**  
**RYE CITY SCHOOL DISTRICT**  
**BOARD OF EDUCATION MEETING**  
**Rye Middle School Multipurpose Room**  
**January 12, 2010**

The meeting was called to order by Ms. Slack at 7:03 p.m. and the roll was called:

Present

Mr. Joshua Nathan, *President\**  
Ms. Laura Slack, *Vice President*  
Ms. Kendall Egan  
Mr. Edward Fox  
Ms. Young Kim  
Mr. Ray Schmitt  
Mr. Robert Zahm

And

Dr. Edward Shine, Superintendent of Schools  
Dr. Steven Cohen, Assistant Superintendent  
Ms. Kathleen Ryan, Business Manager  
Ms. Elaine Cuglietto, Director of Personnel

\*Mr. Nathan arrived at 7:05 p.m.

On a motion by Ms. Slack, seconded by Mr. Schmitt and carried unanimously (6-0) it was voted to move immediately into executive session to review the employment history of current and prospective employees, discuss negotiations pursuant to the Taylor Law and current litigation.

On a motion by Mr. Schmitt, seconded by Ms. Egan and carried unanimously (7-0) it was voted at 8:15 p.m. to reconvene in public.

Mr. Nathan welcomed those present. Mr. Nathan acknowledged the work and dedication of two individuals working behind the cameras of our Board of Education meetings. Mr. Nathan thanked Nicole Levitsky and Jonathan Capasso for all of their hard work behind the scenes.

The Pledge of Allegiance was then recited.

Mr. Nathan addressed the audience reporting that last week a child was hit by a car and injured near Midland School. Mr. Nathan report that the child was not seriously injured and this is a teachable moment to remind our children to be particularly careful. On behalf of the Board, Mr. Nathan reminded everyone that student safety has been a priority. The district has worked well with the City on this priority. There is a shared commitment between the District and the City for student and pedestrian safety. There will be a joint meeting between City Council Members and Board of Education Members. Mr. Nathan invited the newly elected Mayor of Rye, Mr. Doug French to address the Board on this paramount issue of pedestrian and student safety.

Mr. Doug French, Mayor of the City of Rye addressed the Board and stated that he believed communication is critical. Mayor French stated that the City has done much regarding traffic safety on Midland Avenue. The City has gone out for bids for such items as speed indicators, a bump out to narrow the road, sidewalks, and a crosswalk. There are good plans in place. At the next meeting on January 20<sup>th</sup> a public hearing is already set that will look at restricting some parking on the East side of Midland Avenue from Alice Court to Grace Church. The Council will look at local law which they will review and take comment on. The Mayor is looking forward to working with the Board of Education and getting better coordination around projects and ultimately protecting the children and insuring pedestrian safety.

### **Hearing of the Public on Non-Agenda Items**

Mr. Bertrand deFrondeville addressed the Board of Education requesting that the Budget Analysis Committee be revived. He stated he has written the Board regarding reviving this committee.

Mr. Nathan indicated that he had received a detailed e mail from Mr. deFrondeville and that he would be contacting him shortly to discuss the issue.

Julia Baez, a representative of the high school literary magazine, Zephyr, together with Ms. Alexandra Khoder, Ms. Sarah Krikorian President of the Student Council, and Mr. Ryan Cavataro all students from Rye High School addressed the Board of Education. The students addressed the Board regarding the new policies relating to restrictions on student expression that are included in policies to be reviewed by the Board of Education.

Mr. Nathan explained to the public that there are some items on the agenda for discussion of new policies. Mr. Nathan stated that the policies are not being voted on tonight.

Mr. Nathan thanked the students for coming to the Board Meeting to share their thoughts on the policies. Mr. Nathan suggested that the Policy Committee having heard the students' comments take a look again and bring the policies back to the Board for discussion at a future Board meeting. Mr. Nathan indicated we have heard some very specific remarks and he believes that the Board should take another look at the policies before the Board takes any action.

Mr. Fox asked the students to present some past issues of the Zephyr that the students feel would have been problematic given the language of the policy to see whether there are ways to tweak the language to avoid running into a problem.

Mr. Zahm suggested that at least one member of the Policy Committee meet with the students to discuss their concerns. Ms. Slack agreed to meet the students.

Mr. Schmitt suggested that they think through ways to include a review process or appeal process that is not as defined as what is currently in the policy.

Dr. Edward Shine indicated that the process delineated is appropriate. Mr. Nathan stated that the Policy Committee will look further into this, take the opportunity to meet with the students to address concerns and create a situation where there is dialogue.

Alana Kramerson, Social Studies Teacher at Rye High School; Sara Charles, Social Studies Teacher at Rye High School; Kristen Warner, English Teacher at Rye High School; Diane Harrington, School Librarian at Rye High School; Laurie Sandler, Special Education Teacher at Rye High School and Valerie Salwen, School Psychologist at Rye Middle School addressed the Board of Education regarding the current status of RTA teacher contract negotiations.

Mr. Nathan addressed the public and thanked everyone for their remarks. Mr. Nathan advised the members of the RTA that the Board does hear them. He stated that we have something incredibly special between the community members, teachers and other people who work in the district. The members of the Board have the pleasure of seeing their children get the benefit of an education here in Rye. The issue is about how to keep that partnership going. The issue has to be fair for the RTA and fair for the community. This community is under enormous financial pressure. Mr. Nathan indicated that his number one priority is to get back to the place where we celebrate a partnership and to figure out the next great thing that will be done together.

Mr. Nathan stated that the Board of Education and representatives of the RTA are going to continue to meet and keep the nature of the discussions confidential other than that they have met, who was present and that everyone at the table could feel free to speak and share thoughts and ideas and to be creative. We need to address the needs of the teachers and the needs of the community. Many parts of the meetings have been productive, while others have been frustrating. Mr. Nathan stated that they will meet with anyone that the RTA sends to the meeting on February 2.

### **CONSENT AGENDA**

Mr. Nathan announced that the following items were pulled from the Consent Agenda:

5A - Approval of the Board of Education Meeting Minutes of December 22, 2009.

5B - Approval of Second Language Option for Students in Grades 6 – 8, effective September 1, 2010.

5C - Approval of Adding Mandarin as a Middle School and High School Elective, effective September 1, 2010.

6A - Budget Transfer#9, \$40,550 transferred from Welfare Fund to BOCES Occupational Education.

8A – Personnel – Classified – Termination – Teacher Aide

On a motion by Ms. Egan, seconded by Mr. Schmitt and carried unanimously (7-0) it was voted to approve the following items:

**Fiscal**

6B - Budget transfer #10, \$57,282 transferred from BOCES Project AIIM to BOCES Therapeutic Support Services. (Attachment # I)

6C - The consultant agreement with KidAbilities, LLC Consultant Contract, at the rate of \$175.per hour, not to exceed \$875.00 (Attachment # II)

**Personnel-Professional**

The Appointment of Peter Beardsley as a Per Diem School Administrator, for which he holds New York State Permanent Certification as a School District Administrator and New York State Permanent Certification in Special Education, assigned to the Special Education Department, at a rate of \$750.00 per day, effective January 13, 2010.

The following Appointments for Additional Work, effective September 1, 2009 – June 30, 2010:

Peggy Gelman, Tracey Orzo, Debra Fishman, and Kerri Winderman, for teaching in-service courses at the rate of \$39.39\* per hour plus one hour of prep time for every two hours of teaching, not to exceed an additional \$3,000 each.

(Peggy Gelman, Tracey Orzo, Debra Fishman, and Kerri Winderman were previously approved for teaching in-service courses at the rate of \$39.39\* per hour plus one hour of prep time for every two hours of teaching, not to exceed \$2,500 at the October 13, 2009 Board of Education Meeting.)

The Appointment of the following Extra Pay for Extra Work for the 2009 - 2010 School Year:

<u>ACTIVITY</u>	<u>NAME</u>	<u>INDEX</u>	<u>09/10 STEP</u>	<u>09/10 RATE*</u>
High School Spring Play				
Director	Green, Peter	0.07500	6	2,203

(Michael Limone was previously approved as the Director of the High School Spring Play at the November 24, 2009 Board of Education Meeting. Peter Green is replacing Michael Limone as the Director.)

\*Salary pending contract settlement

The following to work as a timer, supervisor, ticket taker, chain crew, announcer, etc. at athletic events on an as needed basis throughout the 2009-2010 School Year:

The following is not an employee of the RCSD:

Melissa Puterio

(Melissa Puterio is employed by L.I.F.T.)

Rates\* based upon approved Rates for Teachers in the 2006-2007 Teacher Contract

\*Salary pending contract settlement

The Appointment of Edwin Portillo as a Night Custodian with a probationary period of a minimum of twelve weeks to a maximum of fifty-two weeks, assigned to Milton School, on Step 1 of the 2008/2009 Custodial Unit Salary Schedule, \$48,093\* (pro rated \$21,827\*) plus night differential, \$2,405\* (pro rated \$1,091\*), total salary \$50,498\* (pro rated \$22,918\*), effective January 18, 2010

\*Salary pending contract settlement

### **Special Education**

The recommendations of the Committee on Special Education and Preschool Special Education from its meetings on:

October 20, 2009 for Student ID # 674

October 23, 2009 for Student ID #1217

November 10, 2009 for Student ID #911872

November 13, 2009 for Student ID #911942

November 16, 2009 for Student ID #1229

November 16, 2009 for Student ID #1230

November 17, 2009 for Student ID #785

November 18, 2009 for Student ID #1235

November 18, 2009 for Student ID #672

November 19, 2009 for Student ID #331

November 19, 2009 for Student ID #911876

November 19, 2009 for Student ID #1236

November 20, 2009 for Student ID #1028

November 24, 2009 for Student ID #1154

December 2, 2009 for Student ID #1957

December 2, 2009 for Student ID #1208DOL

### **Items Pulled from the Consent Agenda**

5A - Approval of the Board of Education Meeting Minutes of the December 22, 2009 are tabled to a future meeting.

5B - Approval of a Second Language Option for students in Grades 6 – 8, effective September 1, 2010. (Attachment # III)

Mr. Zahm stated his desire that we should be able to give students the opportunity to gain credit in languages that they have mastered other than what is offered in our schools. Dr. Shine indicated that additional information would be provided to the Board on this possibility for review.

The Board stressed the importance of guidance counselors and the school administration communicating with the parents regarding the second language option for sixth, seventh and eighth grade students and what the ramifications of these choices would be.

Mr. Nathan inquired if there was anyone present in the audience who wanted to comment on this item.

Adele Centanni addressed the Board of Education on this item. She stated that many people were not aware of this issue discussed at the last Board meeting and they have not had a chance to respond to this item or to be present at this meeting. She stated that perhaps it should wait and be voted on at a later date. Ms. Centanni suggested that a schematic of how the foreign language program will flow would make it easier for parents and students to understand the implications of the second foreign language option.

Nancy Pasquale addressed the Board of Education on this item asking if the mandatory Spanish language is being discussed here. Mr. Fox and Mr. Nathan answered that mandatory Spanish in Grades 6 – 8 was a separate issue.

Katy Keohane Glassberg discussed the possibility for students to study a second foreign language in 6<sup>th</sup> and 7<sup>th</sup> and take 8<sup>th</sup> grade band and then follow through at the high school level. Is there a way to preserve the continuity of musical education at the same time as launching an exploratory experience with a second foreign language? Dr. Cohen advised that this was a possibility and it would be discussed with the principals.

Ms. Keohane Glassberg also requested that prior to student signing on for second language that there be more communication and it should be more formally addressed with the parent prior to the student committing to something.

Mr. Bertrand deFrondeville addressed the Board. He is concerned with the cost of the implementation of this second language option. Mr. deFrondeville inquired as to removing some of the electives that are in existence at this point so that the choice may be simplified for students and parents while possibly saving some cost and also inquired if the Board has considered delaying one of the new options and starting one a couple of years later. Finally, Mr. deFrondeville suggested that administration check with retired faculty as to what was done in Mamaroneck a few years ago on the same topic.

Ms. Kim indicated that she wanted students to have as broad a curriculum as possible rather than to have a student decide to specialize in foreign language. She would prefer them to explore art and music or other electives. Ms. Kim is afraid that communication between a child

and parent may not be communicated totally and, unfortunately, parents may not be aware of the ramifications of the choices that the student may make on their own. Ms. Kim stated that she is concerned whether we will satisfy the state requirements in other areas and until this is understood better she feels uncomfortable voting for this option.

A motion was made by Mr. Zahm, seconded by Ms. Egan, and on a vote of (6-1) the motion was approved with Ms. Kim voting No, to approve a second language option for students in Grades 6 – 8, effective September 1, 2010.

5C - Approval of Adding Mandarin as a Middle School and High School Elective, effective September 1, 2010. (Attachment # IV)

The Board has asked the administration to gather the data to see the number of students that sign up to take this elective and then the Board will address the other issues involved such as staffing, space issues, budgetary and other foreign language program implications.

Mr. Nathan inquired if there was anyone present in the audience who wanted to comment on this item.

Adele Centanni, asked if the course intent is more of a cultural interest or is it to learn to speak the language in both the middle school and the high school. Mr. Nathan explained that it is to learn to speak the language. Ms. Centanni expressed concern on the results of how our students are currently doing in some foreign languages. Ms. Slack stated that we would need to let parents know that we may not be able to offer the Mandarin choice even if the students choose this option.

A motion was made by Mr. Zahm, seconded by Ms. Egan, and on a vote of (5-2) the motion was approved with Mr. Ray Schmitt and Ms. Young Kim voting No, to approve adding Mandarin as Middle School and High School Elective effective September 1, 2010.

6A - Budget Transfer #9, \$40,550 transferred from Welfare Fund to BOCES Occupational Education (Attachment # V)

Mr. Zahm stated concern regarding the budget transfer.

After discussion, A motion was made by Mr. Fox, seconded by Ms. Kim, and carried unanimously (7-0) to approve Budget Transfer #9, \$40,550 transferred from Welfare Fund to BOCES Occupational Education.

### **PRESENTATION/DISCUSSION**

Mrs. Slack, on behalf of the Policy Committee presented the following policies for their second review.

1. Policy 5050 - Kindergarten Entrance - NEW
2. Policy 5300.40 - Discipline Penalties, Procedures and Referrals - NEW

3. Policy 5465 - Educational Neglect - NEW
4. Policy 5220 - School-Sponsored Student Expression - NEW
5. Policy 5225 - Student Personal Expression - NEW
6. Regulation 5225 R - Student Personal Expression - NEW
7. Regulation 4526 R1 - Employee Computer Network Use - REVISED
8. Regulation 4526 R3 - RHS/RMS Student Computer Network and Internet Use - REVISED
9. Policy 0330 - Evaluation of Professional Staff - REVISION based on Internal Auditor Recommendation

Mr. Zahm questioned as to what triggered the Board to look at the personal expression policy. Dr. Shine stated that the student personal expression policy was triggered by the issues that came up last spring and the fact that Board policy did not exist to provide guidance to the high school administration and to the advisors so that they would have structure for their work with students.

Dr. Shine reminded everyone that we are also working on student expression that has nothing to do with school sponsored student expression. What happened last year, forced us to look at Board Policy, State Law, Federal Court and Supreme Court decisions to provide guidance and appropriate boundaries, especially as they relate to school sponsored student expression.

After discussion, Dr. Shine advised the Board that the following policies on the agenda  
Policy #5465 - Educational Neglect;  
Policy #0330 - Evaluation of Professional Staff – Revision based on Internal Auditor Recommendation;  
Regulation 4526 R1 - Employee Computer Network Use – REVISED  
Regulation 4526 R3 - RHS/RMS Student Computer Network and Internet Use - REVISED  
will be brought forward to the next Board meeting for approval.

### **COMMUNICATIONS TO/FROM THE BOARD**

There were no communications to/from the Board.

### **Adjournment:**

On a motion by Mr. Fox, seconded by Ms. Egan and carried unanimously (7-0) it was voted at 10:48 p.m. to adjourn into Executive Session. Mr. Nathan noted that the Board will be continuing discussion from an earlier executive session to review the employment history of current and prospective employees, discuss negotiations pursuant to the Taylor Law and current litigation.

On a motion by Ms. Slack, seconded by Mr. Schmitt and carried unanimously (7-0) it was voted at 10:55 p.m. to return to Public Session.

On a motion by Mr. Nathan, seconded by Mr. Schmitt and carried unanimously (7-0) it was voted to approve Consent Agenda, Item 8A - Personnel – Classified – Termination – Teacher Aide, employee #1878, effective 8:00 a.m. on January 13, 2010.

On a motion by Ms. Slack, seconded by Ms. Egan and carried unanimously (7-0) it was voted at 10:57 p.m. to adjourn into Executive Session. The Board will be continuing discussion from an earlier executive session this evening to review the employment history of current and prospective employees, discuss negotiations pursuant to the Taylor Law and current litigation.

On a motion by Ms. Egan, seconded by Ms. Slack and carried unanimously (7-0) it was voted at 12:04 p.m. to reconvene in public and immediately adjourn the meeting.

Elaine Cuglietto  
District Clerk

Video of this meeting can be found on the District's website ([www.ryeschools.org](http://www.ryeschools.org)). Click on District and on Board of Education.