

EAST ROCKAWAY UNION FREE SCHOOL DISTRICT  
East Rockaway, New York  
Regular Meeting of the Board of Education  
7:00 P.M., November 18, 2014 – East Rockaway Jr. /Sr. High School  
Including Recognition of Patricia M. Hahn, Retiree;  
a District Data Snapshot Presentation, and a  
Public Forum

MINUTES

Present: Members of the Board of Education: Kristin Ochtera, Patricia Nicoletti, Neil R. Schloth, John Giannotti, Keith Gamache; Superintendent, Lisa J. Ruiz; Assistant Superintendent for Finance & Operations and Deputy District Clerk, James P. Robinson; Director of Curriculum & Technology, John Piccarella; staff members, members of the community.

Note: Mr. Giannotti needed to leave the meeting at 7:25 p.m. and returned at 8:20 p.m.

1. The meeting was called to order by Kristin Ochtera at 7:10 p.m. and the Pledge of Allegiance was led by John Giannotti, Jr.
2. Upon motion by Patti Nicoletti, seconded by Keith Gamache, the minutes of October 21, 2014 Board of Education meeting were unanimously approved.
3. Kristin Ochtera acknowledged Receipt of Financial Reports.
4. Kristin Ochtera acknowledged receipt of two pieces of correspondence.
5. Kristin Ochtera acknowledged the Board's discussion and review of District Wide Comprehensive Safety Plan that was currently underway. It was explained that the plan would be adopted at a subsequent meeting.

6. Action Agenda

A. Personnel

1. Upon motion by Patti Nicoletti, seconded by Neil R. Schloth and unanimously approved, grant tenure to the following staff member on the effective date indicated and subject to satisfactory evaluation:

| <u>Staff Member</u> | <u>Position</u>    | <u>Tenure Date</u> |
|---------------------|--------------------|--------------------|
| Casey Meaney        | Teaching Assistant | December 14, 2014  |

East Rockaway Public Schools  
Board of Education

Upon motion by Neil R. Schloth, seconded by Keith Gamache, the following items numbered 2 – 6 were unanimously approved:

2. Upon the recommendation of the Superintendent, accept the following resignations:
  - a. Kimberly S. Peckham, food service worker, effective November 20, 2014
  - b. William C. Gies, maintainer, effective December 1, 2014
  - c. Gaetano Barone, monitor (breakfast program), effective November 21, 2014
3. Upon the recommendation of the Superintendent, amend Personnel Item No. 7 from the October 21, 2014, agenda and minutes to read:

Upon the recommendation of the Superintendent, approve the appointment of Marisa Solan to the position of short-term substitute teacher, effective October 22, 2014, through January 30, 2015, at the salary approved by the East Rockaway Board of Education on the Non-Contractual Salary Schedule for short-term substitute teachers for the 2014-2015 school year.

4. Upon the recommendation of the Superintendent, approve the appointment of James McGrady to the position of cleaner, effective November 19, 2014, at the Step A annual salary set forth in the East Rockaway Custodial Unit contract for cleaners for the 2014-2015 school year.
5. Upon the recommendation of the Superintendent, approve the following temporary assignments at the salary approved by the East Rockaway Board of Education on the Non-Contractual Salary Schedule for substitute workers for the 2014-2015 school year:
  - a. Theresa Hempstead, substitute teacher, effective November 19, 2014, through June 25, 2015
  - b. Sean Beckerman, substitute cleaner, effective November 19, 2014, through June 25, 2015
  - c. Juan Bosques, substitute cleaner, effective November 19, 2014, through June 25, 2015
  - d. Gaetano Barone, substitute monitor, effective November 24, 2014, through June 25, 2015
6. Upon the recommendation of the Superintendent, approve the continuation of the “emergency, conditional” personnel appointments for the following individuals pending receipt of notification of fingerprint clearance from the State of New York, Department of Education:
  - a. Sean Beckerman
  - b. Juan Bosques

#### B. Other Items

Upon motion by Keith Gamache, seconded by Patti Nicoletti the following items numbered 1 – 9 were unanimously approved:

1. Approve the employment agreement with Denise Lobascio, Business Office Secretary/District Clerk for the 2014-2015 school year and authorize the Superintendent to execute the agreement on behalf of the East Rockaway Board of Education.
2. Approve the following additional members to serve on the professional development team pursuant to policy 9700, Staff Development: Marie Lyons and Gloria Spratt.
3. Approve the related services contract with William Kaplan, M.D., for psychiatric and forensic psychiatric evaluations/services for the 2014-2015 school year and authorize the President of the Board of Education to execute the contract on behalf of the Board of Education.
4. Approve the addendum to the consultant services contract dated July 1, 2014, with Positive Behavioral Support Consulting and Psychological Resources P.C. for transition consultant services during the 2014-2015 school year and authorize the President of the Board of Education to execute the addendum on behalf of the Board of Education.
5. Approve the Special Education Services Contract with Hewlett Woodmere UFSD for special education services for one parentally placed student for the 2014 – 2015 school year and authorize the President of the Board of Education to execute the contract on behalf of the East Rockaway Board of Education.
6. Accept a donation from the Target Take Charge of Education Program for East Rockaway Jr/Sr High School in the amount of \$131.69.
7. Accept the sum of \$51.48 received from Follett Textbook/Workbook Buy Back Program for books previously approved for disposition on Textbook Removal Form dated September 10, 2014.
8. Approve the award of the emergency bid for transportation services to Acme Bus Corp. for two (2) displaced students living in Flushing to East Rockaway High School and Rhame Avenue School and authorize the Assistant Superintendent for Finance and Operations to execute the resulting contract on behalf of the East Rockaway Board of Education.
9. Approve the award of the bid for transportation services to First Student Inc. for two (2) displaced students living in Flushing to East Rockaway Jr/Sr High School and Rhame Avenue School and authorize the Assistant Superintendent for Finance and Operations to execute the resulting contract on behalf of the East Rockaway Board of Education.

Upon motion by Neil R. Schloth and seconded by Keith Gamache, the following items numbered 10 and 11 were unanimously approved:

10. Approve the following resolution for the establishment of the measurement periods for the implementation of the Patient Protection and Affordable Care Act for ongoing and variable hour employees:

Whereas, the Patient Protection and Affordable Care Act requires the East Rockaway Union Free School District to determine full-time status of ongoing employees in order to establish eligibility for health insurance coverage; and

Whereas, eligibility must be determined prior to the start of the health plan year in 2015; and

Whereas, the proposed regulations under the Patient Protection and Affordable Care Act allow for look-back measurement periods to be used for ongoing and variable hour employees to determine whether an employee is a full-time employee; and

Whereas, the East Rockaway Union Free School District desires to establish a lookback Standard Measurement Period, Administrative Period and Stability Period for its ongoing and variable hour employees; and

Whereas, the East Rockaway Union Free School District provides a health plan and is a participating municipality under the New York State Health Insurance Program (NYSHIP); and

Whereas, the East Rockaway Union Free School District's health plan year is a calendar year which runs from January 1 through December 31; and

NOW THEREFORE, BE IT RESOLVED, that the Standard Measurement Period for ongoing and variable hour employees shall be a period of 12 months to be measured from November 1, 2013, to October 31, 2014; and

BE IT FURTHER RESOLVED, that the Administrative Period for ongoing and variable hour employees shall be a period of 60 days to be measured from November 1, 2014, to December 31, 2014; and

BE IT FURTHER RESOLVED that the Stability Period for ongoing and variable hour employees, determined to have averaged at least 130 hours of service per month during the Standard Measurement period, shall be a period of 12 months to begin immediately after the Administrative Period on January 1, 2015, and to continue until December 31, 2015.

11. Approve the following resolution for Affordability Safe Harbors under the Patient Protection and Affordable Care Act for On-going and Variable Hour Employees:

WHEREAS, in 2010, the Affordable Care Act (“ACA”) added a new Section 4980H to the Federal Internal Revenue Code (“IRC”) requiring employers with at least 50 full-time employees and/or full-time equivalent employees (“FTEs”) to either pay a penalty or offer affordable health care coverage that provides minimum essential coverage and minimum value;

WHEREAS, the enforcement of Section 4980H has been delayed until January 1, 2015; and

WHEREAS, to determine whether health care coverage is affordable for purposes of determining liability under Section 4980H, employers may adopt any of the following safe harbors: (1) “Form W-2” wages; (b) “Rate of Pay”; and/or (c) “Design Based” or “Federal Poverty Level, ” and

WHEREAS, in order to apply the affordability safe harbor options, the employer must designate which safe harbor option(s) will be used;

NOW, THEREFORE, BE IT RESOLVED, that the Board of Education (“Board”) of the East Rockaway Union Free School District (“District”), upon the recommendations of the Superintendent of Schools, hereby designates the following affordability safe harbor option(s) for the following category(ies) of District employees:

Employee Category: On-Going and Variable Hour Employees  
Form: W-2 Safe Harbor

BE IT FURTHER RESOLVED, that the Board authorizes and directs the Superintendent of Schools to take any and all necessary steps to implement the affordability safe-harbor option(s) and apply the safe harbor(s) in accordance with all applicable laws, District policies and relevant employment agreements.

Upon a motion by Patti Nicoletti and seconded by John Giannotti, Jr., the following item No. 12 was unanimously approved.

12. Approve the following resolution relating to continuing disclosure matters applicable to bonds and notes of the district and authorizing certain actions in connection therewith:

WHEREAS, the East Rockaway Union Free School District, in the County of Nassau, State of New York (the “District”) has previously issued its bonds, bond anticipation notes and/or other debt obligations (collectively, the “Bonds”); and

WHEREAS, in connection with the issuance of certain of the Bonds and for purposes of assisting underwriters/purchasers to comply with Rule 15c2-12 under the Securities Exchange Act of 1934, the District has covenanted and/or entered into one or more undertakings or agreements to provide continuing disclosure (the “Continuing Disclosure Obligation”) to the public marketplace; and

WHEREAS, in general the Continuing Disclosure Obligation requires the District to file certain financial information and notice of certain events in specified places and at specified times; and

WHEREAS, in connection with the sale of certain of the Bonds, the District issued one or more official statements that, among other things, described the District’s Continuing Disclosure Obligation and whether or not the District had previously complied with its Continuing Disclosure Obligation in all material respects; and

WHEREAS, the Division of Enforcement (the “Enforcement Division”) of the U.S. Securities and Exchange Commission (the “SEC”) announced its Municipalities Continuing Disclosure Cooperation Initiative (the “Initiative”), to address potentially materially inaccurate descriptions in official statements (made innocently, inadvertently or otherwise) of prior compliance with continuing disclosure obligations; and

WHEREAS, pursuant to the terms of the Initiative, the Enforcement Division will recommend “favorable settlement terms” for issuers and underwriters that self-report by 5:00 p.m., eastern standard time, on December 1, possible materially inaccurate statements in official statements in the last five years relating to prior compliance with continuing disclosure obligations by submitting a specified questionnaire (the “Questionnaire”) to the Enforcement Division; and

WHEREAS, the District has been provided with a copy of the Initiative, a copy of an advisory and memorandum prepared by bond counsel to the District describing the Initiative, and a copy of the Questionnaire released by the Enforcement Division; and

WHEREAS, if an issuer takes advantage of the Initiative by self-reporting possible materially inaccurate statements and if any of such statements are determined to be materially inaccurate by the Enforcement Division, the Enforcement Division will recommend to the SEC a settlement in which (i) the issuer consents to a cease-and-desist order, (ii) the issuer neither admits nor denies the findings of the SEC and (iii) there is no payment of any civil penalty by the issuer; and

WHEREAS, any such settlement will require the issuer to (i) establish appropriate policies and procedures and training regarding continuing disclosure obligations within 180 days, (ii) comply with existing continuing disclosure undertakings, including updating past delinquent filings within 180 days, (iii) cooperate with any subsequent investigation by the Enforcement Division regarding the false statement(s), including the roles of individuals and/or other parties involved, (iv) disclose in a clear and conspicuous fashion the settlement terms in any final official statement for an offering by the issuer for five years and (v) provide the SEC staff with a compliance certification regarding the applicable undertakings by the issuer in one year; and

WHEREAS, the Initiative cautions that if an issuer does not take advantage of the Initiative by submitting a Questionnaire identifying any possible materially inaccurate statement with respect to prior compliance with a continuing disclosure obligation and the Enforcement Division later determines that such a materially inaccurate statement was made, then the Enforcement Division will likely recommend and seek financial sanctions against the issuer; and

WHEREAS, in light of the foregoing, the District has requested its financial advisor to examine and review the District's Continuing Disclosure Obligation and previous continuing disclosure filings and to report to the District any noncompliance with its Continuing Disclosure Obligation; and

WHEREAS, the District has received such report, and such report has been reviewed with its bond counsel; and

WHEREAS, as a result of such review, it may be desirable for the District to take advantage of the Initiative by submitting one or more Questionnaires to the Enforcement Division identifying a statement with respect to prior compliance with its Continuing Disclosure Obligation that is potentially materially inaccurate; and

WHEREAS, after consultation with its financial advisor and bond counsel, the District is desirous of authorizing the submission of one or more Questionnaires to the Enforcement Division;

NOW, THEREFORE, be it resolved by the Board of Education of The East Rockaway Union Free School District, in the County of Nassau, New York, as follows:

Section 1. Authorization to Submit Questionnaire. The President of the Board of Education, the Vice-President of the Board of Education, and Assistant Superintendent for Finance and Operations are each hereby authorized to take advantage of the Initiative by executing and submitting on behalf of the District one or more Questionnaires to the Enforcement Division by the December 1, 2014, deadline established by the Initiative.

Section 2. Various Incidental Actions. The President of the Board of Education, the

Vice-President of the Board of Education, and the Assistant Superintendent for Finance and Operations are each hereby authorized to execute and deliver all documents and instruments and to do all matters and things as may be necessary, useful, convenient, or desirable in connection with the foregoing.

Section 3. Prior Action. All action heretofore taken by the District relating to the foregoing is hereby ratified, confirmed, adopted and approved, including without limitation requesting the financial advisor to undertake the continuing disclosure review described in this resolution and seeking advice and assistance of bond counsel in respect thereto.

Section 4. Effective Date. This resolution shall take effect immediately.

C. Budget Transfers - None

D. Upon motion by Keith Gamache, seconded by John Giannotti, Jr. the CSE recommendations were unanimously approved.

E. Upon motion by Patti Nicoletti, seconded by John Giannotti, Jr., the CPSE recommendations were unanimously approved.

6. Upon motion by John Giannotti, Jr., seconded by Neil R. Schloth and unanimously approved, the following policy was adopted:

1. 4321, Programs for Students with Disabilities under the IDEA and New York's Education Law Article 89

7. Good and Welfare

- a. Congratulations to Maria Treglia on the birth of her grandson, Thomas Arthur, born on October 21, 2014
- b. Congratulations to Randi Kilcommons on the marriage of her daughter, Jessica, to George Russo on November 7, 2014
- c. Condolences to Valerie Buscema on the passing of her grandfather, Concetto Buscema on October 22, 2014

8. Superintendent's Report

This week we mailed home parent reports for our NWEA Measures of Academic Progress assessment results. This assessment is administered to all students in grades K-8 to establish growth targets and monitor student progress. Mr. Piccarella and I will be providing presentations for parents at the Centre Avenue and Rhame Avenue PTA meetings Wednesday and Thursday evenings.



This year Ms. Crowley's class has joined our junior/senior high school students at Molloy College "Music Therapy" sessions. During the sessions, therapists provide interactive music therapy interventions to help children with their communication and thinking skills.

The "Healthy Action Team" and "Newscasters" have partnered up and started a schoolwide "JAMs" initiative. JAMs are "just a minute" of exercise breaks that are designed to incorporate more physical activity into the school day. Each Friday, the newscasters broadcast a "JAM session" and the entire school participates.

The 5<sup>th</sup> and 6<sup>th</sup> grade "Student Council" members worked with the PTA to organize a "Treats for Troops" drive in early November. Students donated extra Halloween candy that will be sent to our troops by the American Legion.

Our "Community Service Action Team" and "Peer Group" have joined forces, as well, to help support local charities in need during the holiday season.

PTA reflections are taking place this month at Rhame Avenue. This year's theme is, "The World Would be a Better Place If.....?" Students have made their submissions and judging will take place on Friday, November 21<sup>st</sup>.

The Literacy Action Team is kicking off the "Caught Ya Reading" Campaign which will feature our teachers as readers. Creating a school-wide reading culture is important to promote reading as a lifestyle. Students need to see their teachers as readers, and a bulletin board will be created to display pictures of teachers reading in various interesting and unique locations.

The Centre Avenue Student Council is sponsoring a Thanksgiving food drive in conjunction with Island Harvest. Last year over 300 pounds of food was collected and they are looking to surpass that goal for this year. Collection is taking place through November 24<sup>th</sup> with student decorated bins outside the main office.

Thanks to reading teachers, Ms. Tener, Ms. Schaetzle, and Ms. Lugo; Centre Avenue students celebrated National Family Literacy Day on November 1<sup>st</sup> as a follow up to the Centre Avenue PTA Parents as Reading partners Campaign. Students read a favorite story with their parents and responded to the text they read. Please visit the display at Centre Avenue School.

Centre Avenue will be celebrating American Education week by holding a parent Day this Friday family members can visit and participate in the classroom learning with their children. This is also supported by the PTA.

This month both elementary PTAs sponsored "Family Fun Nights." These were enjoyable events which also raised money to support PTA initiatives throughout the year. Thank you to our PTAs for all you do for our students.

The PTA held its first annual dinner/dance at the Hewlett Point Yacht club on Friday, November 7. A great time was had by all.

The PTA sponsored a CPR certification course at its last monthly meeting on Thursday, November 13. The session was run by Mr. Vulpis and had nearly 30 participants.

Thank you to all for making the transition to online scheduling for parent- teacher conferences at the high school a smooth one. Many parents were greatly pleased with the convenience of the service.

On Monday, November 17, our students participated in the Youth Development Survey, which gathers data on student attitudes and behaviors across the county. We look forward to seeing the results and using the data to plan next steps to support our students.

Please be advised that due to a scheduling oversight the spring Parent-Teacher Conferences at East Rockaway Jr./Sr. High School failed to appear on the calendar. They are in place for Tuesday, March 24 from 6:30 – 8:30.

There are 88 students in grade 7. Looking at the first quarter grades for English and Social Studies (duplicated, total of 176 students) 76 students scored an 85 or higher on their report cards. 42 students scored between 80 and 84. Our students seem to be responding very well to the heterogeneous groupings.

Mr. Schloen was honored by the Education Foundation this past Friday with a dinner dance fundraiser. It was a lovely event and we thank the Foundation for all they do for our students.

I had the pleasure of attending the NYS School Boards Conference in Manhattan this year with all five of our board members. I would like to thank all of you for giving up your time to attend this informative conference. I am very proud that our entire board could attend. We all brought back a great deal of useful and relevant information that we can apply in our district.

November 4 was Superintendent's Conference Day. Our teachers all participated in various workshops provided by consultants, our own administrators and teachers on a variety of important topics including data analysis, evidenced based instructional practices, differentiation and co-teaching models just to name a few.

During our summer retreat, our administrative team identified several priority areas for improving teaching and learning across the district and termed these as instructional premiums/instructional best practices. One of the priority areas is the improvement of student engagement. Student engagement refers to the degree of attention, curiosity, interest, optimism, and passion that students show when they are learning or being taught, which extends to the level of motivation they have to learn and progress in their education. The concept of student engagement is predicated on the belief that learning improves when students are inquisitive, interested, or inspired, and that learning tends to suffer

when students are bored, dispassionate, disaffected, or otherwise disengaged. In order to improve student engagement, a subcommittee of our administrators designed a student survey that would provide our teaching staff with insight into how to best engage our students in learning. We refer to this as “the hook.” The student engagement survey consists of thirty questions broken into four parts: Student Background, Equity, and Diversity, School Experience and Co-Curricular Participation:

Extra –Curricular. The results will be shared with the teaching staff to provide them with an enhanced picture of how to best meet the needs of all learners in their classrooms. We will also be administering a learning styles inventory. This information will empower teachers with valuable insight into what interests students have and what learning styles meet their needs. The survey will be voluntary and a parent letter will be sent home to introduce parents to this initiative. The survey will be offered to students in grades 7- 12 with an elementary version to follow at a later date. In addition, as part of our work with student engagement, we will be identifying instructional strategies and approaches for increasing cognitive engagement which requires students to interact with the curriculum/content in a deeper and thoughtful manner and seeks to create cognitively complex and engaging activities and tasks that balance the responsibility for learning between the student and teacher.

Mr. Robinson will provide a status update on FEMA and a brief status report on the budget development process which is underway and a brief overview of the Affordable Care Act.

Mr. Robinson began his review with a review of the Affordable Care Act and the ramification and potential financial impact the District was facing in order to be in compliance with the requirements of this new legislation. He described the details of how the measurement periods the Board was adopting would work and some of the background work that had been done by the business office in preparation for implementing the district’s plan.

Mr. Robinson then provided a status report regarding the districts’ work with FEMA and the ongoing effort to recover significant funding in the aftermath of Hurricane Sandy. Mr. Robinson reviewed a recent meeting the District coordinated with a team of representatives from FEMA to review the status of our claims, the ongoing restoration work, and the outstanding balances of funding that are pending from FEMA. Dr. Colvin and Mr. Robinson were joined by Mr. John Grillo, our District Architect, to review the entire scope of work being conducted. In addition, the pending scope of work that includes replacement of the concrete slab floor in the Tech Building, as well as the erosion behind the athletic field bleachers, along with some of the proposed remedies was reviewed and witnessed by the FEMA team via an on-site walk through conducted during the meeting. Mr. Robinson emphasized as a reminder to the Board and the community, this is now the tenth team, “yes, 10,” from FEMA that has been assigned to our District since the storm two years ago. As a result, it is necessary to review all of the work that has already been conducted along with the advice and determinations that have been provided by previous FEMA teams. Mr. Robinson elaborated, as can be imagined, sometimes the previous determinations made have been in conflict with what the current FEMA team believes is

the proper approach. As a result, it requires a great deal of effort to ensure that our plan remains on a steady course.

In addition, the district was just made aware of a FEMA Public Assistance Match Program Technical Assistance training session that is being coordinated and conducted by the organization, NY Rising. This training is mandatory in order to participate in the “Match” program. Mr. Robinson indicated that while the promise of funding remains, he cautioned the community that the timing of receiving this funding was very vague.

Mr. Robinson then provided a brief summary of the budget development process and indicated that a preliminary presentation would be forthcoming to the Board at the December 16 meeting. Mr. Robinson indicated that the overall process was well underway and that individual meetings with budget developers would be commencing shortly.

#### 9. Privilege of the Floor

□ Questions and comments regarding the Data Snapshot Presentation- Christine DelValle □  
Follow-up questions on Data Driven Teacher Goals – Christine DelValle

#### 10. Board Member Comments

- John Giannotti, Jr. thanked the community for being present at the meeting and for their feedback. He also wished everyone a great Thanksgiving.
- Patti Nicoletti offered her congratulations to Ms. Meaney on her tenure and thanked Mr. Piccarella and the staff for his presentation and the work done to compile the data.
- Keith Gamache thanked Mr. Piccarella for the presentation and the work being done to improve our student outcomes and wished everyone a good Thanksgiving
- Neil R. Schloth thanked Mr. Piccarella for the presentation, as well as the Superintendent and all of the Administrators and staff for the many bold moves that are being taken to move the district forward. He reiterated that our goal is to move the bar up for all students. He wished everyone a good Thanksgiving.
- Kristin Ochtera thanked the community for being at the meeting and wished everyone a wonderful Thanksgiving.

11. Upon a motion by John Giannotti and seconded by Neil R. Schloth and unanimously approved, the meeting was adjourned at 8:57 p.m.

Respectfully submitted,

James P. Robinson  
Deputy District Clerk

**East Rockaway Public Schools  
Board of Education**