



**Thursday, November 19, 2020
REGULAR MEETING**

**HEMPSTEAD PUBLIC SCHOOL DISTRICT
ADMINISTRATIVE OFFICES
HEMPSTEAD, NEW YORK 11550
BOARD OF EDUCATION
REGULAR MEETING**

A. MEETING OPENING

Subject **1. Pledge of Allegiance**

Meeting Nov 19, 2020 - REGULAR MEETING

Category A. MEETING OPENING

Access Public

Type Procedural

Subject **2. Moment of Silence**

Meeting Nov 19, 2020 - REGULAR MEETING

Category A. MEETING OPENING

Access Public

Type Procedural

B. PRESIDENT'S REMARKS

Subject **1. New Agenda Item**

Meeting Nov 19, 2020 - REGULAR MEETING

Category B. PRESIDENT'S REMARKS

Access Public

Type

C. INTERIM SUPERINTENDENT'S REMARKS

Subject **1. New Agenda Item**

Meeting Nov 19, 2020 - REGULAR MEETING

Category C. INTERIM SUPERINTENDENT'S REMARKS

Access Public

Type

D. COMMENDATIONS/PRESENTATIONS

Subject 1. New Agenda Item

Meeting Nov 19, 2020 - REGULAR MEETING

Category D. COMMENDATIONS/PRESENTATIONS

Access Public

Type

E. OTHER AGENDA ITEMS

Subject 1. MINUTES

Meeting Nov 19, 2020 - REGULAR MEETING

Category E. OTHER AGENDA ITEMS

Access Public

Type Action, Minutes

1. **RESOLVED**, that the Board of Education accept the minutes of the meetings held October 8,15, & 21, 2020 as submitted by the District Clerk.

F. BOARD OPERATIONS

Subject 1. New Agenda Item

Meeting Nov 19, 2020 - REGULAR MEETING

Category F. BOARD OPERATIONS

Access Public

Type

SOCIAL MEDIA WEBPAGE

1. **RESOLVED**, the Board of Education hereby authorizes the establishment of Hempstead Union Free School District accounts on the following social media platforms: Facebook, Twitter and Instagram; and

IT IS FURTHER RESOLVED, the Board of Education authorizes the expenditure of \$[insert amount] annually to maintain the accounts inclusive of fees for services and subscriptions, approves contracts for such subscriptions and services, and authorizes the Board President to execute such contracts; and

IT IS FURTHER RESOLVED, the Board of Education delegates to the Interim Superintendent of Schools the responsibility to implement, maintain and provide content for the accounts and services.

INTERNAL AUDIT SERVICES

2. **RESOLVED**, that the Board of Education approves the Interim Superintendent's recommendation to appoint QUESTAR III BOCES for Internal Audit work for the 19/20 and 20/21 year in accordance with the attached. By

engaging QUESTAR III BOCES for the 19/20 work, it will save the district \$17,060 as compared to the D'Arcangelo 19/20 letter of engagement proposal.

POLICY

3. RESOLVED, that the Board of Education approves the 3rd reading and adoption of amended policy # 2160 "School District Officer and Employee Code of Ethics". and the 1st reading of policy # 6700, 6700-R replacement policy recommended by the NYSSBA. (Attached)

G. BUSINESS & OPERATIONS

Subject 1. New Agenda Item
Meeting Nov 19, 2020 - REGULAR MEETING
Category G. BUSINESS & OPERATIONS
Access Public
Type

WARRANTS

1. RESOLVED, that the Board of Education approves the Interim Superintendent's recommendation to review the Register of Bills as follows:

General Funds (Warrants #12,11,10); Cafeteria/Lunch (Warrants #4); Federal (Warrants #6, 7, 8,9,10); Capital (Warrants #7,6,5).

TREASURER'S REPORT

2. RESOLVED, that the Board of Education accept the Reports as submitted by the District Treasurer. **Treasurer's Report for the month of September 2020.**

REVENUE BUDGET STATUS REPORT

3. RESOLVED, that the Board of Education approves the Interim Superintendent's recommendation to receive the **Revenue Budget Status Report for the month of September 2020.**

APPROPRIATION STATUS REPORT

4. RESOLVED, that the Board of Education approves the Interim Superintendent's recommendation to receive the **Appropriation Status Report for the month of September 2020**

HEALTH & WELFARE SERVICES

5. RESOLVED, that the Board of Education approves the Interim Superintendent's recommendation to approve the following school district to provide health & welfare services to students that reside in Hempstead.

- North Merrick UFSD

H. CONTRACTS/STIPULATIONS OF SETTLEMENT

Subject 1. New Agenda Item
Meeting Nov 19, 2020 - REGULAR MEETING
Category H. CONTRACTS/STIPULATIONS OF SETTLEMENT

Access Public

Type

LETTER OF UNDERSTANDING

1. WHEREAS, the United Public Service Employees Union ("UPSEU") raised concerns with the District regarding medical examinations of employees in the UPSEU unit; and

WHEREAS, the Interim Superintendent of Schools, by Labor Counsel for the District negotiated a Letter of Understanding between the UPSEU and the District regarding the District sending UPSEU unit members for medical examinations; be it

RESOLVED, that the Board hereby approves and adopts the Letter of Understanding between the UPSEU and the District relating to medical examinations of District employees represented by the UPSEU, dated October 21, 2020; and it is

FINALLY RESOLVED, that that Board hereby authorizes the Interim Superintendent to execute the Letter of Understanding on behalf of the District.

AMENDED AGREEMENT

2. WHEREAS, the Interim Superintendent of Schools, by Labor Counsel for the District negotiated an agreement resolving a certain administrative proceeding as between the District, and the Board, on the one hand, and Employee Number 1361, on the other hand, which was approved by the Board at its regular meeting on May 14, 2020; and

WHEREAS, Employee 1361 requested an amendment to the negotiated agreement; and

WHEREAS, the Interim Superintendent of Schools, by Labor Counsel for the District negotiated an amendment to the agreement approved by the Board on May 14, 2020; be it

RESOLVED, that the Board hereby approves and adopts the Amended Stipulation of Settlement, which Amended Stipulation of Settlement shall be kept on file in the District's Office of Human Resources, pursuant to its terms and it is

FINALLY RESOLVED, that that Board hereby authorizes the Board President or authorized designee to execute the Amended Stipulation of Settlement on behalf of the District and the Board.

SAFE CHILD LEARNING

3. RESOLVED, that the Hempstead Board of Education approve the Interim Superintendent's recommendation to enter into contract with the Safe Child Learning Center UPK to provide after school services to our Pre-K students during 2020-2021 school year, pending execution of the Consultant Service Agreement. Thirty-two (32) students, \$9,500 per student total of \$304,000.

TCA CONSULTING, LLC

4. RESOLVED, that the Board of Education approves the Superintendent's recommendation execute the attached Partnership contract with TCA Consulting, LLC for Comprehensive Support and Improvement for middle school and authorizes the President of the Board to execute same.

Purpose: To provide executive coaching to school principals and administrators. Focus shall be in the areas of transformational and collaborative leadership, data driven decision making and execution of school wide aligned management systems aimed on achieving high student success for assigned school sites.

Strategic Goal(s): Committed to helping schools strengthen practices to support student achievement.

Funding Source: Sig A Increase in Services

Amount: \$20,000

HERSTORY

5. RESOLVED: that the Board of Education approves the Superintendent's Recommendation to execute the attached Partnership Contracts with Herstory Writers Workshop, Inc. for Comprehensive Support and Improvement schools and authorizes the President of the Board to execute same.

Purpose: Professional Workshop Consultant Services for Students and Teachers at Hempstead High School.

Strategic Goals(s): On-site support by staff to provide workshops for identified students and coaching for participation "host" teacher; college and career preparedness skills; social-emotional literacy; support the role to serve as in house facilitators.

Funding Source: CSG Grant during 2020-21 School Year

Amount: \$30,000

EMPLOYEE SETTLEMENT

6. WHEREAS, the Interim Superintendent of Schools, by Labor Counsel for the District, has negotiated an agreement resolving certain administrative proceedings as between the District, and the Board, on the one hand, and Employee Number 370, on the other hand, and

WHEREAS, the Board has concluded, based upon the recommendation of the Interim Superintendent that it is in the best interests of the District to resolve said administrative proceedings by means of the negotiated Stipulation of Settlement, which was executed by said Employee on November 18, 2020; be it

WHEREAS, the Interim Superintendent of Schools, by Labor Counsel for the District, has negotiated an agreement resolving certain administrative proceedings as between the District, and the Board, on the one hand, and Employee Number 370, on the other hand, and

WHEREAS, the Board has concluded, based upon the recommendation of the Interim Superintendent that it is in the best interests of the District to resolve said administrative proceedings by means of the negotiated Stipulation of Settlement, which was executed by said Employee on November 18, 2020; be it

RESOLVED, that the Board hereby approves and adopts the Stipulation of Settlement, and with it the resolution of the administrative proceedings concerning said Employee, which Stipulation of Settlement shall be kept on file in the District's Office of Human Resources, pursuant to its terms and it is

FINALLY RESOLVED, that the Board hereby authorizes the Board President or authorized designee to execute the Stipulation of Settlement on behalf of the District and the Board.

I. DONATION

Subject 1. New Agenda Item
Meeting Nov 19, 2020 - REGULAR MEETING
Category I. DONATION
Access Public
Type

1. RESOLVED, that the Hempstead Board of Education approves the Interim Superintendent of Schools recommendation to accept the following donations:

ITEM(S) DONATED	DONOR	SCHOOL RECEIVING DONATION	DOLLAR AMOUNT OF DONATION

140 Chairs	Adelphi University	Barack Obama HHS	\$3,000
47 Tables	Adelphi University	All Schools	\$1,000
300 Disposable masks	The Links Inc.	Barack Obama	\$175
336 Students Bins 40 Hand Sanitizer Wipes 60 Plastic Caddy Bins 360 Germ-X Child Size Hand Sanitizer Bottles 4 Metal Tri-Level Roller Carts 30 Wide Mouth Gatorade Bottles	L. I. Nets Sports Team	Front Street	\$ 2,483.70
40pc- Metal Sheet pans (VALUE-\$298.80) 10pc- Pots (VALUE- \$1,120.00) 10pc- Pans (VALUE-\$400.00 30pc- Hotel pans (VALUE-\$689.90) 20pc- Lexy Pans (VALUE-\$317.80) 20pc- Mixing Bowls (VALUE-\$195.80) 6dz - Serving utensil assortment (tongs, spoons, ladles, etc) (VALUE-\$892.08) 2 units- Food warmer Boxes (\$5,800.00) 3 - wire racks (VALUE-\$1,407.00)	Adelphi University	Food Service Department	\$11,121.38

J. USE OF FACILITIES

Subject 1. New Agenda Item

Meeting Nov 19, 2020 - REGULAR MEETING

Category J. USE OF FACILITIES

Access Public

Type

K. DISPOSAL OF EQUIPMENT

Subject 1. New Agenda Item

Meeting Nov 19, 2020 - REGULAR MEETING

Category K. DISPOSAL OF EQUIPMENT

Access Public

Type

L. SPECIAL EDUCATION

Subject 1. New Agenda Item

Meeting Nov 19, 2020 - REGULAR MEETING

Category L. SPECIAL EDUCATION

Access Public

Type

1. **RESOLVED**, that the Board of Education **APPROVES** the Superintendent's recommendation to accept the recommendations of the CSE/CPSE meetings held on:
OCTOBER 2020

10/1, 10/6, 10/7, 10/8, 10/9, 10/13, 10/14, 10/15, 10/16, 10/19, 10/20, 10/21, 10/26, 10/27, 10/29, 10/30

M. PUPIL PERSONNEL SERVICES

Subject 1. New Agenda Item

Meeting Nov 19, 2020 - REGULAR MEETING

Category M. PUPIL PERSONNEL SERVICES

Access Public

Type

PUPIL PERSONNEL

1. **RESOLVED**, that the Board of Education approves the Interim Superintendent's recommendation to appoint the following Medical Agencies (nurse coverage) for the 2020-2021 school year.

- Clinical Staffing
- Nport

N. PERSONNEL

Subject 1. PROFESSIONAL APPOINTMENTS

Meeting Nov 19, 2020 - REGULAR MEETING

Category N. PERSONNEL

Access Public

Type

RESOLVED, that the Board of Education approves the Interim Superintendent's recommendation to **APPOINT** the following professional personnel: (In order to be eligible for tenure, an individual receiving a probationary appointment as a classroom teacher or building principal must receive an annual composite or overall APPR rating of Highly Effective or Effective in at least three of the four preceding years. If the individual receives a rating of ineffective in the final year of the probationary period, he or she will not be eligible for tenure at that time).

NAME **POSITION** **COMPENSATION**
(NO ACTION REQUIRED)

Subject **2. RESIGNATIONS**

Meeting Nov 19, 2020 - REGULAR MEETING

Category N. PERSONNEL

Access Public

Type

RESIGNATION – RESOLVED, that the Board of Education approves the Interim Superintendent’s recommendation to ACCEPT the resignation(s) from the following Professional Personnel for RETIREMENT/PERSONAL PURPOSES:

<u>NAME</u>	<u>POSITION</u>	<u>REASON</u>
Nelly Depass Eff. 1/1/2021	Teaching Assistant David Paterson	Letter of resignation received for retirement purposes.
Nieves Frias Eff. 12/4/2020	Bilingual Elementary Teacher Jackson Main	Letter of resignation received for retirement purposes.
Edna Labrada Eff. 12/31/2020	Elementary Teacher David Paterson	Letter of resignation received for retirement purposes.
Lynette Priester Eff. 11/6/2020	Teaching Assistant Joseph McNeil	Letter of resignation received for personal reasons.
Alana Cason-Ephraim Eff: 11/13/2020	Teaching Assistant Joseph McNeil	Letter of resignation received for personal reasons.
Clevin Brailsford Eff. 11/20/2020	Adult Education Teacher ABGS Middle School	Letter of resignation received for personal reasons.
Stephen Lux Eff. 11/20/2020	Adult Education Teacher ABGS Middle School	Letter of resignation received for personal reasons.
Silviana Mestizo Eff. 11/20/2020	Adult Education Teacher ABGS Middle School	Letter of resignation received for personal reasons.
Mercedes Pillier Eff. 11/20/2020	Adult Education Teacher ABGS Middle School	Letter of resignation received for personal reasons.
Arti Oliphant Eff. 11/20/2020	Adult Education Teacher ABGS Middle School	Letter of resignation received for personal reasons.

Subject **3. RECALL**

Meeting Nov 19, 2020 - REGULAR MEETING

Category N. PERSONNEL

Access Public

Type

RESOLVED, that the Board of Education approves the Interim Superintendent's recommendation to **RECALL** the following Professional Personnel from the Preferred Eligibility List:

<u>NAME</u>	<u>POSITION</u>	<u>COMPENSATION</u>
Leticia Scott Eff. 11/30/2020	Elementary Teacher Jackson Main (Replacing N. Frias – retired eff. 12/4/2020)	\$71,348 (Lv. 5, St. 6) Replacing N. Frias, retired eff. 12/4/2020; Board action – 11/19/2020.

Subject **4. TERMINATION**

Meeting Nov 19, 2020 - REGULAR MEETING

Category N. PERSONNEL

Access Public

Type

RESIGNATION – RESOLVED, that the Board of Education approves the Interim Superintendent's recommendation to **TERMINATE** the following Professional Personnel:

<u>NAME</u>	<u>POSITION</u>	<u>REASON</u>
(NO ACTION REQUIRED)		

Subject **5. LEAVE OF ABSENCE**

Meeting Nov 19, 2020 - REGULAR MEETING

Category N. PERSONNEL

Access Public

Type

LEAVE OF ABSENCE - RESOLVED, that the Board of Education approves the Interim Superintendent's recommendation to **APPROVE** the following **LEAVE(S)** of **ABSENCE** request(s) for the following **PROFESSIONAL PERSONNEL**:

<u>NAME</u>	<u>POSITION</u>	<u>REASON</u>
Patrice Scott Eff. 11/9/2020 - 2/10/2021	Special Education Teacher Joseph McNeil	Letter requesting a Maternity Leave of Absence/FMLA, with pay utilizing accrued sick time from 11/9/2020 to 1/13/2021, remainder (1/14/2021 - 2/10/2021) without pay. Letter received on 10/13/2020 in Human Resources. Medical documentation on file.
Elizabeth Swiatkowski Eff. 10/22/2020 - 12/16/2020	Science Teacher ABGS Middle School	Letter requesting a Medical Leave of Absence/FMLA, with pay utilizing accrued sick time from 10/22/2020 to 12/7/2020, remainder (12/8/2020 to 12/16/2020) without pay. Letter received in Human Resources. Medical documentation on file.

Subject **6. CHANGE BOARD ACTION**

Meeting Nov 19, 2020 - REGULAR MEETING

Category N. PERSONNEL

Access Public

Type

RESOLVED, that the Board of Education approves the Interim Superintendent's recommendation to CHANGE the following Board Action:

<u>NAME</u>	<u>POSITION</u>	<u>REASON</u>
Arti Oliphant Eff. 10/19/2020 - 1/20/2021	Elementary School Teacher Jackson Annex	Change the effective dates of Medical Leave/FMLA FROM 10/5/2020 - 10/23/2020 TO 10/19/2020 - 11/24/2020, with pay utilizing accrued sick time and remainder (11/25/2020 - 1/20/2021) without pay. Previously approved on 10/15/2020 docket.
Barbara Powell Eff. 9/2/2020 - 8/31/2021	Project Coordinator Empire State After School Program	Extend the furlough of employees and termination of the Empire State After School Program (if funding is not received) FROM 90 days from the start of the program (start of program is 9/2/2020. End date was 12/2/2020.) TO 210 days from the start of the program (new possible furlough/termination date if program is not funded - April 2, 2021). Previously approved on the 8/20/2020 docket.
Bridget Pratt Eff. 9/2/2020 - 8/31/2021	Assistant Project Coordinator Empire State After School Program	Extend the furlough of employees and termination of the Empire State After School Program (if funding is not received) FROM 90 days from the start of the program (start of program is 9/2/2020. End date was 12/2/2020.) TO 210 days from the start of the program (new possible furlough/termination date if program is not funded - April 2, 2021). Previously approved on the 8/20/2020 docket.
Diana Perez Eff. 9/8/2020 - 10/2/2020	English Teacher Hempstead High School	Change the effective dates of Medical Leave of Absence/FMLA FROM 9/8/2020 - 10/8/2020 without pay TO 9/8/2020 - 10/2/2020 with pay. Previously approved on the 9/17/2020 docket.

Subject 7. PER DIEM SUBSTITUTE TEACHER(S)

Meeting Nov 19, 2020 - REGULAR MEETING

Category N. PERSONNEL

Access Public

Type

RESOLVED, that the Board of Education approves the Interim Superintendent's recommendation to APPOINT the following personnel for the 2020-2021 school year:

<u>NAME</u>	<u>CERTIFICATION</u>	<u>COMPENSATION</u>
Samantha Gonsalves Eff. 11/23/2020	English Language Arts, Grades 7-12	All year \$130 per day

Subject **8. JUUL AGREEMENT**

Meeting Nov 19, 2020 - REGULAR MEETING

Category N. PERSONNEL

Access Public

Type

WHEREAS, the following professional staff were appointed by the Board of Education to a probationary position; and

WHEREAS, the professional staff have been informed that the Interim Superintendent does not intend to recommend tenure; and

WHEREAS, the professional staff have requested that the Board of Education not terminate employment and has agreed to extend the probationary period; and

WHEREAS, the Board of Education has no legal or other obligation to agree to this request, but is willing to do so in this instance as set forth in a letter of agreement that has been executed by this employee.

BE IT FURTHER RESOLVED, the probationary period of the following professional staff is extended as follows:

<u>NAME</u>	<u>CURRENTLY DUE TO EXPIRE</u>	<u>EXTENDED TO AND WILL EXPIRE</u>
Nicole Zamor	1/2/2021	1/2/2022
Randi Eskenazi	2/26/2021	2/26/2022

Subject **9. INSTRUCTIONAL COACHES**

Meeting Nov 19, 2020 - REGULAR MEETING

Category N. PERSONNEL

Access Public

Type Procedural

RESOLVED, that the Board of Education approves the Interim Superintendent's recommendation to **APPROVE** the following Professional Personnel as **INSTRUCTIONAL COACHES** for the 2020 - 2021 School Year (Title I):

HEMPSTEAD HIGH SCHOOL

<u>NAME</u>	<u>POSITION</u>	<u>COMPENSATION</u>
Cheryl McCue	Special Education	\$5,853 - Service Assignment I (Split Assignment)
Maria Paterakis	Special Education	\$5,853 - Service Assignment I (Split Assignment)

Subject **10. TIGER ACADEMY - ALTERNATIVE PROGRAM**

Meeting Nov 19, 2020 - REGULAR MEETING

Category N. PERSONNEL

Access Public

Type

RESOLVED, that the Board of Education approves the Interim Superintendent's recommendation to **APPOINT** the following personnel for the Tiger Academy Alternative Program for the 2020 - 2021 school

year (Administrators from 4:15 pm. - 7:15 pm / Teachers, Teaching Assistants, and Clerical from 3:15 p.m - 5:15 p.m. or 5:15 p.m. - 7:15 p.m.), effective 11/23/2020 - 6/18/2021.

RECOMMENDED BY: Stephen Strachan

<u>NAME</u>	<u>POSITION</u>	<u>COMPENSATION</u>
Gail Glynn	Special Education - Science	\$40.54/hr.
Jennifer Garcia	Special Education - ELA	\$40.54/hr.
Cynthia Partee	Science Teacher	\$40.54/hr.
Marvin Perez	Bilingual Math Teacher	\$40.54/hr.
Joshua Carlock	Physical Education/Health	\$40.54/hr.

Subject **11. MEDICAID COMPENSATION**

Meeting Nov 19, 2020 - REGULAR MEETING

Category N. PERSONNEL

Access Public

Type

APPOINTMENT(S) – RESOLVED, that the Board of Education approves the Interim Superintendent's recommendation to COMPENSATE the following Professional Personnel for clinical sessions related to Medicaid reimbursement as follows for the 2020 – 2021 school year:

<u>INSTRUCTOR</u>	<u>POSITION</u>	<u>COMPENSATION</u>
Kristie Hasin	Speech Pathologist	\$2,000
Winsome Brown-Cooke	Social Worker	\$2,000
Desiret Nuesi	Speech Pathologist	\$2,000

Subject **12. LEAD TEACHERS/INSTRUCTIONAL COACHES**

Meeting Nov 19, 2020 - REGULAR MEETING

Category N. PERSONNEL

Access Public

Type Procedural

RESOLVED, that the Board of Education approves the Interim Superintendent's recommendation to APPROVE the following Professional Personnel for the 2020 - 2021 school year. (Funding Source - SIG 6 2020-2021):

<u>NAME</u>	<u>LOCATION/POSITION</u>	<u>COMPENSATION</u>
Yolanda Sampson-Ousley	9th Grade Academy - HHS	\$5,880 (Service Assignment II) (Prorated)
Nickeisha Wilson	9th Grade Academy - HHS	\$5,880 (Service Assignment II) (Prorated)

Subject **13. CLUB ADVISORS**

Meeting Nov 19, 2020 - REGULAR MEETING

Category N. PERSONNEL

Access Public

Type

RESOLVED, that the Board of Education **APPROVES** the Interim Superintendent's recommendation to **APPOINT** the following professional personnel as **CLUB ADVISORS** for the 2020-2021 school year:

<u>NAME</u>	<u>POSITION</u>	<u>COMPENSATION</u>
<u>HIGH SCHOOL</u>		
Patricia Huancayo	Spanish Club	\$40.54/hr.
George Cienfuegos	Computer Club	\$40.54/hr.
Randi Eskenazi	Environmental Club	\$40.54/hr.
Sean Reichert	Art Club	\$40.54/hr.
Mary Hopkins	Student Government	\$1,400
Melissa Spleen	Class Advisor 9th Grade	\$1,500
Jennifer Salgado	Key Club	\$800
Natalia Jacques	Key Club	\$800
Timothy Dolan	Drama Club	\$2,500
Diana Perez	Sr. Class Advisor	\$3,000
Nathalia Placide-Riboiul	Assistant Sr. Class Advisor	\$1,500

MIDDLE SCHOOL

Adrian Turner	Class Advisor 7th Grade	\$1,100
Marqueitta Tuitt	Class Advisor 8th Grade	\$1,100
Wendy Eisner	Student Government 7-8 Grades	\$1,000
Mishka Fox	Middle School Newspaper	\$1,250
Beverly Robinson	Middle School Newspaper	\$1,250
Adrian Turner	Middle School Yearbook	\$1,500
Dorian Segure	Middle School Law Club	\$1,600
Dorian Segure	Boy Scouts Advisor	\$40.54/hr.
Alphonse Persico	Multi-Cultural Club	\$40.54/hr.
Marqueitta Tuitt	Assistant Boy Scouts	\$27.00/hr.
Sharese Hawkins	Class Advisor 6th Grade	\$27.00/hr.

Subject 14. TRANSLATORS

Meeting Nov 19, 2020 - REGULAR MEETING

Category N. PERSONNEL

Access Public

Type

RESOLVED, that the Board of Education approves the Interim Superintendent's recommendation to **APPOINT** the following personnel as **TRANSLATOR(S)** for the 2020-2021 school year (Title III):

<u>NAME</u>	<u>POSITION</u>	<u>COMPENSATION</u>
<u>SPECIAL EDUCATION</u>		
<u>DEPARTMENT</u>		
Clara Arnedo	Typist Clerk	Contractual Hourly Rate

Subject 15. ADULT EDUCATION TERMINATIONS

Meeting Nov 19, 2020 - REGULAR MEETING

Category N. PERSONNEL

Access Public

Type

RESOLVED, that the Board of Education approves the Interim Superintendent's recommendation to **TERMINATE** the following Adult and Community Education personnel, effective November 20, 2020.

Recommended By: Susan Thompson

<u>NAME</u>	<u>LOCATION</u>	<u>REASON</u>
Carlos Flores Eff: 11/20/2020	Adult Education Teacher Middle School	Abandonment of Position

Subject 16. ADULT ED/ RECLASSIFY

Meeting Nov 19, 2020 - REGULAR MEETING

Category N. PERSONNEL

Access Public

Type

RESOLVED, that the Board of Education approves the Interim Superintendent's recommendation to **RECLASSIFY** the following **ADULT AND COMMUNITY EDUCATION PROGRAM** Professional staff for the 2020/2021 school year:

RECOMMENDED: Susan Thompson

PURPOSE: Reclassify existing professional staff

<u>NAME</u>	<u>POSITION</u>	<u>PURPOSE</u>
Patricia Howard Eff. 11/20/2020 - 6/30/2021	Adult Education Teacher @ \$37.90/hr.	Reclassified from Step 1 to Step 2 at ABGS Middle School.
Tiketa General Eff. 11/20/2020 - 6/30/2021	Adult Education Teacher @ \$37.90/hr.	Reclassified from Step 1 to Step 2 at ABGS Middle School.
Edwin Mejia Eff. 11/20/2020 - 6/30/2021	Adult Education Teacher @ \$35.72/hr.	Reclassified from Substitute Teacher to Step 1 at ABGS Middle School.
Alina Florescu Eff. 11/20/2020 - 6/30/2021	Adult Education Teacher @ \$37.90/hr.	Reclassified from Substitute Teacher to Step 2 at ABGS Middle School.
Caroline Vollmer Eff. 11/20/2020 - 6/30/2021	Adult Education Teacher @ \$35.72/hr.	Reclassified from Substitute Teacher to Step 1 at ABGS Middle School.

Subject **17. CONTACT TRACING COURSE**

Meeting Nov 19, 2020 - REGULAR MEETING

Category N. PERSONNEL

Access Public

Type Procedural

RESOLVED, that the Board of Education approves the Interim Superintendent's recommendation to **COMPENSATE** the following professional personnel for their participation in the Johns Hopkins University COVID-19 Contact Tracing Course. The course is an 8-hour online program that must be taken by the COVID-19 Coordinators at each building. It should be taken outside of normal working hours and an individual must pass the course and produce a completion certificate by November 30, 2020 to be compensated.

RECOMMENDED BY: James Clark

FUNDING SOURCE: Title IV

<u>NAME</u>	<u>POSITION</u>	<u>COMPENSATION</u>
Peggy Wilkins Walker	Social Worker	\$300

Subject **18. MY BROTHER'S KEEPER**

Meeting Nov 19, 2020 - REGULAR MEETING

Category N. PERSONNEL

Access Public

Type

RESOLVED, that the Board of Education approves the Interim Superintendent's recommendation to **APPOINT** the following personnel for the Virtual After School MY BROTHER'S KEEPER Program, effective December 1, 2020 - June 1, 2021. The program will run Monday through Friday from 3:00 PM to 7:00 PM and Saturday from 8:00 AM to 12:00 PM. Teachers will work a maximum of one and one half (1 1/2) hours per day for a total of 4.5 hours for elementary and middle school teachers (who will work 3 days per week) and 6.0 hours for the high school teachers (will work 4 days per week).

RECOMMENDED BY: James Clark

FUNDING SOURCE: My Brother's Keeper Grant

<u>NAME</u>	<u>POSITION</u>	<u>LOCATION</u>	<u>COMPENSATION</u>
Sony Alexandre	Teacher	Hempstead High School	\$45.00/hr.
Stacey Corvi	Teacher	ABGS Middle School	\$45.00/hr.
Dorian Segure	Teacher	ABGS Middle School	\$45.00/hr.
Carol Williams (Will only work Monday, Wednesday, Friday).	Teacher	Elementary School	\$45.00/hr.

Subject 19. REGISTRATION (SERVICE ASSIGNMENT)

Meeting Nov 19, 2020 - REGULAR MEETING

Category N. PERSONNEL

Access Public

Type Procedural

RESOLVED, that the Board of Education approves the Interim Superintendent's recommendation to **APPROVE** the following Professional Personnel to conduct home visits and verification of student addresses throughout the 2020 - 2021 school year.

<u>NAME</u>	<u>POSITION</u>	<u>COMPENSATION</u>
Gary Battle	Attendance Teacher Enrollment and Registration Office	\$11,706 - Service Assignment I

Subject 20. RESCIND

Meeting Nov 19, 2020 - REGULAR MEETING

Category N. PERSONNEL

Access Public

Type

RESOLVED, that the Board of Education approves the Interim Superintendent's recommendation to **RESCIND** the following:

<u>NAME</u>	<u>POSITION</u>	<u>REASON</u>
Beatriz Caban Eff: 10/19/2020 - 6/18/2021	ENL Teacher Tiger Academy Alternative Program	Rescind BOE appointment previously approved on 10/15/2020 docket.n

Subject 21. TEACHER MENTORING

Meeting Nov 19, 2020 - REGULAR MEETING

Category N. PERSONNEL

Access Public

Type

RESOLVED, that the Board of Education approves the Interim Superintendent's recommendation to **APPOINT** the following personnel as a Teacher Mentor Coordinator for the 2020-2021 school year:

RECOMMENDED BY: HCTA Committee**PURPOSE:** Provide support, mentoring and professional development to new teachers with initial certifications.

<u>NAME</u>	<u>POSITION</u>	<u>COMPENSATION</u>
Steven Izzo	Teacher Mentor Coordinator	\$5,880 (Service Assignment II)

Subject **22. COACHES FOR WINTER SEASON**

Meeting Nov 19, 2020 - REGULAR MEETING

Category N. PERSONNEL

Access Public

Type

RESOLVED, that the Board of Education approves the Interim Superintendent's recommendation to **APPOINT** the following professional personnel as **COACHES** for the **WINTER** season of the 2020-2021 School Year.

<u>NAME</u>	<u>POSITION</u>	<u>COMPENSATION</u>
Lateef Myles Eff. 11/23/2020 - 2/26/2021	Varsity Boys Basketball	\$7,811
Jared Weir Eff. 11/23/2020 - 2/26/2021	Assistant Varsity Boys Basketball	\$2,976
Christopher McGuire Eff. 11/23/2020 - 2/26/2021	Programmer (Clock Operator) - Boys	\$1,933
Wesley Harkless Eff. 11/23/2020 - 2/26/2021	Scorekeeper (Boys)	\$1,277
Noel Acevedo Eff. 11/23/2020 - 2/26/2021	Varsity Boys Bowling	\$2,868
Robert Polcha Eff. 11/23/2020 - 2/26/2021	Varsity Boys Swim	\$5,229
Ramon Mills Eff. 11/23/2020 - 2/26/2021	Varsity Wrestling	\$6,384.
Antoine Moore Eff. 11/23/2020 - 2/26/2021	Varsity Girls Basketball	\$7,811
Nicole Drake Eff. 11/23/2020 - 2/26/2021	Programmer (Clock Operator) (Girls)	\$1,933.
Lenroy Raffington Eff. 11/23/2020 - 2/26/2021	Varsity Girls Indoor/Winter Track	\$4,818.

O. CIVIL SERVICE PERSONNEL

Subject **1. APPOINTMENTS**

Meeting Nov 19, 2020 - REGULAR MEETING

Category O. CIVIL SERVICE PERSONNEL

Access Public

Type

CIVIL SERVICE PERSONNEL

APPOINTMENT(S) - RESOLVED, that the Board of Education approves the Interim Superintendent's recommendation to APPOINT the following CIVIL SERVICE Personnel:

<u>NAME</u>	<u>POSITION</u>	<u>REASON</u>
Shakeel Edwards Eff. 11/23/20	Motor Equipment Operator High School	\$21,488-prorated (Lv. 2, St. 2) PURPOSE: Replacing J. Nicholson, terminated 3/20/20; Bd. Action 5/14/20
Dwayne Thomas Eff. 11/23/20	Provisional Head Custodian I Jackson Annex	\$64,963-prorated (Lv. 4, St. 17) PURPOSE: To meet the needs of the district.
Freddie Ricks Eff. 11/23/20	Provisional Head Custodian I Jackson Main	\$57,838-prorated (Lv. 4, St. 9) PURPOSE: To meet the needs of the district
Crystal Ferguson Eff. 11/23/20	Typist Clerk, F/T High School	\$33,571-prorated (Lv. 1A, St. 4) PURPOSE: Replacing C. Beckett, retired 9/30/20; Bd. Action 7/23/20
Lorraine Henry Eff. 11/23/20	Typist Clerk, F/T High School	\$33,571-prorated (Lv. 1A, St. 4) PURPOSE: Replacing M. Robinson, retired 9/30/20; Bd. Action 7/23/20
Lottie Whitehead Eff. 11/23/20	Typist Clerk, F/T Middle School	\$34,778-prorated (Lv. 1A, St. 5) PURPOSE: Replacing A. Quinn, resigned, 2/14/20; Bd. Action, 2/13/20
Christopher Miraval Eff. 11.23.20	Typist Clerk, F/T Registration	33,571-prorated (Lv. 1A, St. 4) PURPOSE: Replacing A. Henriquez, resigned, 11/2/20; Bd. Action, 10/15/20

Subject**2. RESIGNATIONS**

Meeting

Nov 19, 2020 - REGULAR MEETING

Category

O. CIVIL SERVICE PERSONNEL

Access

Public

Type

RESIGNATION – RESOLVED, that the Board of Education approves the Interim Superintendent's recommendation to ACCEPT the resignation(s) from the following Civil Service personnel for PERSONAL/RETIREMENT PURPOSES:

<u>NAME</u>	<u>POSITION</u>	<u>REASON</u>
Debbie Cheaver Eff. 1/1/21	Security Aide, F/T Prospect School	Letter of resignation received for retirement purposes.
Tyreke Green Eff. 10/26/20	School Lunch Monitor, P/T Joseph McNeil	Letter of resignation received for personal reasons.
Shakeel Edwards Eff. 11/23/20	Food Server, P/T Joseph McNeil	Letter of resignation received contingent upon appointment as a Motor Equipment Operator.
Pauline Wellington	Typist Clerk, F/T	Letter of resignation received for retirement purposes.

Eff. 12/29/20

High School

Nircia Carmona
Eff. 11/20/20Attendance Aide
David Paterson

Letter of resignation received for personal reasons.

Subject **3. LEAVE OF ABSENCE**

Meeting Nov 19, 2020 - REGULAR MEETING

Category O. CIVIL SERVICE PERSONNEL

Access Public

Type

LEAVE OF ABSENCE - RESOLVED, that the Board of Education approves the Interim Superintendent's recommendation to APPROVE the following LEAVE(S) of ABSENCE request(s) for the following CIVIL SERVICE personnel:

<u>NAME</u>	<u>POSITION</u>	<u>REASON</u>
Radaih Simmons Eff. 10/26/20 - 11/27/20	Attendance Aide Jackson Main	Letter requesting a Medical Leave of Absence at half-pay. (Medical documentation on file. Letter received in Human Resources on 10/27/20).
Phabian Winfield Eff. 10/21/20 - 11/21/20	Security Aide Prospect School	Letter requesting an extension of Medical LOA/FMLA, without pay. (Medical documentation on file. Letter received in Human Resources on 10/28/20)
Patricia Sullivan Eff. 11/6/20 - 11/30/20	Attendance Aide Registration	Letter requesting an extension of Medical Leave of Absence/FMLA, with pay utilizing accrued sick time. (Medical documentation on file. Letter received in Human Resources on 11/2/20)
Santi Chattergoon Eff. 9/29/20 - 12/16/20	Food Server, F/T David Paterson	Letter requesting a Medical Leave of Absence/FMLA, without pay. (Medical documentation on file. Letter received in Human Resources on 11/9/20)

Subject **4. TERMINATION**

Meeting Nov 19, 2020 - REGULAR MEETING

Category O. CIVIL SERVICE PERSONNEL

Access Public

Type

RESOLVED, that the Board of Education APPROVES the Interim Superintendent's recommendation to TERMINATE the following CIVIL SERVICE PERSONNEL, effective November 19, 2020:

<u>NAME</u>	<u>POSITION</u>	<u>REASON</u>
Employee # 4962	Cleaner	Abandonment of position
Employee #2049	Cleaner	Documentation on file

Subject **5. OVERTIME**

Meeting Nov 19, 2020 - REGULAR MEETING

Category O. CIVIL SERVICE PERSONNEL

Access Public

Type

RESOLVED, that the Board of Education approves the Interim Superintendent's recommendation to APPROVE overtime compensation for the following Civil Service personnel for the 2020-2021 School Year (Funding - PSSG):

<u>NAME</u>	<u>POSITION</u>	<u>REASON</u>
Stephanie Diaz	Bil. Typist Clerk, High School	Contractual Straight Time (not to exceed 20 hours monthly)
Ana Scicutella	Bil. Typist Clerk, High School	Contractual Straight Time (not to exceed 20 hours monthly)
Jael Bralla	Bil. Typist Clerk, High School	Contractual Straight Time (not to exceed 20 hours monthly)

Subject **6. RECALL**

Meeting Nov 19, 2020 - REGULAR MEETING

Category O. CIVIL SERVICE PERSONNEL

Access Public

Type

RESOLVED, that the Board of Education approves the Interim Superintendent's recommendation to RESCIND LAYOFF AND RECALL the following CIVIL SERVICE Personnel effective 11/23/20:

<u>NAME</u>	<u>POSITION</u>	<u>COMPENSATION</u>
Juliet Lyons	School Lunch Monitor, PT Joseph McNeil	\$13.10/hr (Lv. 10A, St. 2) PURPOSE: Replacing H. Amaya, retired, 10/8/20; Bd. Action 10/15/20

P. ADJOURNMENT

Subject **1. Adjourn**

Meeting Nov 19, 2020 - REGULAR MEETING

Category P. ADJOURNMENT

Access Public

Type Action

Recommended Action Motion to adjourn

Board Policy 2160 SCHOOL DISTRICT OFFICER AND EMPLOYEE CODE OF ETHICS

All members of the Board of Education and administration of the school district must at all times act in the school district's best interest. The Board of Education is committed to avoiding any situation in which the existence of conflicting interests of any Board member, officer or employee may call into question the integrity of the management or operation of the school district. The Board recognizes that sound, ethical standards of conduct serve to increase the effectiveness of district officers and staff as educators and public employees in the community. Adherence to a code of ethics promotes public confidence in the schools and furthers the attainment of district goals.

The Board also recognizes its obligation to adopt a code of ethics setting forth the standards of conduct required of all Board members, district officers and employees under the provisions of the General Municipal Law and all other applicable laws, rules, and regulations. Therefore, every Board member, officer and employee of the district, whether paid or unpaid, shall adhere to the following code of ethics.

Statutory Conflicts of Interest

It is a conflict of interest for a Board member, officer or employee to benefit personally from contracts made in their official capacity.

"

•• "Contract" is defined broadly to include any claim or demand against the district or account or agreement with the district, whether expressed or implied ~~which~~that exceeds the sum of \$750.00 in any fiscal year.

•• An "interest" is defined as a direct or indirect benefit that runs to the employee as a result of a contract with the district.

No Board member, officer or employee shall have an "interest" (i.e., receive a direct or indirect benefit as the result of a contract with the district) in:

1. a firm, partnership or association in which he/she is a member or employee;
2. a corporation in which he/she is an officer, director or employee;
3. a corporation in which he/she, directly or indirectly, owns or controls 5% or more of the stock;
or
4. a contract between the district and his/her spouse, minor child or dependents, except for an employment contract between ~~the school district, a spouse, minor child or dependent of a Board member authorized by §800(3) of the General Municipal Law or §3016 of the Education Law,~~ the school district, a spouse, minor child or dependent of a Board member authorized by §800(3) of the General Municipal Law or §3016 of the Education Law.

~~Every Board member, officer or employee of the Hempstead School District whether paid or unpaid, shall be subject to and abide by the following standards of conduct:~~

Code of Ethics

4. 1. Gifts: A Board member, officer or employee shall not, directly or indirectly solicit any gift, or accept or receive any gift having a value of ~~\$75~~seventy-five dollars or more, whether in the form of money, services, loan, travel, entertainment, hospitality, thing or promise, or any other form, under circumstances in which it could reasonably be inferred that the gift was intended to influence him/or her, in the performance of his/or her official duties or was intended as a reward for any official action on his/or her part.

~~However, nothing herein should be construed as prohibiting the traditional exchange of holiday gifts provided that discretion is used to ensure that gifts of value are not accepted by staff employees or officers.~~

However, the Board welcomes and encourages the writing of letters or notes expressing gratitude or appreciation to staff members. Gifts from children that are principally sentimental in nature and of insignificant financial value may be accepted in the spirit in which they are given.

~~The Board as a body is encouraged to express gratitude or appreciation to staff members when warranted.~~

- 2.1 Confidential information: A Board member, officer or employee shall not disclose confidential information acquired by him/or her in the course of his/or her official duties or use such information to further his/or her personal interest. ~~Confidential information shall include that officially labeled or defined as "confidential" and shall include information concerning:~~

~~a. bids and purchases;~~

~~b. student grades and test results;~~

~~c. personnel files; and~~

~~d. any other specifically so labeled by the Board of Education.~~

- 3.2 Representation before ~~one's own agency~~ the Board or District: A Board member, officer or employee shall not receive, ~~nor~~ or enter into any agreement, expressed or implied, for compensation for services to be rendered in relation to any matter before ~~any municipal agency of which he is an officer, member or employee, or of any municipal agency over which he has jurisdiction or to which he/she has the power to appoint any member, officer or employee~~ the school district.

~~4. — Representation before any agency for a contingent fee: A Board member, officer or employee shall not receive, or enter into any agreement, expressed or implied for compensation, for services to be rendered in relation to any matter before any agency of his/her municipality, whereby his/her compensation is to be dependent or contingent upon any action by such agency with respect to such matter, provided that this paragraph shall not prohibit the fixing at any time of fees based upon the reasonable value of the services rendered.~~

3. Disclosure of interest in matters before the Board: A Board member, officer or employee of the district, whether paid or unpaid, must publicly disclose the nature and extent of any interest they or their spouse, domestic partner, or other immediate family member have, will have or later acquire in any actual or proposed contract, purchase agreement, lease agreement or other agreement involving the school district (including oral agreements), to the governing body and his/her immediate supervisor (where applicable) even if it is not a prohibited interest under applicable law. Such disclosure must be in writing and made part of the official record of the school ~~district. Disclosure is not required in the case of an interest that is exempted under Section 803(2) of the General Municipal Law. The term~~ "interest" means a pecuniary or material benefit accruing to an officer or

~~employee district. Disclosure is not required in the case of an interest that is exempted under §803(2) of the General Municipal Law. The term "interest" means a pecuniary or material benefit accruing to an officer or employee. A person with an interest in matters may not be present at or participate in board deliberations or votes on the matter giving rise to such conflict, provided that nothing shall prohibit the board from requesting that the person with the conflict of interest present information as background or answer questions at a board meeting prior to the commencement of deliberations or voting relating thereto.~~

~~5. **Disclosure of interest in legislation:** To the extent that he/she knows thereof, a Board member, officer or employee of the Hempstead School District, whether paid or unpaid, who participates in the discussion or gives official opinion to the Board regarding any legislation before the Board shall publicly disclose on the official record the nature and extent of any direct or indirect financial or other private interest he has in such legislation. The term "interest" means a pecuniary or material benefit accruing to an officer or employee.~~

~~4. **Prohibition against nepotism:** No family member of a current Board member may serve on the Board pursuant to §2103(3) of the Education Law. Spouses, children, and other relatives of a Board member may be employed by the district provided, however, that pursuant to §3016 of the Education Law any person who is related by blood or marriage to any member of the Board shall only be employed as a teacher in the district upon the consent of 2/3rds of the Board members.~~

~~6-5. **Investments in conflict with official duties:** A Board member, officer or employee shall not invest or hold any investment directly ~~or indirectly~~ in any financial, business, commercial or other private transaction, ~~which that~~ creates a conflict with his/ or her official duties. Exceptions to the conflict of interest law can be found in Section 802 of the General Municipal law (see 2160 F.1)§802 of the General Municipal Law.~~

~~7-6. **Private employment:** A Board member, officer or employee shall not engage in, solicit, negotiate for, or promise to accept private employment ~~or render services for private interests~~ when ~~such that~~ employment or service creates a conflict with or impairs the proper discharge of his/ or her official duties.~~

~~8-7. **Future employment:** A Board member, officer or employee shall not, after the termination of service or employment with ~~such municipality~~the district, appear before ~~any board or agency of the Hempstead School District~~the Board in relation to any ~~case~~action, proceeding, or application in which he/ or she personally participated during the period of his/ or her service or employment or ~~which that~~ was under his/ or her active consideration.~~

~~This shall not bar or prevent the timely filing by a present or former officer or employee of any claim, account, demand or suit against the district on behalf of the officer or employee or any member of his or her family arising out of any personal injury or property damage or for any lawful benefit authorized or permitted by law.~~

~~9-8. **Involvement with Charitable Organizations:** A Board member, officer or employee may be involved as a volunteer, officer or employee in a charitable organization ~~which that~~ has a relationship with the district. If a Board member is a board member, officer or employee of the charitable organization the Board member must disclose such relationship in writing to the district, and the Board member must recuse himself or herself from any discussions or votes relating to the charitable organization ~~which that~~ may come before the Board. When participating in the activities of the charitable organization, the Board member, officer or employee shall not disclose any confidential information~~

learned ~~in the course of his or her official duties~~ or use such information to further personal interests. Additionally, the Board member, officer or employee ~~shall not make representations on behalf of the district unless specifically authorized to do so by the Board.~~

9. Individuals with a conflict: A person with a conflict is prohibited from being present at or participating in board deliberations or votes on the matter giving rise to such conflict, provided that the board may request that the person with the conflict present information as background or answer questions at a board meeting prior to the commencement of deliberations or voting related thereto.
10. Prohibition against Improper Influence: A person with a conflict is prohibiting from seeking to influence improperly the deliberation or voting on the matter giving rise to such conflict.
11. Documentation of Conflict: The existence and resolution of any conflict by a board member or employee of the school district shall be documented in the board's records, including in the minutes of any meeting at which the conflict was discussed or voted upon.

Distribution of Code of Ethics:

The Superintendent of Schools shall cause a copy of ~~the Board's code~~ this Code of ethics to be distributed to ~~every member of the Board,~~ every officer and employee of the school district. Each officer and employee elected or appointed thereafter shall be furnished a copy before ~~entering upon the duties of his or her office or employment. In addition, the Superintendent shall ensure that a copy of Article 18 of the General Municipal Law shall be kept posted in each public building under the district's jurisdiction in a place conspicuous to the district's officers and employees. This policy and regulation shall be posted in each Principal's Office, staff lounge, and shall be made a part of the staff handbook~~ entering upon the duties of his or her office or employment. In addition, the Superintendent shall ensure that a copy of Article 18 of the General Municipal Law shall be kept posted in each public building under the district's jurisdiction in a place conspicuous to the district's officers and employees.

~~The failure to distribute any such copy or failure of any officer or employee to receive such copy shall have no effect on the duty of compliance with such code, nor the enforcement or provisions thereof.~~

Penalties:

In addition to any penalty contained in any other provision of law, any person who shall knowingly and intentionally violate any of the provisions of the Board's code of ethics and its accompanying regulation may be fined, suspended or removed from office or employment, as the case may be, in the manner provided by law.

Ref:

Education Law §§2103, 2502(7), 2590 e, 2590 j(4), 3016
General Municipal Law

~~§§806-808 Adoption date:~~

~~July 6, 2000~~
GDOCS-1538424435-371

Adopted revision: February 16, 2012

Hempstead Union Free School District

- (X) Required
- (X) Local
- () Notice

PURCHASING

The Board of Education views purchasing as serving the educational program by providing necessary supplies, equipment and related services. Purchasing will be centralized in the business office under the general supervision of the Purchasing Agent designated by the Board.

It is the goal of the Board to purchase competitively, without prejudice or favoritism, and to seek the maximum educational value for every dollar expended. Competitive bids or quotations shall be solicited in connection with purchases pursuant to law. The General Municipal Law requires that purchase contracts for materials, equipment and supplies involving an estimated annual expenditure exceeding \$20,000 and public work contracts involving an expenditure of more than \$35,000 will be awarded only after responsible bids have been received in response to a public advertisement soliciting formal bids. Purchases of the same commodity cannot be artificially divided for the purpose of avoiding the threshold. Similar procurements to be made in a fiscal year will be grouped together for the purpose of determining whether a particular item must be bid.

It is the goal of the Board to establish an equitable and competitive purchasing policy. The Board is committed to ensuring District purchasing adheres to its comprehensive non-discrimination policy and provides opportunities and fair consideration to all suppliers. Accordingly, the Board adopts an objective that minority and/or women-owned business enterprises (MWBES) are given the opportunity to demonstrate their ability to provide the District with goods and services under best value purchases. The District's purchasing policy shall incorporate the definitions of Minority-owned business enterprise (MBE) and Women-owned business enterprise (WBE) set forth in Section 163 of the State Finance Law.

The purchasing activity of the Hempstead Union Free School District ("District") will strive to meet the following objectives:

1. to effectively supply all administrative units in the school system with needed materials, supplies, and contracted services;
2. to obtain materials, supplies and contracted services at the lowest prices possible consistent with the quality and standards needed as determined by the Purchasing Agent in conformance with state law and regulation and in cooperation with the requisitioning authority. The educational and physical welfare of the students is the foremost consideration in making any purchase;
3. to ensure that all purchases fall within the framework of budgetary limitations and that they are consistent with the educational goals and programs of the District;
4. to maintain an appropriate and comprehensive accounting and reporting system to record and document all purchasing transactions; and
5. to ensure, through the use of proper internal controls, that loss and/or diversion of District property is prevented; and:

5.6. to provide opportunities to MWBE offerors in best value procurement(s).

Opportunities shall be provided to all responsible suppliers to do business with the District. Suppliers whose place of business is situated within the District may be given preferential consideration only when bids or quotations on an item or service are identical as to price, quality and other factors.

Where permitted by law, purchases may be made through available cooperative BOCES bids, or by “piggybacking” onto contracts of the United States or agencies thereof or the federal General Services Administration (GSA), the New York State Office of General Services (OGS), departments or agencies of New York State, any New York State county, or any state or any county or political subdivision or District therein, whenever such purchases are in the best interests of the District or will result in cost savings to the District. In addition, the District may make purchases from correctional institutions and severely disabled persons through charitable or non-profit-making agencies, as provided by law.

It is the District’s responsibility to review each “piggybacking” contract corresponding to a proposed purchase, upon the advice of counsel as necessary, to determine whether the original contract does not conflict with state law or regulation, and meets the following requirements:

1. The contract must have been let by the United States, or any agency thereof, any state, or any other political subdivision or district therein;
2. The contract must have been made available for use by other governmental entities; including New York State local governments;
3. The contract must have been let to the lowest responsible bidder or on the basis of best value, in a manner consistent with General Municipal Law §103. Those main elements are: (a) public solicitation of bids or offers; (b) secure or confidential bids or offers; (c) use of a common standard for bidders or offers to compete fairly; and (d) awarded to the lowest responsible bidder, or responsible offeror of best value, which optimizes quality, cost and efficiency.

In accordance with law, the District shall give a preference in the purchase of instructional materials to vendors who agree to provide materials in alternative formats. The term “alternative format” shall mean any medium or format for the presentation of instructional materials, other than a traditional print textbook, that is needed as an accommodation for a disabled student enrolled in the District (or program of a BOCES), including but not limited to Braille, large print, open and closed captioned, audio, or an electronic file in a format compatible with alternative format conversion software that is appropriate to meet the needs of the individual student.

The Board is also aware of the need to reduce exposure of students and staff to potentially harmful chemicals and substances used in cleaning and maintenance. In accordance with law, regulation and guidelines set forth by the Office of General Services (OGS), the District will purchase and utilize environmentally sensitive cleaning and maintenance products in its facilities whenever feasible. Cleansers purchased must, first and foremost, be effective so that

the District may continue to purchase non-green products as necessary. Environmentally sensitive cleaning and maintenance products will be procured in accordance with standard purchasing procedures as outlined in this policy and regulation.

In order to ensure that the District avails itself of advantageous purchasing opportunities, the Board authorizes the Purchasing Agent to represent the District in applying for federal programs designed to discount prices for goods and services. Specifically, the Purchasing Agent will abide by the rules and regulations associated with applying for telecommunications service discounts through the Universal Service Fund (E-Rate), in addition to complying with the local purchasing policies set forth by the Board. As with all purchasing activity, appropriate documentation of the application and purchase through any federal program will be maintained by the business office.

Competitive Bidding

Purchase contracts and public works contracts subject to competitive bidding will be awarded to the lowest responsible bidder, however, the Board authorizes that purchase contracts may be awarded on the basis of best value, as defined in State Finance Law §163. Other exceptions to competitive bidding are outlined below.

In addition, the Board authorizes the receipt of sealed bids for purchase contracts in electronic format, pursuant to the provisions of General Municipal Law §103(1) which addresses proper documentation, authentication, security, and confidentiality of electronic bids.

The District shall comply with the requirements of General Municipal Law §103-g, which prohibits, with few exceptions, competitive bidding contracts with entities that invest significantly in the Iranian energy sector, as outlined in the accompanying regulation.

Exceptions to Competitive Bidding

Competitive bidding, even if the dollar value of the purchase meets the threshold established above, is not required in the following circumstances:

1. emergencies where time is a crucial factor;
2. procurements for which there is no possibility of competition (sole source items);
3. professional services that require special skill or training (see policy 6741 for guidance on purchasing professional services);
4. purchases such as surplus or second-hand items from governmental entities, certain food and milk items, or goods and services from municipal hospitals; or
5. where the District is purchasing through (or is "piggybacking" onto) the contract of another governmental entity, where the original contract complies with the requirements of New York State law for competitive bidding.

Purchasing when Competitive Bidding Not Required

Goods and services which are not required by law to be procured by the District through competitive bidding will be procured in a manner so as to ensure the prudent and economical use of public monies, in the best interests of the taxpayers, to facilitate the acquisition of goods and services of maximum quality at the lowest possible cost under the circumstances, and to guard against favoritism, improvidence, extravagance, fraud and corruption.

Alternative proposals or quotations will be secured by requests for proposals, written or verbal quotations or any other appropriate method of procurement, except as permitted by state law for procurements:

1. under a county contract;
2. under a state contract;
3. under a federal contract;
4. under a contract of another political subdivision;
5. of articles manufactured in state correctional institutions; or
6. from agencies for the blind and severely disabled.

“Piggybacking” onto the contract of other governmental agencies is permitted where the original contract is in conformance with the goals of this section.

The District will provide justification and documentation of any contract awarded to an offeror other than the lowest responsible dollar offeror, setting forth the reasons why such award is in the best interests of the District and otherwise furthers the purposes of section 104-b of the General Municipal Law.

General Purchasing Provisions

The Superintendent of Schools, with the assistance of the Purchasing Agent, shall be responsible for the establishment and implementation of the procedures and standard forms for use in all purchasing and related activities in the District. Such procedures shall comply with all applicable laws and regulations of the state and the Commissioner of Education.

No Board member, officer or employee of the District shall have an interest in any contract entered into by the Board or the District, as provided in Article 18 of the General Municipal Law.

Comments will be solicited from those administrators involved in the procurement process before enactment of the District's policies regarding purchasing and from time to time thereafter. The policies must then be adopted by Board resolution. All District policies regarding the procurement process will be reviewed by the Board at least annually.

The unintentional failure to fully comply with the provisions of section 104-b of the General Municipal Law or the District's policies regarding procurement will not be grounds to void action taken nor give rise to a cause of action against the District or any officer or employee of the District.

Cross-ref: 6710, Purchasing Authority
6741, Contracting for Professional Services

Ref: Comprehensive Iran Sanctions, Accountability, and Divestment Act of 2010 (Public Law 111-195)
Education Law §§305(14); 409-i; 1604(29-a); 1709(4-a), (9), (14), (22); 2503(7-a); 2554(7-a)
General Municipal Law §§102; 103; 103-g; 104; 104-b; 109-a; 800 et seq.
State Finance Law §§97-g(3), (4), (5); 163; 163-b; 165-a
County Law §408-a(2)
8 NYCRR Part 114

Adoption date:

PURCHASING REGULATION

The following sets forth the procedures for the procurement of goods and services by the Hempstead Union Free School District ("District"):

I. Definitions

Best value: optimizing quality, cost and efficiency. The basis for best value shall reflect, whenever possible, objective and quantifiable analysis, ~~and may also take into consideration small businesses or certified minority or women owned businesses as defined in State Finance Law §163.~~ To the extent practicable, the basis of best value shall include a quantitative factor for offerors that are certified minority- or women-owned business enterprises as defined in State Finance Law §163.

Purchase Contract: a contract involving the acquisition of commodities, materials, supplies, services or equipment

Public Work Contract: a contract involving labor or both materials and labor for a project such as construction

II. General Municipal Law

The General Municipal Law requires that purchase contracts for services, materials, equipment and supplies involving an estimated annual expenditure exceeding \$20,000 and public work contracts involving an expenditure of more than \$35,000 will be awarded only after responsible bids have been received in response to a public advertisement soliciting formal bids. Similar procurements to be made in a fiscal year will be grouped together for the purpose of determining whether a particular item must be bid.

III. Competitive Bidding Required

A. Method of Determining Whether Procurement is Subject to Competitive Bidding

1. The District will first determine if the proposed procurement is a purchase contract or a contract for public work.
2. If the procurement is either a purchase contract or a contract for public work, the District will then determine whether the amount of the procurement is above the applicable monetary threshold as set forth above.

District Regulation 6700-R

3. The District will also determine whether any exceptions to the competitive bidding requirements (as set forth below) exist.
4. All advertised bids shall include the following statement required by General Municipal Law 103-g: "By submission of this bid, each bidder and each person signing on behalf of any bidder certifies, and in the case of a joint bid each party thereto certifies as to its own organization, under penalty of perjury, that to the best of its knowledge and belief that each bidder is not on the list created pursuant to paragraph (b) of subdivision 3 of section 165-a of the state finance law."

B. Contract Combining Professional Services and Purchase

In the event that a contract combines the provision of professional services and a purchase, the District, in determining the appropriate monetary threshold criteria to apply to the contract, will determine whether the professional service or the purchase is the predominant part of the transaction.

C. Opening and Recording Bids; Awarding Contracts

The Purchasing Agent will be authorized to open and record bids. Contracts will be awarded to the lowest responsible bidder or a purchase contract bid of best value (as recommended by the Purchasing Agent), who has furnished the required security after responding to an advertisement for sealed bids.

In order to be considered a responsible bidder, entities must certify that they are not on the list created and maintained by the State Office of General Services cataloging significant investment in the Iranian energy sector. Such statement may be submitted electronically pursuant to General Municipal Law §103(1). Entities that cannot make this certification may only be awarded the bid if:

1. The entity's investment activities in Iran were made before April 12, 2012; the investment activities in Iran have not been expanded or renewed after that date; and the entity has adopted, publicized, and is implementing a formal plan to cease the investment activities in Iran and to refrain from engaging in any new investments in Iran; or

2. The District makes a determination, in writing, that the goods or services are necessary for the District to perform its functions and that, absent such an exemption, the District would be unable to obtain the goods or services for which the contract is offered.

D. Documentation of Competitive Bids

The District will maintain proper written documentation which will set forth the method in which it determined whether the procurement is a purchase or a public work contract.

E. Purchase of Instructional Materials

In accordance with Education Law, the District shall give a preference in the purchase of instructional materials to vendors who agree to provide materials in alternative formats (i.e., any medium or format for the presentation of instructional materials, other than a traditional print textbook, that is needed as an accommodation for a disabled student enrolled in the District, including but not limited to Braille, large print, open and closed captioned, audio or an electronic file in an approved format).

The District will establish and follow a plan to ensure that every student with a disability who needs his or her instructional materials in an alternative format will receive those materials at the same time that they are available to non-disabled students.

F. Leases of Personal Property

In addition to the above-mentioned competitive bidding requirements, section 1725 of the Education Law requires that the District will be subject to competitive bidding requirements for purchase contracts when it enters into a lease of personal property.

Documentation: The District will maintain written documentation such as quotes, cost-benefit analysis of leasing versus purchasing, etc.

G. Environmentally-Sensitive Cleaning and Maintenance Products

The District will purchase and utilize environmentally sensitive cleaning and maintenance products whenever feasible. The purchasing agent will consult with the Green Guidelines provided by the Office of General Services.

Any legal issues regarding the applicability of competitive bidding requirements will be presented to the school attorney for review.

IV. Exceptions to Competitive Bidding Requirements

The District will not be subject to competitive bidding requirements when the Board of Education, in its discretion, determines that one of the following situations exists:

1. emergency situations where:
 - a. the situation arises out of an accident or unforeseen occurrence or condition;
 - b. a District building, property, or the life, health, or safety of an individual on District property is affected; or
 - c. the situation requires immediate action which cannot await competitive bidding.

However, when the Board passes a resolution that an emergency situation exists, the District will make purchases at the lowest possible costs, seeking competition by informal solicitation of quotes or otherwise, to the extent practicable under the circumstances.

Documentation: The District will maintain records of verbal (or written) quotes, as appropriate;

2. when the District purchases surplus or second-hand supplies, materials or equipment from the federal or state governments or from any other political subdivision or public benefit corporation within the state.

Documentation: The District will maintain market price comparisons (verbal or written quotes) and the name of the government entity;

3. when the Board separately purchases eggs, livestock, fish and dairy products (other than milk), juice, grains and species of fresh fruits and vegetables directly from New York State producers or growers or associations of producers and growers, subject to the requirements of General Municipal Law §103(9) and Commissioner's Regulations §114.3.

Documentation: The District will maintain documentation consistent with section 114.3 of the Regulations of the Commissioner of Education;

4. when the Board separately purchases milk directly from licensed milk processors employing less than forty (40) people. The amount expended in any fiscal year by the District may not exceed an amount equal to twenty-five cents multiplied by the number of days in the school year multiplied by the total enrollment of the District or exceed the current market price.

Documentation: The District will maintain documentation consistent with section 114.4 of the Regulations of the Commissioner of Education;

5. when the District purchases goods, supplies and services from municipal hospitals under joint contracts and arrangements entered into pursuant to section 2803-a of the Public Health Law.

Documentation: The District will maintain the legal authorization, Board authorization and market price comparisons;

6. when there is only one possible source from which to procure goods or services required in the public interest.

Documentation: The District will maintain written documentation of the unique benefits of the item or service purchased as compared to other items or services available in the marketplace; that no other item or service provides substantially equivalent or similar benefits; and that, considering the benefits received, the cost of the item or service is reasonable, when compared to conventional methods. In addition, the documentation will provide that there is no possibility of competition for the procurement of the goods.

7. when the District purchases professional services that require special skill or training, such as but not limited to, audit, medical, legal or insurance services, or property appraisals.

Documentation: The District will keep proper documentation in accordance with policy 6741; or

8. when the District purchases through the contracts of (or “piggybacks” onto) other governmental entities, as authorized by law, for certain goods and services permitted by law. Factors relevant to the decision to “piggyback” may include cost, staff time, delivery arrangements, quality of goods and services, and suitability of such goods and services to the District’s needs.

Documentation: The District will keep documentation indicating why “piggybacking” is in the best interests of the District, copies of the original contract, and that the originating contract was let in a manner consistent with applicable competitive bidding requirements.

V. Quotes When Competitive Bidding Not Required

Goods and services which are not required by law to be procured by the District through competitive bidding will be procured in a manner so as to ensure the prudent and economical use of public monies in the best interests of the taxpayers. Alternative proposals or quotations will be secured by requests for proposals, written or verbal quotations or any other appropriate method of procurement, as set forth below.

A. Verbal / Written Quotes Thresholds

Quotations must be secured for all items costing more than \$3,000. Price quote requirements vary depending on the amount of the proposed order:

- \$1 - \$3,000 no quotes are required, but are recommended
- \$3,001 - \$4,999 require three verbal quotes
- \$5,000 - \$19,999 require three written quotes (other than public works)
- \$20,000 - \$34,999 require three written quotes (public works)

B. Methods of Documentation

1. Verbal Quotations: the telephone log or other record will set forth, at a minimum, the date, item or service desired, price quoted, name of vendor, name of vendor's representative;
2. Written Quotations: vendors will provide, at a minimum, the date, description of the item or details of service to be provided, price quoted, name of contact. For example, with regard to insurance, the District will maintain documentation that will include bid advertisements, specifications and the awarding resolution. Alternatively, written or verbal quotation forms will serve as documentation if formal bidding is not required.
3. Requests for Proposals: the District will utilize RFP's to engage professional services providers in accordance with policy 6741.

VI. Quotes Not Required When Competitive Bidding Not Required

The District will not be required to secure alternative proposals or quotations for those procurements as permitted by state law:

1. under a county contract;
2. under a state contract;
3. under a federal contract;
4. under a contract of another political subdivision;
5. of articles manufactured in state correctional institutions; or
6. from agencies for the blind and severely disabled.

“Piggybacking” onto the contract of other governmental agencies is permitted where the original contract is in conformance with the goals of the District’s policy and regulation for purchasing when competitive bidding is not required.

VII. Procurements from Other than the “Lowest Responsible Dollar Offeror”

The District will provide justification and documentation of any contract awarded to an offeror other than the lowest responsible dollar offeror, setting forth the reasons why such award is in the best interests of the District and otherwise furthers the purposes of section 104-b of the General Municipal Law.

VIII. Internal Control

The Board authorizes the Superintendent of Schools, with the assistance of the Purchasing Agent, to establish and maintain an internal control structure to ensure, to the best of their ability, that the District’s assets will be safeguarded against loss from unauthorized use or disposition, that transactions will be executed in accordance with the law and District policies and regulations, and recorded properly in the financial records of the District.

Comments will be solicited from those administrators involved in the procurement process before enactment of the District’s regulations regarding purchasing and from time to time thereafter. The regulations must then be adopted by Board resolution. All District regulations regarding the procurement process will be reviewed by the Board at least annually.

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The unintentional failure to fully comply with the provisions of section 104-b of the General Municipal Law or the District's regulations regarding procurement will not be grounds to void action taken or give rise to a cause of action against the District or any officer or employee of the District.

Adoption date:

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