

REVISED ON 11/17/2014
MALVERNE UNION FREE SCHOOL DISTRICT
Regular Board of Education Meeting
Tuesday November 18, 2014
8:00 P.M.

BOARD MEMBERS

Josephine Bottitta, **President**
John Tulley, **1st Vice President**
Danielle Hopkins, **2nd Vice President**
Michael Taylor, **Trustee**
Marguerite O'Connor, **Trustee**

ADMINISTRATION

Dr. James H. Hunderfund, **Superintendent**
RoseLinda Ricca, **Assistant Superintendent of Curriculum and Instruction**
Dr. Spiro Colaitis, **Assistant Superintendent of District Operations**
Christopher Caputo, **Business Administrator**

BOARD OFFICER

Lisa Ridley, **District Clerk**
Arthur R. Venezia, **Treasurer**

BOARD COUNSEL

Frazer & Feldman, LLP

AGENDA

I. CALL TO ORDER

II. EXECUTIVE SESSION

III. PLEDGE OF ALLEGIANCE

IV. MINUTES

Approval of November 3, 2014 Special Board of Education Meeting Minutes
Approval of October 14, 2014 Board Of Education Regular Meeting Minutes

V. TREASURER'S REPORT

Approval of October 2014 Treasurer's Report

VI. RECEIPTS OF FINANCIAL REPORTS

- A. Claims Audit Reports: October 2014.
- B. Trial Balance Reports October 2014
- C. Revenue Status Reports: October 2014
- D. Appropriation Status Reports: October 2014
- E. Cash Flow Status Report: October 2014
- F. . Budget transfers under \$20,000 Report: October 2014

VII. COMMUNICATIONS

VIII. SUPERINTENDENT'S REPORT/ ANNOUNCEMENTS

1. All State Chorus
2. AP Scholars
3. Hofstra University Essay Award
4. Technology Program

IX. PERSONNEL

- A. Terminations
 1. Civil Service (2)
- B. Resignations
 2. Teachers/Teachers Assistant (4)
 3. Civil Service (2)
- C. Leaves of Absence
None
- D. Appointments
 1. Teachers/Teaching Assistant (4)
 2. Civil Service (3)
 3. Homebound Tutors 2014/2015 (4)
 4. Curriculum Writing (1)
 5. Nurse for checking Immunizations –MWD (1)
 6. Co-Curricular Activities –DA (1)
 7. Interscholastic –Winter (19)
- E. Supplemental Pay
 1. Appoint the following personnel as Elementary Literacy Coaches for the 2014/2015 school year (2)
 2. Appoint the following teacher to chair the committee on preschool special education for the 2014/2015 (1)
 3. Appoint the following personnel to teach extra class (1)

XI. NEW BUSINESS

- A. BE IT HEREBY RESOLVED** that the Board of Education of the Malverne Union Free School District approves the **Agreement for the IDEA Flow Through Agreements for the 2014-2015 SEDCAR Sub-Allocation Funds disbursement.**

BE IT FURTHER RESOLVED that the Board authorizes the Board president to execute said contract.

- B. BE IT HEREBY RESOLVED** that, pursuant to Regulations of the Commissioner of Education, Part 100.2 (dd) (3), the Board of Education of the Malverne Union Free School District hereby appoints the following persons to the District's Professional Development Team:

Rose Linda Ricca, Assistant Superintendent of Curriculum,
Instruction & Educational Services
Steven Gilhuley, Principal of HTH Middle School
Virginia Harnischfeger – Chairperson of ELA and Social Studies
Donna Banek-Science Teacher-Collage Liaison
Cinthia Thorp, Union Representative
Marguerite Izzo-Intermediate Teacher
Shannon Kelly-High School Science Teacher
Christine Stanton-Middle School Math Teacher
Anita Coonan-Primary Level Teacher
Lisa Ridley- Parent Member

- C. BE IT HEREBY RESOLVED** that the board of Education of the Malverne Union Free School District approves the contract from **Brookville Center for Children's Services, Inc.** to provide educational services for the 2014-2015 school year.

BE IT FURTHER RESOLVED that the Board authorizes Board president to execute said contract.

- D. BE IT HEREBY RESOLVED** that the Board of Education of the Malverne Union Free School District approves the following transportation contract for the 2014/2015 school year.

Independent Coach

- **Evergreen Charter School**

BE IT FURTHER RESOLVED that the Board authorizes the Board president to execute said contract.

E BE IT HEREBY RESOLVED that the board of Education of the Malverne Union Free School District approves the contract from **Island Park Schools** to provide educational services for the 2014/2015 school year.

BE IT FURTHER RESOLVED that the Board authorizes the Board president to execute said contract.

F. BE IT HEREBY RESOLVED that the Board of Education of the Malverne Union Free School District accepts the Proposal & Contract for **Flex Spending Account Services** from **Benefit Resource, Inc.**, for the 2014-2015 school year.

BE IT FURTHER RESOLVED that the Board authorizes the Board President to execute said contract.

G. BE IT HEREBY RESOLVED that the Board of Education of the Malverne Union Free School District approves the contract with **Hakeem Rahim Ed.M., M.A.**, for the **Mental Health Presentation** for the 2014-2015 school year.

BE IT FURTHER RESOLVED that the Board authorizes the Board President to execute said contract.

H. BE IT HEREBY RESOLVED that the Board of Education of the Malverne Union Free School District approves the contract with **Theodore Roosevelt Sanctuary Center & Audubon** for **“Who’s Eat Whom?” Program** for the 2014-2015 school year.

BE IT FURTHER RESOLVED that the Board authorizes the Board President to execute said contract.

I. BE IT HEREBY RESOLVED that the Board of Education of the Malverne Union Free School District approves the contract with **Holger O. Fietkau** for **SBDA Class and Certification and CDL Practice for test** the 2014-2015 school year.

BE IT FURTHER RESOLVED that the Board authorizes the Board President to execute said contract.

- J. BE IT HEREBY RESOLVED that the Board of Education of the Malverne Union Free School District approves the Health & Welfare Contract with **Lawrence Public Schools** for the 2013-2014 school year.

BE IT FURTHER RESOLVED that the Board authorizes the Board President to execute said contract.

- K. BE IT HEREBY RESOLVED that the Board of Education of the Malverne Union Free School District accepts the Proposal & Contract for **Group Life & Long Term Disability Services** from **Brown & Brown of New York, Inc. d.b.a. Fitzharris & Co., Inc.**, for the 2014-2015 school year.

BE IT FURTHER RESOLVED that the Board authorizes the Board President to execute said contract.

- L. BE IT HEREBY RESOLVED that the Board of Malverne Union Free School District accepts the 2013/2014 **Independent Internal Audit Report as prepared by Nawrocki Smith LLP.**

**BOARD RESOLUTION TO ADOPT
"LOOK-BACK MEASUREMENT METHOD" PERIODS
UNDER THE AFFORDABLE CARE ACT**

- M. 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;

WHEREAS, employers may use an optional safe harbor method known as the "Look-Back Measurement Method" to determine whether an employee with variable hours is to be treated as a full-time employee for purposes of determining liability under Section 4980H;

WHEREAS, in order to apply the "Look-Back Measurement Method" as a safe harbor option, the employer must designate the standard measurement periods and corresponding stability periods that will be used;

NOW, THEREFORE, BE IT RESOLVED, that the Board of Education ("Board") of the Malverne Union Free School District ("District"), upon the recommendation of the Superintendent of Schools, hereby designates the following standard Measurement, Administrative, and Stability periods for the following category of District employees:

Employee Category #1: Variable Hour Employees

On Going Employees

Transition Measurement Period: Start Date: (1/1/2014)--End Date: (10/10/2014)

Transition Administrative Period: Start Date: (10/11/2014) -End Date(12/31/2014

Transition Stability Period: Start Date: (1/1/2015) -- End Date: (12/31/2015)

Standard Measurement Period: Start Date: (10/11/2014) -- End Date: (10/10/15)

Administrative Period: Start Date: (10/11/2015)--End Date: (12/31/2015)

Stability Period: Start Date :(1/1/2016)--End Date: (12/31/2016)

The same periods set forth above will apply for subsequent years beginning January 1, 2015 unless modified by the Board.

New Variable Employees

Measurement Period: A period of 12 months beginning on the first day of the subsequent month following the employee's first day of work.

Administrative Period: A period beginning on the day after the end of the Measurement Period and continuing through the end of the first full calendar month.

Stability Period: Twelve months immediately following the end of the Administrative Period.

BE IT FURTHER RESOLVED, that the Board authorizes and directs the Superintendent of Schools to take any and all necessary steps to implement the "Look-Back Measurement Method" and apply the above-listed periods in accordance with all applicable laws, District policies and relevant employment agreements.

**BOARD RESOLUTION TO ADOPT
AFFORDABILITY SAFE HARBOR
UNDER THE AFFORDABLE CARE ACT**

N. 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;

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.”

WHEREAS, in order to apply the affordability safe harbor options, the employer must designate which safe harbor option(s) will be used¹;

NOW, THEREFORE, BE IT RESOLVED, that the Board of Education (“Board”) of the Malverne 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 #1: All District
Employees.....Rate of Pay 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.

The district’s selection of the affordability safe harbor must be made on a uniform and consistent basis for all employees in the same category. Permissible categories are: (a) specific job categories; (b) salaried vs. hourly employees; and (c) similar bonafide business reasons.

O. BE IT HEREBY RESOLVED that the Board of the Malverne Union Free School District approves the **High School Band & Select Choir Trip to Disney World, February 2016.**

XII. **POLICIES**

XIII. **CURRICULUM MATTERS / STUDENTS SERVICES**

BE IT HEREBY RESOLVED that the Board of Education approves the recommendations at the November 18, 2014 Board of Education meeting made by the Committee on Special Education for meetings held on 8/04/2014, 8/13/2014, 9/11/2014,9/24/2014,10/01/2014 10/06/2014, 10/07/2014, 10/20/2014, 10/27/2014, and 10/28/2014

BE IT FURTHER RESOLVED that the Board of Education approves the recommendations made by the Subcommittee on Special Education for meetings held on 6/26/2014, 10/10/2014, and 10/22/2014 and recommendations made by the Committee on Preschool Special Education for meetings held on 10/10/2014 and 10/29/2014.

XIV. **GENERAL DISCUSSION**

XV. **PUBLIC PARTICIPATION**

XVI. **DATES TO REMEMBER**

November 27-28	Thanksgiving Recess – Schools closed
December 3	HTH Winter Concert @7:00 pm HTH Auditorium
December 9	Board of Education Meeting@ 8:00 pm MHS Library
December 17	MHS Winter Concert @7:30 pm HTH Auditorium
December 18	DA Winter Concert @7:00 pm HTH Auditorium
December 24-January 2	Winter Recess- Schools closed

XVII. **ADJOURNMENT**