

**REGULAR MEETING OF THE  
MALVERNE UNION FREE SCHOOL DISTRICT  
BOARD OF EDUCATION**

**MINUTES**

Tuesday November 13, 2012

Marguerite O'Connor	Danielle Hopkins	Michael Taylor	Gina Genti	Josephine Bottitta	<b>AGENDA ITEM:</b>	<b>ACTION TAKEN:</b>
					<b><u>BOARD MEMBERS PRESENT</u></b>	
					Marguerite O' Connor, Danielle Hopkins, Michael Taylor, Gina Genti Josephine Bottitta, Dr. James Hunderfund, Richard Banyon, Spiro Colaitis, Thomas McDaid Jr., Florence Frazer and Michael Perna	
					<b><u>I - CALL TO ORDER</u></b>	<b>Call to order</b>
M					The meeting was held in the MHS Faculty Room	
					Marguerite O' Connor motioned to call the meeting to order at 6:10 pm	
Y	Y	Y	Y	S Y	Seconded by Josephine Bottitta 5 Yes; 0 No - Motion carried	
					<b><u>II -EXECUTIVE SESSION</u></b>	<b>Approval of Executive Session</b>
M					Marguerite O'Connor motioned to retire into executive session at 6:10 pm	
					Seconded by Josephine Bottitta	
Y	Y	Y	Y	S Y	5 Yes, 0 No Motion carried	
					<b><u>III -ADJOURNMENT OF EXECUTIVE SESSION</u></b>	<b>Approval of Executive Session</b>
	M				Danielle Hopkins motioned to adjourn the executive session at 8:05 pm.	
S					Seconded by Marguerite O'Connor	
Y	Y	Y	Y	Y	5 Yes, 0 No Motion carried	
					<b><u>IV -OPENING OF PUBLIC SESSION</u></b>	<b>Opening of Public Session</b>
					Marguerite O'Connor opened the meeting to the public with pledge of allegiance at 8:20 pm	
	M				<b><u>V - MINUTES</u></b>	<b>Approval of October 09, 2012 Regular Board Meeting Minutes</b>
					Danielle Hopkins motioned to accept the October 09, 2012 Regular Board of Education meeting minutes	
					Seconded by, Josephine Bottitta	
Y	Y	Y	Y	S Y	5 Yes , 0 No Abstained Motion carried	
					<b><u>VI -TREASURER'S REPORT</u></b>	<b>Approval of Treasure's Report</b>
				M	Josephine Bottitta motioned to accept the September 2012 Treasurer's Reports.	
	S				Seconded by, Danielle Hopkins	
Y	Y	Y	Y	Y	5 Yes, 0 No Motion carried	
					<b><u>VII- COMMUNICATIONS</u></b>	<b>Communications None</b>
					None	

**REGULAR MEETING OF THE  
MALVERNE UNION FREE SCHOOL DISTRICT  
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**MINUTES**

**Tuesday November 13, 2012**

					<p><b><u>VIII. RECEIPTS OF FINANCIAL REPORTS</u></b></p> <p>A. Claims Audit Reports: October 2012.          B. Trial Balance Reports: October 2012          C. Revenue Status Reports: October 2012          D. Appropriation Status Reports: October 2012.          E. Cash Flow Status Report: October 2012.          F. Budget transfers under \$20,000 Report: October 2012.</p> <p><b><u>SUPERINTENDENT'S REPORT/ ANNOUNCEMENTS</u></b></p> <ul style="list-style-type: none"> <li>• Dare To Dream Program –</li> <li>• Board President Marguerite O'Connor recommended the public to see the Dare to Programs that are held annually in the district.</li> <li>• Board President Marguerite O'Connor thanked the teachers for working with the students on the Dare To Dream Program.</li> <li>• 1`2Board President Marguerite O'Connor thanked Senator Dean Skelos for his support toward the Dare To Dream Program.</li> </ul> <p><b><u>IX –PERSONNEL</u></b></p> <p>Danielle Hopkins motioned to approve consent agenda for items 8 -11 B- ,C, D, Seconded by Michael Taylor          5 Yes; No 0- Motion Carried</p> <p>Danielle Hopkins motioned to table Item XI.A Seconded by Josephine Bottitta          5 Yes, No- 0 Motion Carried</p> <p><u>Terminations</u>          None</p> <p><u>Resignations</u>          Teachers</p> <p>Melissa Monforte , Teaching Assistant ,          Effective Date 10/26/12</p> <p><u>Civil Service</u>          Deownarine Singh , Custodian , Effective Date , 10/13/12</p> <p><u>Detention-MHS</u></p> <p>Daniel Gibbons , After School-Detention Supervision</p> <p><u>Leave of Absence</u>          Teachers</p>	<p>Receipts of Financial Reports</p> <p>Superintendent's Report</p> <p>Approval of Consent agenda</p> <p>Terminations None</p> <p>Approval of Resignations</p> <p>Approval of Civil Service</p> <p>Approval of Detention Supervision</p> <p>Approval Leave of Absence</p>
Y	M S Y	Y	Y	Y		
Y	M Y	Y	Y	S Y		

**REGULAR MEETING OF THE  
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**Tuesday November 13, 2012**

				<p>Ann Marie Henderson , Guidance Counselor, Effective Date,12/05/12- 1/02/13</p> <p><u>Appointments</u></p> <p><u>Teachers</u></p> <p>Kristina Noce, Literacy Teacher, Effective Date 11/14/12- 11/13/15 Melissa Lecesce, Teacher Assistant ,DA, Effective Date 10/29/12 Cristina Mantikas, Teaching Assistant, HTH, Effective date 10/22/12-06/21/13</p> <p><u>Civil Service</u></p> <p>Deborah Harvey , School Monitor, MHS , Effective Date 11/14/12</p> <p><u>Interscholastic –Winter 2012/2013</u></p> <p>Darrol Lopez, Basketball-Varsity Boys, Effective Date 11/14/12 Walter Aksionoff, Basketball-Assistant Varsity Boys Effective Date 11/14/12 Haywood Hammond, Basketball-Jr. Varsity Boys, Effective Date, 11/14/12 Michael Pelan, Basketball-Varsity Girls, Effective Date , 11/14/12 Heath Hocoluk, Basketball-MS Boys, Effective Date, 11/14/12 Lisa Gress, Basketball-MS Girls , Effective Date, 11/14/12 Joseph Eaderoso, Basketball-Boys-Varsity&amp; Jr. Varsity scorekeeper, Effective Date, 11/14/12 Matthew Rosen, Basketball-Girls Varsity Scorekeeper, Effective Date 11/14/12 Kenneth Suisi /Robert, Brigandi, Basketball-Boys/Varsity Timekeeper Effective Date, 11/14/12 Christine Connell, Basketball-Girls-Varsity &amp; Jr. Varsity Timekeeper, Effective Date , 11/14/12 Colbert Britt, Winter Track-Girls- Varsity, Effective Date, 11/14/12 Kito Lockwood, Boys Winter Track, Effective Date, 11/14/12 Kim Rossi, Volleyball-Girls, MS, Effective Date, 11/14/12 Diane Gallagher, Cheerleading-HS-1/2 ,Effective Date 11/14/12 Crystal Martinez, Cheerleading-HS1/2 ,Effective Date, 11/14/12 Susan Gargilio, Cheerleading- MS ½ ,Effective Date, 11/14/12 Christine Calabrese, Cheerleading –MS ½ Effective Date 11/14/12 William Bennett, Intramurals-Davison Avenue, Effective Date 11/14/12 Joseph Dunn, Intramurals, MWD, Effective Date, 11/14/12 <u>Pre –K Program Registration -2012-2013</u> Carole Narduzzi , Substitute Nurse , Effective Date 9/21/12</p>	<p><b>Approval of Appointments</b></p> <p><b>Teachers</b></p> <p><b>Approval of Civil Service</b></p> <p><b>Approval of Interscholastic – Winter 2012/2013</b></p> <p><b>Approval of Pre K Program</b></p>
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**REGULAR MEETING OF THE  
MALVERNE UNION FREE SCHOOL DISTRICT  
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**Tuesday November 13, 2012**

					<p><u>Curriculum Writing 2012/2013</u></p> <p>Vincent Romano, Dare to Dream , Effective 7/01/12</p> <p><u>Mentoring for Success Program –MHS 2012/2013</u></p> <p>Joseph Aquino, Teacher, Effective Date 10/24/12          Nicole Beauford, Teacher, Effective Date 10/24/12          Christopher Brescia. Teacher, Effective Date 10/24/12          Gina Cappellino, Teacher, Effective Date 10/24/12          Kito Lockwood, Teacher, Effective Date 10/24/12          Michael Quagerelli, Teacher, Effective Date, 10/24/12          Rachel Ruisi, Teacher, Effective Date, 10/24/12          Amarylis Tineo, Teacher, Effective Date, 10/24/12          Michael Whale, Teacher, Effective Date, 10/24/12          Timothy Young, Teacher, Effective Date, 10/24/12</p> <p><u>RAP Program –Fall and Spring MHS. 2012/3013</u></p> <p>Monica Castles , English, Effective Date 12/03/12          Kristen O’ Hagen, English, Effective Date 12/03/12          Michelle Rauscher, English, Effective Date, 12/03/12          Natasha Reynolds, English, Effective Date, 12/03/12          Michelle Thomson, English, Effective Date, 12/03/12          Kristin Burban, Math , Effective Date, 12/03/12          Christine Connell, Math ,Effective Date, 12/03/12          Jeffrey Furnman, Math, Effective Date , 12/03/12          Diane Pryor, Math, Effective Date , 12/03/12          Rachel Ruisi Language, Effective Date, 12/03/12          Diana Ryan, Language, Effective Date, 12/03/12          Eileen Sullivan, Language, Effective Date, 12/03/12          Krystal Annunziato, Science, Effective Date, 12/03/12          Florence Balay, Science, Effective Date, 12/03/12          Richard Baughan, Science, Effective Date, 12/03/12          Christopher Brescia , Science, Effective Date, 12/03/12          Shannon Kelly, Science, Effective Date , 12/03/12          Erik Kucich, Science, Effective Date, 12/03/12          Patrick Nolan, Science, Effective Date, 12/03/12          Tara Sukman, Science, Effective Date, 12/03/12          Charles Vessalico, Science, Effective Date, 12/03/12          Kerry Caputo, Social Studies, Effective Date, 12/03/12          Brian China, Social Studies, Effective Date, 12/03/12          Donald Dougherty, Social Studies, Effective Date, 12/03/12          Krystle Kelly, Social Studies, Effective Date, 12/03/12          Michael Whalen, Social Studies, Effective Date, 12/03/12          Gina Cappellino, Foreign Language, Effective Date, 12/03/12          Silvana Russo, Foreign Language, Effective Date, 12/03/12          Amarilys, Tineo, Foreign Language, Effective Date, 12/03/12          Genna Brancaccio, Special Education , Effective Date, 12/03/12          Michael Quagerelli, Special Education, Effective Date, 12/03/12          Lisa Staab, Special Education , Effective Date, 12/03/12</p> <p><u>Detention –MHS 2012/2013</u></p> <p>Christopher Brescia, After School Detention ,          Effective Date 10/1012</p>	<p><b>Approval of Curriculum Writing</b></p> <p><b>Approval of Mentoring for Success Program</b></p> <p><b>Approval of RAP Program Fall /Spring MHS</b></p> <p><b>Approval of Detention –MHS</b></p>
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REGULAR MEETING OF THE  
MALVERNE UNION FREE SCHOOL DISTRICT  
BOARD OF EDUCATION

MINUTES

Tuesday November 13, 2012

			<p><u>Malverne Teacher Center- 2012/2013-(Teacher Grant)</u></p> <p>Marguerite Izzo, Summer Hours, Effective Date, 7/01/12 Trish Medley , Summer Hours, Effective Date, 7/01/12 Michele Korber, Summer Hours , Effective 7/01/12 Marguerite Izzo, Co-Director-1/2 Effective Date 9/01/12 Effective Date Trish Medley, Co-Director ½ ,Effective Date 9/01/12 Michele Korber, Clerical Aide, Effective Date 9/01/12 Nancy Dean, Web Mistress, Effective Date 9/01/12 Bonnie Paley, Tech Support-MHS, Effective Date 9/01/12 Janis Romanoff, Instructor, Effective Date , 9/01/12</p> <p><u>Supplemental</u></p> <p>William Gillis Diane L. Maynard</p> <p><b>x- <u>OLD BUSSINESS</u></b> None</p> <p><b><u>XI NEW BUSINESS</u></b></p> <p><b>B.</b> BE IT HEREBY RESOLVED THAT the Board of Education of the Malverne Union Free School District approves the contract from <b>Philip Bongiorno, M.A. OTR/L</b> to provide occupational therapy services for the 2012/2013 school year.</p> <p>BE IT FURTHER RESOLVED that the Board authorizes the board president to execute said contract.</p> <p><b>C.</b> BE IT HEREBY RESOLVED THAT the Board of Education of the Malverne Union Free School District approves the contract from <b>St. Anne Institute</b> to provide educational services for the 2012-2013 school year.</p> <p>BE IT FURTHER RESOLVED that the Board authorizes the board president to execute said contract.</p> <p><b>D.</b> BE IT HEREBY RESOLVED THAT the Board of Education of the Malverne Union Free School District approves the contract from <b>Renaissance Learning Inc.</b> to provide professional development services for the 2012-2013 school year.</p> <p>BE IT FURTHER RESOLVED that the Board authorizes the board president to execute said contract.</p>	<p>Approval of Malverne Teacher Center</p> <p>Approval of supplemental</p> <p>Old Business None</p> <p>Approval of Contract from Philip Bongiorno, MA. OTR/L</p> <p>Approval of contract from St. Anne Institute</p> <p>Approval of contract from Renaissance Learning Inc.</p>
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MALVERNE UNION FREE SCHOOL DISTRICT  
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**Tuesday November 13, 2012**

Y	Y	Y	S	M	Y	<p><b>E.</b> WHEREAS, Board Policy 6122 provides for the implementation of regulations for the redress of staff complaints, and</p> <p>WHEREAS, the Districts Staff Complaint Regulations require the Board to appoint an impartial investigator where a complaint is lodged against a Board Trustee,</p> <p>Now, THEREFORE, BE IT RESOLVED, that the Board of Education hereby appoints the law firm of Ingerman Smith, LLP as impartial investigator to conduct an investigation regarding staff complaints against a Board Trustee, which were previously reviewed by the members of the Board of Education</p> <p>Josephine Bottitta motioned to approve Item XI .E as a separate vote Seconded by Michael Taylor 4 Yes ,No, Abstained Motion Carried Gina Genti was not able to participate in this vote</p>	<p><b>Approval of Appointment of Ingerman Smith, LLP as impartial investigator to conduct an investigation regarding staff complaints against a Board Trustee</b></p>
						<p><b>F.</b> BE IT HEREBY RESOLVED that the Board of Education of the Malverne Union Free School District approves Governor Cuomo to include the Malverne Union Free School District in an Executive Order for the purposes of extending the deadline for school taxes by 21 days, from the date such taxes are currently due: November 13, 2</p> <p style="text-align: center;"><b>RESOLUTION TO AMEND THE MALVERNE UFSD 403(b) RETIREMENT PLAN</b></p>	<p><b>Approval of Executive order to Extend the deadline For school taxes</b></p>
						<p><b>G.</b> WHEREAS, the Malverne UFSD (“Employer”) maintains the Malverne UFSD 403(b) Retirement Plan Document (“Plan”); and</p> <p>WHEREAS, the Plan was duly adopted on the 12<sup>th</sup> day of December 2008 by the Employer; and</p> <p>WHEREAS, the Employer desires to conform the Plan to the requirements of the Heroes Earnings Assistance and Relief Act of 2009 (“HEART”) and the Worker, Retiree and Employer Recovery Act of 2008 (“WRERA”);</p> <p>NOW, THEREFORE, BE IT RESOLVED that sections <b>1.16 Includible Compensation, 1.24 Severance from Employment, 4.1 Loans, and 5.3 Minimum Distributions</b>, of the Plan are hereby amended to read as follows:</p> <p><b>1.16 Includible Compensation</b> An Employee's actual wages in box 1 of Form W-2 for a year for services to the Employer, but subject to a maximum of \$200,000 (or such higher maximum as may apply under Section 401(a)(17) of the Code)</p>	<p><b>Approval of amendment Of The Malverne UFSD 403 Retirement Plan</b></p>

**REGULAR MEETING OF THE  
MALVERNE UNION FREE SCHOOL DISTRICT  
BOARD OF EDUCATION**

**MINUTES**

**Tuesday November 13, 2012**

and increased (up to the dollar maximum) by any compensation reduction election under Section 125, 132(f), 401(k), 403(b), or 457(b) of the Code (including any Elective Deferral under the Plan). The amount of Includible Compensation is determined without regard to any community property laws. Beginning in 2009 and thereafter, such term also includes any "differential pay" that may be received while performing qualified military service under Section 414(u) of the Code.

**1.24 Severance from Employment**

For purpose of the Plan, Severance from Employment means severance from employment with the Employer and any Related Entity. However, a Severance from Employment also occurs on any date on which an Employee ceases to be an employee of a public school, even though the Employee may continue to be employed by a Related Employer that is another unit of the State or local government that is not a public school or in a capacity that is not employment with a public school (e.g., ceasing to be an employee performing services for a public school but continuing to work for the same State or local government employer). Notwithstanding any provision to the contrary, a Participant is treated as having a severance from employment during any period that such individual is performing service in the uniformed services described in Code §3401(h)(2)(A).

**4.1 Loans**

Loans shall be permitted under the Plan to the extent permitted by the Individual Agreements controlling the Account assets from which the loan is made and by which the loan will be secured. Any such loans shall satisfy the requirements of Code section 72(p) and applicable Treasury Regulations.

Loan applications shall be reviewed and authorized by the Employer's agent, i.e. third party administrator, and said agent shall inform the Service Provider of such authorization so as to proceed with the Service Provider's process of issuance of the loan.

Information Coordination Concerning Loans. Each Service Provider is responsible for all information reporting and tax withholding required by applicable federal and state law in connection with distributions and loans. To minimize the instances in which Participants have taxable income as a result of loans from the Plan, the Administrator shall take such steps as may be appropriate to coordinate the limitations on loans set forth in this Section, including the collection of information from Service Providers, and transmission of information requested by any Service Provider, concerning the outstanding balance of any loans made to a Participant under the

**REGULAR MEETING OF THE  
MALVERNE UNION FREE SCHOOL DISTRICT  
BOARD OF EDUCATION**

**MINUTES**

**Tuesday November 13, 2012**

Plan or any other plan of the Employer. The Administrator shall also take such steps as may be appropriate to collect information from Service Providers, and transmission of information to any Service Provider, concerning any failure by a Participant to repay timely any loans made to a Participant under the Plan or any other plan of the Employer.

**Maximum Loan Amount.** No loan to a Participant under the Plan may exceed the lesser of:

(a) \$50,000, reduced by the greater of (i) the outstanding balance on any loan from the Plan to the Participant on the date the loan is made or (ii) the highest outstanding balance on loans from the Plan to the Participant during the one-year period ending on the day before the date the loan is approved by the Administrator (not taking into account any payments made during such one-year period); or

(b) One half of the value of the Participant's vested Account Balance (as of the valuation date immediately preceding the date on which such loan is approved by the Administrator).

For purposes of this Section 4.1, any loan from any other plan maintained by the Employer and any Related Employer shall be treated as if it were a loan made from the Plan, and the Participant's vested interest under any such other plan shall be considered a vested interest under this Plan; provided, however, that the provisions of this paragraph shall not be applied so as to allow the amount of a loan to exceed the amount that would otherwise be permitted in the absence of this paragraph.

**Loan Repayments for Employees in Qualified Uniformed Service.** Notwithstanding any other provision of an applicable Individual Agreement, loan repayments by eligible uniformed services personnel maybe suspended as permitted under Section 414(u)(4) of the Code and the terms of any loan shall be modified to conform with such requirements.

**5.3 Minimum Distributions**

Each Individual Agreement shall comply with the minimum distribution requirements of Section 401(a)(9) of the Code and the regulations thereunder. For purposes of applying the distribution rules of Section 401(a)(9) of the Code, each Individual Agreement is treated as an individual retirement account (IRA) and distributions shall be made in accordance with the provisions of Section 1.408-8 of the Income Tax Regulations, except as provided in Section 1.403(b)-6(e) of the Income Tax Regulations. Notwithstanding the preceding, any distributions otherwise required under this section



**REGULAR MEETING OF THE  
MALVERNE UNION FREE SCHOOL DISTRICT  
BOARD OF EDUCATION**

**MINUTES**

**Tuesday November 13, 2012**

				<p>for the 2009 tax year are waived in accordance with the provisions of the Worker, Retiree and Employer Recovery Act of 2008, unless such waiver cannot be accommodated under the Individual Agreement that governs a Participant's Account.</p> <p>BE IT FURTHER RESOLVED that the Plan shall include the following new sections <b>5.7 Qualified Military Service Distributions</b> and <b>9.12 Qualified Military Service Benefits</b>:</p> <p><b>5.7 Qualified Military Service Distributions</b> Any Participant whose employment is interrupted by qualified uniformed service in the military under section 414(u) of the Code and dies or incurs a Disability while so serving shall be deemed to have resumed employment with the Employer on the day preceding such death or Disability and then to have incurred a Severance From Service on the actual date of death or Disability.</p> <p>Any Participant that takes a distribution from the Plan under Section 414(u) following an interruption in employment that qualifies as qualified uniformed service thereunder may not make Elective Deferrals for a period of six (6) months following the date such distribution occurred.</p> <p><b>9.12 Qualified Military Service Benefits</b> Notwithstanding any other provision of this Plan, any Participant whose employment is interrupted by qualified uniformed service in the military under section 414(u) of the Code shall be entitled to all rights, benefits and protections afforded to such individuals thereunder, and such provisions are incorporated into this Plan. Uniformed services by any individual shall be determined as described in section 3401(h)(2)(A) of the Code.</p> <p>BE IT FURTHER RESOLVED that this amendment is effective as required under HEART and WRERA IN WITNESS WHEREOF, the Employer has caused this Amendment to be adopted this <u>13<sup>th</sup></u> day of <u>November, 2012.</u></p> <p><b>H.</b> Be it hereby resolved that the Board of Education of the Malverne UFSD approves the execution of a subordination of an outstanding judgment against Sholana Smith, and hereby authorizes the President of the Board to execute the necessary documents to accomplish same</p> <p>Micheal Taylor motioned to accept the execution of subordination Seconded by Josephine Bottitta 5 Yes, 0No Motion carried</p>	<p style="text-align: center;"><b>Approval of execution of subordination</b></p>
Y	Y	M Y	Y	S Y	

**REGULAR MEETING OF THE  
MALVERNE UNION FREE SCHOOL DISTRICT  
BOARD OF EDUCATION**

**MINUTES**

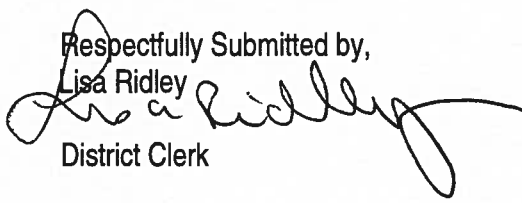
**Tuesday November 13, 2012**

Y	Y	S Y	Y	Y	M	<p><b>XII. <u>POLICY</u></b></p> <ul style="list-style-type: none"> <li>• 1<sup>st</sup> Reading of new Policy <b>5220A</b>-Extraclassroom Activities Fund General Policies and Internal Control for the Operation of Activity Funds.</li> <li>• 1<sup>st</sup> Reading of Use of Buildings Policy –Tabled</li> </ul> <p>Danielle Hopkins motioned to approve the Curriculum Matters /Student Services Michael Taylor , seconded 5 Yes, 0 No. Motion carried</p> <p><b>XIII <u>CURRICULUM MATTERS/STUDENT SERVICES</u></b></p> <p>BE IT HEREBY RESOLVED that the Board of Education approves the recommendations at the November 13, 2012 Board of Education meeting made by the Committee on Special Education for meetings held on 7/11/2012, 9/25/2012, 10/15/2012, and 10/24/12</p> <p>BE IT FURTHER RESOLVED that the Board of Education approves the recommendations made by the Subcommittee on Special Education for meetings held on, 10/172012.and by the Committee on Preschool Special Education for meetings held on 8/21/2012, 10/03/2012 and 10/11/2012.</p> <p><b>XIV – <u>GENERAL DISCUSSION</u></b></p> <p>Gina Genti asked a transportation question to our Board Counsel regarding transportation</p> <p>Board President Marguerite O’Connor announced to the Public the following dates to remember</p> <p><u>November 15</u> Fall Athletic Awards Ceremony –MHS-Gym @7pm</p> <p><u>November 22-23</u> Thanksgiving Recess- Schools Closed</p> <p><u>November 30</u> MHS- Marching Band Dinner –MHS Gym @7pm</p> <p><u>December 11</u> Board of Education Meeting –MHS Library @8pm</p> <p><u>December 19</u> Budget Development Forum –HTH Auditorium @7pm</p>	<p>Acceptance of 1<sup>st</sup> reading of new policy 5220A as written</p> <p>Use of Buildings Policy were tabled</p> <p>Approval of Curriculum Matters And Student Services</p> <p>General Discussion</p>	

**REGULAR MEETING OF THE  
MALVERNE UNION FREE SCHOOL DISTRICT  
BOARD OF EDUCATION**

**MINUTES**

**Tuesday November 13, 2012**

					<p><b>XV- <u>PUBLIC PARTICIPATION</u></b></p> <p>A MHS student of the district asked if bowling could be put into the budget next year.</p> <p>The Malverne Education and Fitness Foundation made a presentation to Frazer and Feldman for their sponsorship of the annual 5k Run.</p> <p>A. resident of the district asked a question about the STAR testing results.</p> <p>A resident of the district made a recommendation that the district form a district curriculum committee.</p> <p>A resident of the district asked a question regarding the amendment to the Malverne UFSD 403(b) retirement plan.</p>	<p><b>Public Participation</b></p>
M					<p><b>XVI <u>ADJOURNMENT</u></b></p> <p>Marguerite O'Connor motioned to adjourn the meeting at 9.35pm Seconded by Danielle Hopkins 5 Yes, 0 No. Motion carried</p> <p>Respectfully Submitted by, Lisa Ridley  District Clerk</p>	<p><b>Approval of Adjournment</b></p>
Y	S Y	Y	Y	Y		