

CHENANGO VALLEY CENTRAL SCHOOL DISTRICT

Regular Board of Education Meeting
December 16, 2009

The regular monthly meeting of the Board of Education of the Chenango Valley Central School District, Broome County, New York, was held in the Chenango Valley Middle School Cafeteria, 221 Chenango Bridge Road, Binghamton, New York, Town of Fenton, on Wednesday, December 16, 2009.

The following members of the Board of Education were present: Gerald G. Abbey, Jr., Gerard M. Cooney, Jr., James DeGennaro, Stuart W. Elliott, Lynn M. Kaufman (arrived at 6:25 p.m.), James W. Penwell, President, Steven Randall (arrived at 6:24 p.m.), Maureen A. Roberts and Everett Vail, Vice President.

Also present was Dr. Thomas J. Douglas, Superintendent of Schools, Elizabeth I. Donahue, School Business Executive and Susan M. Cirba, District Clerk.

Motion by Vail, Seconded by DeGennaro:

Open Meeting
6:21 p.m.

RESOLVED, that the regular meeting be convened to Open Session at 6:21 p.m.

Abbey	<u>YES</u>	Elliott	<u>YES</u>	Roberts	<u>YES</u>
Cooney	<u>YES</u>	Kaufman	<u>ABS</u>	Vail	<u>YES</u>
DeGennaro	<u>YES</u>	Randall	<u>ABS</u>	Penwell	<u>YES</u>

MOTION CARRIED.

Motion by Vail, Seconded by Roberts:

Executive Session
6:22 p.m.

RESOLVED, that the meeting be adjourned to Executive Session at 6:22 p.m. for the purpose of discussing contractual negotiations and the employment of a particular employee.

Abbey	<u>YES</u>	Elliott	<u>YES</u>	Roberts	<u>YES</u>
Cooney	<u>YES</u>	Kaufman	<u>ABS</u>	Vail	<u>YES</u>
DeGennaro	<u>YES</u>	Randall	<u>ABS</u>	Penwell	<u>YES</u>

MOTION CARRIED.

S Randall &
L.Kaufman
arrived

Motion by Randall, Seconded by Abbey:

Open Session
7:16 p.m.

RESOLVED, that the meeting be reconvened to Open Session at 7:16 p.m.

Abbey	<u>YES</u>	Elliott	<u>YES</u>	Roberts	<u>YES</u>
Cooney	<u>YES</u>	Kaufman	<u>YES</u>	Vail	<u>YES</u>
DeGennaro	<u>YES</u>	Randall	<u>YES</u>	Penwell	<u>YES</u>

MOTION CARRIED.

Regular Board of Education Meeting, December 16, 2009

Item #1, President, Mr. James W. Penwell, opened the regular meeting at 7:18 p.m.

Pledge
7:18 p.m.

Item #2, Mrs. Susan M. Cirba, District Clerk, led the Pledge of Allegiance.

Item #3, Mr. Gerard M. Cooney, Jr. was noted as absent.

Item # 4, Motion by Randall, Seconded by Roberts:

Approval
Minutes

RESOLVED, that the **Minutes** of the meeting of **November 18, 2009** be received and placed on file.

Abbey	<u>YES</u>	Elliott	<u>YES</u>	Roberts	<u>YES</u>
Cooney	<u>YES</u>	Kaufman	<u>YES</u>	Vail	<u>YES</u>
DeGennaro	<u>YES</u>	Randall	<u>YES</u>	Penwell	<u>YES</u>

MOTION CARRIED.

Item #6, President's Report –

Item #6

- Mr. James Penwell and Mr. Everett Vail attended BT BOCES President and Vice President round table discussion conference.
- Mr. Penwell stated a meeting was held with the Office of State Comptroller's Office and the audit will be announced in a few weeks.
- The Board of Education retreat was held in early December and felt it was a productive session. Mr. Penwell would like to have another retreat in the spring.
- Mr. Penwell asked School Business Executive, Mrs. Elizabeth I. Donahue to consider reformatting the financial statements for easier understanding.
- A future discussion on the regents' results was noted.
- Mr. Penwell acknowledged cards of thanks from the Chenango Valley Alumni Dinner recipients.

Item #5, Superintendent's Report –

Item #5

- Dr. Thomas J. Douglas reported that he attended the District's holiday concerts. What a wonderful time of year it has been bringing parents, grandparents and staff together for outstanding musical performances. All concerts were packed houses and Dr. Douglas extended a thank you to the music department.
- Mrs. Dewey, the fire inspector has reviewed all buildings in the District and found two power cords that need to be replaced. The inspection stated the District has improved consistently especially over the last four years.
- Dr. Douglas announced Chenango Valley is proud of Samantha Blinks who attended Washington Young Leadership Conference in Washington DC.
- Bus Dismissal at Chenango Bridge and Port Dickinson are now on schedule so that all buses leave at the same time. It is more orderly as the teachers escort the students to the buses.
- The NYS Supreme Court announced that due to Star Rebate delay the aide payment will be delayed as well. Dr. Douglas suggested now is the time to participate in local government.
- Lastly, Dr. Douglas stated he enjoyed the Board of Education retreat as it develops better understanding between members and the superintendent.

Item #7, Committee Reports, no reports given.

Item #7

Item #8, Recognition of Visitors, Mrs. Trina Vavra was recognized.

Item #8

Item #9A, Internal Audit Presentation was presented by Mr. Stanley Cwynar from Cwynar & Associates. Mr. Cwynar discussed the first page opinion letter. He recommended that the Central Business Office use a SAS 70 control report along with the positive pay system. No correction action plan needed.

Item #9

Item # 10 Action Items / Finances

Item #10
Finances

Motion by Abbey, Seconded by Vail:

RESOLVED, that based upon a recommendation by Dr. Thomas J. Douglas, Superintendent of Schools, the Board of Education approve **Specimen Resolutions 10(A)(1) – 10(A)(9) REVISED.**

10(A)(1) Approval of Treasurer’s Report

RESOLVED, that the **Report of the Treasurer** for the month ending **October 31, 2009** be received and placed on file.

10(A)(2) Approval of Statement of Indebtedness, 2009-2010 Report

RESOLVED, that the Board of Education approve the **Statement of Indebtedness** as attached.

10(A)(3) Approval of Year-to-Date Budget Status Report

RESOLVED, that the Board of Education approve the **Budget Status Report** as attached through **October 31, 2009.**

10(A)(4) Corrective Action Plan for Extracurricular Classroom Activity Audit

RESOLVED, that the Board of Education accept the Corrective Action Plan for the Extracurricular Classroom Activity Audit by the auditing firm of Ciaschi, Dietershagen, Little, Mickelson & Company, LLP for the 2008-09 school year, and

BE IT FURTHER RESOLVED that the Clerk of the Board of Education be instructed to forward a copy of the Corrective Action Plan and resolution to: NYS Education Department, Office of Audit Services, 89 Washington Avenue, Room 524EB, Albany, NY 12234.

10(A)(5) Tax Collector’s Report

RESOLVED, that whereas the Collector has returned to the Board of Education pursuant to the warrant, unpaid taxes and has rendered this account hereas required by Law, and

BE IT FURTHER RESOLVED that the same be received and be forwarded to the County Treasurer of the sum due the district as shown by said report and as required by Law, and BE IT FURTHER RESOLVED that the President be authorized to sign on behalf of the Board of Education and directed to execute said return.

10(A)(6) Municipal Cooperation Agreement for Energy Purchasing Services

WHEREAS, Article 5-G of the New York State General Municipal Law authorizes municipal corporations to enter into cooperative agreements for the performance or exercise of services, functions, powers or activities on a cooperative or contract basis among themselves or one for the other,

WHEREAS, Section 119-n of the General Municipal Law defines the term “municipal corporation” for the purposes of Article 5-G as a county outside the city of New York, a city, a town, a village, a board of cooperative educational services, a fire district or a school district;

Item #10 Finances, Cont'd.

WHEREAS, Chenango Valley Central School District is a “municipal corporation” as defined above;

WHEREAS, this Board wishes for this municipal corporation to become or remain a Participant pursuant to the Municipal Cooperation Agreement for Energy Purchasing Services dated the 1st day of May, 2005 (the “Agreement”), among municipal corporations collectively identified as the New York School and Municipal Energy Consortium (“NYSMEC”) upon the terms of the Agreement and further wishes to authorize participation as an energy consumer for natural gas and/or electricity as specified below.

NOW THEREFORE, BE IT RESOLVED that the Board hereby determines that it is in the interests of the Chenango Valley Central School District (hereinafter “Participant”) to participate in the NYSMEC, authorizes and directs James W. Penwell, Board of Education President, to sign the Agreement and/or the Billing schedule for [natural gas][electricity][natural gas and electricity] pursuant to the Agreement for the term ending April 30, 2012 for all natural gas participants; and April 30, 2012 for all electric participants on its behalf and further authorizes its officers and employees to execute such other documents and take such other actions as may be necessary or appropriate to carry out the intent of this resolution; and

BE IT FURTHER RESOLVED that the Participant agrees to participate in the future municipal cooperative bids for the purchase and delivery of natural gas and/or electricity pursuant to the Agreement and subject to subsequent approval by this Board.

BE IT FURTHER RESOLVED that the Participant authorizes the Administrative Participant (as defined in the Agreement) to prepare, advertise, disseminate and open bids and to award contracts for the purchase and delivery of natural gas and/or electricity on behalf of the Participant, subject to subsequent approval by this Board in accordance with such bid specification, to the lowest responsible bidder as is determined by the Administrative Participant or to reject any or all such bids; and

BE IT FURTHER RESOLVED that the Participant agrees to advertise said bid as may be directed by the Administrative Participant; and

BE IT FURTHER RESOLVED that the officers and employees of Participant are authorized to execute such other documents and take such other actions as may be necessary or appropriate to carry out the intent of this resolution.

10(A)(7) Medicaid Compliance Policy

MEDICAID COMPLIANCE POLICY

All School District practices regarding Medicaid claims for services must be in compliance with all applicable federal and New York State laws and regulations to prevent, detect, and report incidents of Medicaid non-compliance, fraud and abuse. The School District is required to develop and implement an effective Compliance Program. The Administration shall develop such a program to meet the requirements of applicable laws and regulations and communicate it to all affected personnel.

The (identify title of person who is the designated compliance officer) shall perform the duties of the Compliance Officer. The Compliance Officer shall report to the Board of Education and the Superintendent.

Reference: New York State Public Health Law §32. New York State Social Services Law §3634
New York State Regulations 18 NYCRR § 521.3

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The School District has a legal obligation to exercise diligence, care, and integrity when submitting Medicaid claims for payment for services rendered. Honest, fair, and accurate billing practices shall be maintained.

Item #10 Finances, Cont'd.

Employees, non-employees and contractors involved in the provision of, or claiming federal Medicaid financial compensation or reimbursement for, school and preschool supportive health services are required to comply with the governing federal and State statutes and regulations and School policy and procedures. Failure to do so may result in adverse consequences to them.

Medicaid claims shall be submitted only for necessary services provided, as supported by appropriate documentation. Billings should not be duplicated to create overpayment. Proper and timely documentation of services provided must be maintained. Claims will be considered only when such documentation is maintained and available for review.

Compensation for any employee or service provider shall not include any financial incentive to make claims. No employee or service provider shall knowingly and willfully offer, pay, solicit or receive any remuneration, directly or indirectly, in return for referrals or to induce referrals, or to arrange for or recommend goods, facilities, services or items for which payment may be made under the Medicaid program.

Services will not be billed unless the provider has certified that the services were provided, and appropriate documentation completed in compliance with Federal and State laws, regulations, and School District policy and procedures.

When a provider submits such certification, the provider is certifying that there is sufficient documentation to support the claim and that (1) all services reported were personally provided or personally supervised; (2) such services were necessary and appropriate; and (3) the rendering of such services, the coding or charging for these services, and the documentation of such services have all been performed in accordance with federal and State laws and regulations and School District policy and procedures.

Speech services shall not be billed unless those services are provided by a licensed speech pathologist or provided under the direct supervision of a qualified speech pathologist. Any individuals working under the direction of a qualified speech pathologist must be given contact information to enable them to directly communicate with the supervising speech pathologist as needed during treatment.

Transportation may not be billed unless the provider can clearly document the child's attendance on the vehicle for eligible services on the specific day being billed.

Counseling services may not be billed unless provided by a professional whose credentials allow that same service outside of school.

The School District will attempt to ensure that all claims for services are accurate, properly documented, and correctly identify the services performed or provided.

All employees and service providers are required to report suspected fraud or abuse or other non-compliance problems. Even unintentional errors or mistakes, as they constitute noncompliance, must be reported so that corrections can be made. Failure to report suspected fraud, abuse or other noncompliance, assisting or participating in fraud, abuse or other non-compliant behavior, or encouraging, directing, permitting or facilitating such activities whether actively or passively will result in disciplinary action.

Suspected fraud, abuse or other non-compliance problems must be reported to the Compliance Officer. If the Compliance Officer is not available, the report should be made to the Superintendent of Schools. If the suspected violation is on an organization-wide level or by the Administration, the report should be made to the President of the Board of Education.

Monies obtained from any federal or state funded healthcare programs that clearly represent overpayments are monies which must be returned promptly.

Item #10 Finances, Cont'd.

SCHOOL DISTRICT COMPLIANCE OFFICER

Responsibility for monitoring the School District's Compliance Program shall be vested in [Insert administrative title of person designated as Compliance Officer, Address, Telephone Number, and e-mail address].

The contact information for the Compliance Officer shall be posted in each school building and on the District's website. The duties of the Compliance Officer shall include, but not be limited to:

1. Overseeing and monitoring compliance activities;
2. Reporting regularly to the Superintendent and periodically to the Board of Education;
3. Establishing procedures to improve efficiency and to reduce vulnerability to fraud, abuse and waste;
4. Ensuring that the Compliance Program is implemented and evaluated periodically;
5. Developing, coordinating, conducting, and participating in a multifaceted educational and training program that focuses on elements of the Compliance Program, and seeks to ensure that all appropriate employees and service providers, administrators and Board of Education members are knowledgeable of, and compliant with, pertinent federal and State requirements;
6. Educational and training programs shall occur periodically and shall be made a part of the orientation for any new employee, service provider, administrator, and Board of Education member;
7. Coordinating internal and external auditing of all compliance requirements on a periodic basis;
8. Establishing and administering a reporting system that is available to report any suspected illegal conduct or other conduct that violates applicable law, regulation, or School District guidelines;
9. Developing and publishing notices that encourage the reporting of all suspected fraud and other improprieties without fear of retaliation;
10. Investigating any report or allegation concerning possible unethical or improper business practices and monitoring subsequent action and compliance;
11. Monitoring any and all fraud alerts issued by the Office of the Medicaid Inspector General;
12. Monitoring the website of the Office of the Medicaid Inspector General for Compliance Program guidelines, including any Compliance Program template, and revising the School District's Compliance Program if necessary; and
13. If, at any time, the District provides care or submits claims for care, services or supplies that are or are expected to be a "substantial portion" (as defined by 18 NYCRR 521.2) of its operations, during the month of December of every school year the Compliant Officer shall provide the Superintendent of Schools with the certification form provided by the Office of the Medicaid Inspector General on its website, if one is available, which the Superintendent of Schools shall submit certifying that an effective compliance program meeting the requirements of the regulations is in place.

STATE COMPLIANCE OFFICER

1. Any employee who believes that any practice or billing procedure related to Medicaid reimbursement of school or preschool supportive health services is inappropriate, may send information concerning such practice or billing procedure in writing to **State Compliance Officer, New York State Department of Health, Office of General Counsel, 90 Church St., 4th floor, New York, NY 10007 Telephone 212-417-4393, Facsimile-212-417-4392, ref01@health.state.ny.us**. Disclosure may be made anonymously. Any oral communication alone of any such allegation will not be sufficient to require any further action to be initiated under the Confidential Disclosure Policy procedures.
2. The State Compliance Officer will send any disclosures to the relevant state agency and to the implicated local school district if any. If the State Compliance Officer is aware of the employee's identity, it will not be revealed to any other person without the employee's written consent provided by U.S. mail, courier service, e-mail or facsimile transmission.

3. The relevant State agencies and the School District shall undertake a review of the practice described in the disclosure without attempting to uncover the identity of the complaining employee and shall determine: (a) whether the allegations are credible, (b) whether any federal or State statute, regulation or policy pertaining to any practice or billing procedure related to Medicaid reimbursement of school or preschool supportive health services has been violated, and (c) whether any such violation is systemic or was limited to one or a small number of cases.

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4. The relevant State agencies and the School District shall address any violation found during the review, whether systemic or limited, in a manner designed to avoid a similar violation in the future and to remedy the effect of the violation in the cases in which it was found to have occurred. If the review determines the violation was systemic, the relevant State agencies and the School District shall take all steps necessary to identify the cases in which the violation occurred and then to remedy the effect of the violation in those cases.

5. Within 90 days of receiving notice from the State Compliance Officer of the information provided by an employee, the relevant State agencies and the School District shall: (a) complete the review of such allegations and any remedial plan required as a result of such review and (b) provide to the State Compliance Officer a written description of the review, the remedial plan and all actions taken pursuant to such plan. In the event the relevant State agencies and the School District determine the allegations are not credible, the written response shall describe the bases for such determination. The written document shall identify the individual(s) at the relevant State agencies and the School District who were responsible for approving the review, the remedial plan and all action taken pursuant to such plan, including the name, job title, telephone number, mailing address, e-mail address and fax number of the person(s) who took such action.

6. If the State Compliance Officer is not satisfied with the review, the remedial plan, or the actions taken pursuant to such plan, the State Compliance Officer may discuss the matter with the relevant State agencies and the School District to resolve these concerns. In addition, the State Compliance Officer may request that the Audit Unit of Department of Health's Division of Administration undertake an audit to determine: (a) whether a violation occurred; (b) whether any such violation has been remedied; and (c) whether the remedial action is sufficient to prevent similar violations in the future.

7. In the event the employee's identity becomes known to a State agency or the School District, or to an employee of such agency or School District no adverse employment action of any type shall be taken against such employee because information was provided to the State Compliance Officer or to a person conducting a review of the disclosure.

8. The relevant State agencies and the School District shall include in every training any of them provides (a) a description of the Confidential Disclosure Policy procedures described above; (b) the name, mailing address, e-mail address and fax number of the State Compliance Officer and School District Compliance Officer; and (c) an assurance that no adverse employment action of any type will be taken against an employee because information was provided to the State Compliance Officer and School District or to a person conducting a review concerning alleged inappropriate practices or billing procedures related to Medicaid reimbursement of school or preschool supportive health services.

EDUCATION AND TRAINING

The School District's Compliance Program requires compliance and ethics training for all employees and service providers associated with Medicaid services and claims. This training will emphasize the School District's commitment to compliance with all federal and state laws, regulations, and guidelines. This training will be conducted on an annual basis, with a minimum of two hours of training, at least one hour shall include any program provided by the New York State School Supportive Health Services Program Compliance Agreement and one hour specific to District compliance issues and the implementation of the Program to ensure all such employees and service providers fully comprehend the implications of failing to comply with the School District's Compliance Program.

Mandatory training will include compliance, prevention of fraud and abuse, whistleblower protections, ethical standards, confidentiality, and conflicts of interest. All affected employees and service providers must attend an initial training session following hire and participate in ongoing, routine training sessions thereafter as required. As new developments or concerns arise, the Compliance Officer may require additional training sessions.

Item #10 Finances, Cont'd.

All compliance training must be documented. The Compliance Officer will maintain all such documentation signed by those attending any training session. All affected employees and service providers must sign an Acknowledgement Form at initial training, and thereafter when any updates of those documents are received.

Education and training will cover the School District's Compliance Program, and will reinforce the requirement that strict compliance with the Compliance Program is a condition of employment. Employees will be informed that failure to comply with the Compliance Program may result in disciplinary action up to and including termination.

In addition to compliance and ethics training, the need for periodic continuing education, which may be required by law or regulations, will be provided for affected personnel. The School District will post in common work areas and other prominent places a notice reminding all affected individuals of the School District's commitment to compliance with all federal and State laws and regulations regarding Medicaid claims and services.

COMMUNICATION - ACCESS TO COMPLIANCE OFFICER

The identity of individuals who make good faith report of potential compliance issues to the Compliance Officer is confidential.

Reports that suggest violations of the Compliance Program will be maintained by the Compliance Officer in a log and will be investigated promptly by the Compliance Officer to determine their validity. The Compliance Officer will report the findings to the Superintendent and Board of Education for possible further investigation of and possible corrective action regarding each compliance issue.

Identifying and reporting compliance issues may also be made directly to the State Compliance Officer identified above.

PROHIBITION OF INTIMIDATION OR RETALIATION

No adverse employment action, retaliation, or intimidation against such individuals for making such reports or who in good faith discloses a practice that violates any law, regulation, or guideline, initiates, cooperates or participates in an investigation, or objects to or refuses to participate in any activity, policy or practice that violates any law, regulation, or guideline shall be permitted.

Persons who engage in such actions may be disciplined up to and including termination from employment.

A person who believes that they are subjected to such actions is encouraged to immediately report it to the Compliance Officer.

INVESTIGATING, REPORTING AND CORRECTING IDENTIFIED PROBLEMS

Any and all reports of violations of the School Districts Compliance Program regarding Medicaid claims and services will be investigated. The Compliance Officer or designee will conduct an investigation. The investigation will be done promptly and will be conducted under advice of legal counsel as deemed necessary. The purpose of the investigation will be to determine if any violation has occurred. If a violation has occurred, steps will be taken promptly and thoroughly to remedy the violation. The investigation may include interviews, review of relevant documents, and any other information deemed necessary to conduct a thorough investigation. Outside auditors or legal counsel may be retained to assist when deemed necessary. If at the completion of the investigation disciplinary action is required, discipline will be imposed in accordance with applicable law, regulation, and collective bargaining agreement. Law enforcement will also be informed if the conduct may have violated criminal law.

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Cont'd.

The Compliance Officer will direct that appropriate corrective action be taken to prevent similar violations of the Compliance Program from recurring. Any issue for which corrective action was directed to be taken shall be specifically targeted for monitoring and review in future audits.

DISCIPLINARY ACTION

Failure to comply with the Compliance Program may result in disciplinary action. Discipline may include, discipline of individuals who fail to report known non-compliant conduct, discipline of individuals involved in non-compliant conduct, discipline of individuals involved in encouraging, directing, facilitating, or permitting either actively or passively non-compliant behaviors, discipline of supervisors if the misconduct reflected misconduct, poor supervision or lack of diligence, discipline of individuals who intentionally make false statements. Discipline may include termination of employment.

AUDITING AND MONITORING

The Compliance Program requires a thorough monitoring of its implementation. Annual audits will be performed. Audits will be internal and, as appropriate, external. Audits will be designated and implemented to ensure compliance with the Compliance Program and all applicable federal and State laws and regulations and School District policies and procedures.

Compliance audits will include:

1. Internal reviews;
2. Interviews with personnel involved in Medicaid services and claims, management, operations, billing, and other related activities; and
3. Review of written materials and documentation utilized in Medicaid services and claims;
4. Identification of compliance risk areas specific to the provider type, self-evaluation of such risk areas, credentialing of providers and persons associated with providers, mandatory reporting, governance and quality of care of medical assistance program beneficiaries.
5. A review of billings, payments, medical necessity and quality of care, governance, mandatory reporting, credentialing and other risk areas that are or should with due diligence be identified.
6. Review of the District's training and education program, the effectiveness of the District's dedicated communication lines and the District's disciplinary procedures under the Program.

Formal audit reports will be prepared and submitted to the Compliance Officer, the Superintendent, and the Board of Education by November 30 of each school year to ensure that the School District is aware of the results and can take appropriate steps to correct problems and prevent them from recurring. The audit reports will specifically attempt to identify areas where corrective action is needed. Subsequent audits or studies will be used to ensure that the recommended corrective actions have been effectively implemented.

10(A)(8) Contract with Cayuga-Onondaga BOCES for Negotiating Personnel Contracts

Item #10
Finances,
Cont'd.

RESOLVED, based upon the recommendation of the Superintendent of Schools, Dr. Thomas J. Douglas, that the Chenango Valley Board of Education enter into a cross-contract with the Cayuga-Onondaga BOCES Office of Personnel Relations in order to provide ongoing negotiating and labor relation services.

10(A)(9) Universal Plan Amendment –REVISED

Plan Amendment

Whereas, the Chenango Valley Central School District (the “District”), adopted a 403(b) Retirement Plan pursuant to written agreement effective as of January 1, 2009 (the “Plan”); and

Whereas, the Plan is intended to comply with the requirements of § 403(b) of the Internal Revenue Code of 1986, and the regulations promulgated thereunder; and

Whereas, the District desires to revise the Plan, through the adoption of the following amendment, to conform to the requirements of the Code.

NOW, THEREFORE, BE IT

RESOLVED, that Section 2.1 of the Plan is amended, in its entirety, to read as follows:

“2.1 Eligibility

Each Employee shall be eligible to participate in the Plan and elect to have Elective Deferrals made on his or her behalf hereunder immediately upon becoming employed by the Employer.”

BE IT FURTHER RESOLVED, that the Superintendent and other appropriate officers of the District and hereby authorized and directed to execute this amendment and to take such further action and execute such further documents as may be necessary or useful in effectuating this resolution; and

BE IT FURTHER RESOLVED, that this resolution shall be effective as of January 1, 2010 with respect to all Employees by the Employer on and after that date.

IN WITNESS THEREOF, the District has caused this Resolution and Amendment to be adopted this 16th day of December, 2009.

Chenango Valley Central School District

By _____

Name _____

Title _____

Abbey	<u>YES</u>	Elliott	<u>YES</u>	Roberts	<u>YES</u>
Cooney	<u>YES</u>	Kaufman	<u>YES</u>	Vail	<u>YES</u>
DeGennaro	<u>YES</u>	Randall	<u>YES</u>	Penwell	<u>YES</u>

MOTION CARRIED.

Motion by Vail, Seconded by Randall:

RESOLVED, that based upon a recommendation by Dr. Thomas J. Douglas, Superintendent of Schools, the Board of Education approve **Specimen Resolutions 10(B)1 – 10(B)2**.

<u>Prof. Pers.</u>
▪ Subs Additions
▪ Retirement
M. Guley

10(B)1 Additions – Substitute Teacher Roster, 2009-2010 School Year

RESOLVED, based upon the recommendation of Dr. Thomas J. Douglas, Superintendent of Schools, that the Board of Education approve the following **additional Substitute Teachers** for the 2009-2010 school year and authorizes their payment at the approved rates based upon the certification of the payroll by the Superintendent of Schools.

- Ms. Marlaina Allen
- Ms. Jessica Lynne-Theiss Brannen
- Ms. Lizabeth Cain
- Mr. Peter Degere
- Ms. Krystal Fess
- Ms. Holly Kaiser
- Ms. Leah R. Lundberg
- Ms. Kelly Panko
- Mr. Andrew VanKuren

10(B)2 Retirement

RESOLVED, based upon the recommendation of Dr. Thomas J. Douglas, Superintendent of Schools, that the Board of Education accept the professional staff retirement of **Madelyn J. Guley**, Librarian at Chenango Bridge Elementary School, effective January 29, 2010.

Abbey	<u>YES</u>	Elliott	<u>YES</u>	Roberts	<u>YES</u>
Cooney	<u>YES</u>	Kaufman	<u>YES</u>	Vail	<u>YES</u>
DeGennaro	<u>YES</u>	Randall	<u>YES</u>	Penwell	<u>YES</u>

MOTION CARRIED.

Motion by Randall, Seconded by Roberts:

RESOLVED, that based upon a recommendation of Dr. Thomas J. Douglas, Superintendent of Schools, that the Board of Education approve **Specimen Resolution 10(C)1 – 10(C)4**.

<u>Civil Service</u>
▪ Resignations
▪ Retirement

10(C)1 Resignations

RESOLVED, that the Board of Education accept the following **resignations**:

<i>Employee Name</i>	<i>Position</i>	<i>Effective Date of Resignation</i>
Gates, Amos	School Bus Monitor, P/T	12/16/09
Hatton, Brenda	School Bus Driver	12/16/09
Titus, Kathy	School Bus Monitor, P/T	12/01/09
VanDerHeide, Denise	Food Srv Helper, P/T, Sub	11/10/09

10(C)2 Retirement

RESOLVED, based upon the recommendation of Dr. Thomas J. Douglas, Superintendent of Schools, that the Board of Education approve the Civil Service **retirement** of:

<i>Employee Name</i>	<i>Position</i>	<i>Effective Date of Resignation</i>
Sage, Ellen	Clerk	02/26/10

10(C)(3) Appointments

RESOLVED, based upon the recommendation of Dr. Thomas J. Douglas, Superintendent of Schools, that the Board of Education approve the Civil Service appointments of:

**Civil Service
Cont'd.**
▪ Appointments

<i>Employee Name</i>	<i>Position Held</i>	<i>Effective Date of Appointment</i>
Gates, Amos	School Bus Driver, P/T	12/17/09
Hatton, Brenda	Head Bus Driver	12/17/09
Kleitz, Richard	Food Srv Helper, P/T, Sub	12/17/09

10(C)4 Additions to Substitute Teacher Aide Roster, 2009-2010 School Year

RESOLVED, based upon the recommendation of Dr. Thomas J. Douglas, Superintendent of Schools, that the Board of Education approve the following additions to the **Substitute Teacher Aides and Clerical Substitute Roster**, 2009-2010 school year.

<i>Employee Name</i>	<i>Position</i>	<i>Effective Date of Resignation</i>
Allen, Marlaina	Teacher Aide Substitute	12/17/09
Briggs, Ronald	Teacher Aide Substitute	12/17/09
DeLaney, Wendy	Teacher Aide Substitute	12/17/09
Everett, Tina	Teacher Aide Substitute	12/17/09
Fallon, Mary	Clerical Substitute	12/17/09
Frost, Andrea	Teacher Aide Substitute	12/17/09
Hart, Kathleen	Teacher Aide Substitute	12/17/09
Ivan, Jaqueline	Teacher Aide & Clerical Sub	12/17/09
Rose, Ruth	Teacher Aide & Clerical Sub	12/17/09
Wiggins, Heather	Teacher Aide & Clerical Sub	12/17/09

Abbey	<u>YES</u>	Elliott	<u>YES</u>	Roberts	<u>YES</u>
Cooney	<u>YES</u>	Kaufman	<u>YES</u>	Vail	<u>YES</u>
DeGennaro	<u>YES</u>	Randall	<u>YES</u>	Penwell	<u>YES</u>

MOTION CARRIED.

Motion by Abbey, Seconded by DeGennaro:

RESOLVED, that based upon a recommendation by Dr. Thomas J. Douglas, Superintendent of Schools, that the Board of Education approve **Specimen Resolution 10(D)(1)**.

**Emergency
Conditional
Appts.**

10(D)(1) Emergency Conditional Appts. – Professional & Civil Service Personnel

RESOLVED, based upon the recommendation of Dr. Thomas J. Douglas, Superintendent of Schools, that the Board of Education approve and ratify the following **emergency conditional appointments**:

<u>Staff Member Name</u>	<u>Position</u>	<u>Effective Date</u>
Hart, Kathleen	Substitute Teacher Aide	12/17/09
Kleitz, Richard	Food Svc Helper, P/T, Sub	12/17/09
Klenovic, Carrie	Substitute Teacher	10/22/09
Lundber, Leah	Substitute Teacher	12/17/09
Morrell, Elaine	Teacher Aide, P/T	11/19/09
Rose, Ruth	Substitute Teacher & Substitute Clerical	12/17/09
VanWie, Brianna	Substitute Teacher	09/01/09

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And, BE IT FURTHER RESOLVED, that these are emergency conditional appointments pending fingerprinting and criminal records clearance, and

**Emergency
Conditional
Appts.,
Cont'd.**

BE IT FURTHER RESOLVED, that Salary Schedule No. 1, as heretofore adopted, be amended to reflect these appointments and payment of salaries be authorized bi-weekly upon certification of the payroll by the Superintendent of Schools.

Abbey	<u>YES</u>	Elliott	<u>YES</u>	Roberts	<u>YES</u>
Cooney	<u>YES</u>	Kaufman	<u>YES</u>	Vail	<u>YES</u>
DeGennaro	<u>YES</u>	Randall	<u>YES</u>	Penwell	<u>YES</u>

MOTION CARRIED.

Motion by Randall, Seconded by Vail:

RESOLVED, that based upon a recommendation by Dr. Thomas J. Douglas, Superintendent of Schools, that the Board of Education approve **Specimen Resolution 10(E)(1)**.

**Preschool
Spec. Ed &
Spec. Ed
Placements**

10(E)(1) Preschool Special Education and Special Education Placements

WHEREAS the Board of Education has reviewed the recommendations of the **Committees on Preschool Special Education and Special Education** pertaining to the students as referred in the attached Exhibit A, and

BE IT RESOLVED that the Board of Education confirms the recommended placements.

Abbey	<u>YES</u>	Elliott	<u>YES</u>	Roberts	<u>YES</u>
Cooney	<u>YES</u>	Kaufman	<u>YES</u>	Vail	<u>YES</u>
DeGennaro	<u>YES</u>	Randall	<u>YES</u>	Penwell	<u>YES</u>

MOTION CARRIED.

Motion by Roberts, Seconded by Cooney:

RESOLVED, that the meeting be adjourned to Executive Session at 8:42 p.m. for the purpose of discussing contractual matters.

**Executive
Session**
8:42 p.m.

Abbey	<u>YES</u>	Elliott	<u>YES</u>	Roberts	<u>YES</u>
Cooney	<u>YES</u>	Kaufman	<u>YES</u>	Vail	<u>YES</u>
DeGennaro	<u>YES</u>	Randall	<u>YES</u>	Penwell	<u>YES</u>

MOTION CARRIED.

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Motion by DeGennaro, Seconded by Abbey:

**Open
Session**
9:58 p.m.

RESOLVED, that the meeting be reconvened to Open Session at 9:58 p.m.

Abbey	<u>YES</u>	Elliott	<u>YES</u>	Roberts	<u>YES</u>
Cooney	<u>YES</u>	Kaufman	<u>YES</u>	Vail	<u>YES</u>
DeGennaro	<u>YES</u>	Randall	<u>YES</u>	Penwell	<u>YES</u>

MOTION CARRIED.

Motion by DeGennaro, Seconded by Vail:

**Meeting
Adjourned**
9:59 p.m.

RESOLVED, that the meeting be adjourned at 9:59 p.m.

Abbey	<u>YES</u>	Elliott	<u>YES</u>	Roberts	<u>YES</u>
Cooney	<u>YES</u>	Kaufman	<u>YES</u>	Vail	<u>YES</u>
DeGennaro	<u>YES</u>	Randall	<u>YES</u>	Penwell	<u>YES</u>

MOTION CARRIED.

Susan M. Cirba, School District Clerk