

MINUTES  
BOARD OF EDUCATION  
Worksession – October 13, 2009  
Riverhead High School Auditorium

NOT BOARD APPROVED

PRESENT: President, Ms. Angela M. DeVito; Vice President, Mrs. Christine Prete; Mrs. Kathleen V. Berezny; Mrs. Ann Cotten-DeGrasse; and, Mr. Gregory Meyer.

LATE: Mr. Timothy Griffing and Mrs. Mary Ellen Harkin.

Board President, Ms. DeVito, opened the meeting at 6:12 p.m. with the pledge of allegiance to the flag.

Pledge of Allegiance

ALSO PRESENT: Dr. Diane B. Scricca, Ms. Nancy Carney, Mr. Michael Ivanoff, Mr. Joseph Ogeka, Jr., John Gross, Esq., and Selma Shelton, Esq.

A motion was made by Mr. Meyer, seconded by Mrs. Prete, to recess to executive session to discuss personnel.

Recess to  
Executive Session

Yes 5 No 0  
Motion Carried.

Mr. Griffing arrived at 6:17 p.m.

Mrs. Harkin arrived at 6:31 p.m.

A motion was made by Mr. Griffing, seconded by Mrs. Prete, to return to open session.

Return to  
Open Session

Yes 7 No 0  
Motion Carried.

The Board of Education returned to open session at 7:40 p.m.

A brief recess followed.

The meeting resumed at 8:00 p.m.

There were about 10 other people in attendance.

ALSO PRESENT: Mrs. Barbara O’Kula.

Ms. Peg Ehlers led the worksession with the pledge of allegiance to the flag.

Minutes  
Board of Education  
October 13, 2009  
Page 2

NOT BOARD APPROVED

A motion was made by Mrs. Harkin, seconded by Mrs. Prete, to amend the agenda to include the following resolution:

Amend Agenda  
-Add: Approval to  
Rescind Tenure  
-Approved to Amend

WHEREAS, on September 22, 2009, the Board of Education granted tenure to a teacher, whose name is known to the Board, based upon the recommendation of the Superintendent of Schools, and

WHEREAS, such award of tenure was granted effective October 23, 2009, and

WHEREAS, the Superintendent has subsequently reported to the Board incidents of misconduct involving the teacher, which incidents of misconduct are the basis for her determination to withdraw her recommendation for tenure, now, therefore, be it

RESOLVED, that based upon the recommendation of the Superintendent of Schools, the previous granting of tenure to the referenced teacher, by way of Board resolution on September 22, 2009, is hereby rescinded in all respects, and, be it further

RESOLVED, that the Superintendent of Schools is directed to send notice to the teacher at issue, pursuant to Section 3031 of the New York Education Law, informing said teacher of the Board of Education's intent to deny tenure at a subsequently scheduled Board of Education meeting.

Yes 7 No 0  
Motion to Amend Agenda Carried.

A motion was made by Mrs. Prete, seconded by Mr. Griffing, to approve the following resolution:

Approval to  
Rescind Tenure  
-Approved

WHEREAS, on September 22, 2009, the Board of Education granted tenure to a teacher, whose name is known to the Board, based upon the recommendation of the Superintendent of Schools, and

WHEREAS, such award of tenure was granted effective October 23, 2009, and

Minutes  
Board of Education  
October 13, 2009  
Page 3

NOT BOARD APPROVED

WHEREAS, the Superintendent has subsequently reported to the Board incidents of misconduct involving the teacher, which incidents of misconduct are the basis for her determination to withdraw her recommendation for tenure, now, therefore, be it

RESOLVED, that based upon the recommendation of the Superintendent of Schools, the previous granting of tenure to the referenced teacher, by way of Board resolution on September 22, 2009, is hereby rescinded in all respects, and, be it further

RESOLVED, that the Superintendent of Schools is directed to send notice to the teacher at issue, pursuant to Section 3031 of the New York Education Law, informing said teacher of the Board of Education's intent to deny tenure at a subsequently scheduled Board of Education meeting.

Yes 7 No 0  
Motion Carried.

Ms. DeVito read the following statement regarding requests for records under the Freedom of Information Law:

*Statement by the  
Board President  
Re: Requests for  
Records under FOIL*

Recently, issues have been raised regarding the release of certain records by this district in response to requests made under Article 6 of the New York State Public Officers Law, also known as the Freedom of Information Law or "FOIL". FOIL creates a broad duty of disclosure on governmental entities to disclose their records. There is a presumption that all records of governmental entities are available for public inspection and copying, unless they fall within one of the categories of exemptions which permit the entity to withhold records.

3020-a decisions regarding teacher discipline are considered school district records. The New York State Committee on Open Government, the advisory body responsible for overseeing and advising with regards to FOIL, has consistently advised that both agreements settling teacher discipline charges and decisions rendered regarding teacher discipline are available under FOIL. These opinions are consistent with court decisions at the state and federal levels that have found that settlement agreements and decisions of 3020-a matters are available under FOIL.

NOT BOARD APPROVED

Minutes  
Board of Education  
October 13, 2009  
Page 4

Specifically, such agreements and decisions must be reviewed for information that would constitute an unwarranted invasion of privacy, and all such instances must be removed prior to the release of the documents. Examples of such information include, but are not limited to, witness information, student information, and charges that were not proved or where there was no finding of guilt (in the case of a Hearing Officer's decision).

Failure to comply with a request where the District had no reasonable basis for denying access to the records could result in the District being required to compensate the appealing party for reasonable attorney's fees and other litigation costs.

The Riverhead Central School District has at all times complied with FOIL within the guidance provided by the Committee on Open Government and in accordance with all applicable court decisions in the release of public documents through appropriate requests.

Dr. Scricca then introduced Ms. Andrea Pekar, Principal at the Middle School, and Dr. Steve Hudson, Assistant Principal, who gave a Power Point presentation on the Middle School.

*Middle School Presentation*

The No. 1 goal of the Middle School is to improve student achievement through objectives to increase the overall proficiency rates for Grades 7 and 8 in ELA, Math, Science, and Social Studies. The second goal is to improve the image of the district by increasing the number of positive home contacts via administration, club advisors, the Middle School PTO, and district public relations personnel.

The most important thing done at the Middle School is to focus on students and their adolescence. Appropriate classroom instruction is structured to actively engage adolescents. Academic support is provided through guidance, the Study Team, and professional development. To support adolescent learners, the Young Ambassadors Group welcomes students to the schools and other initiatives, such as the Master Notebook Routine, instructional techniques, Grade Level Teaming, and transition teams also help in this regard. With the support of the Board of Education, 1.5 periods per day have been added to increase achievement results in ELA and Math over time.

Minutes  
Board of Education  
October 13, 2009  
Page 5

NOT BOARD APPROVED

Teachers from the High School work with the Pre-9 Academy to assist students exiting Grade 8 and entering Grade 9. The implementation of Mind Mapping, a staple strategy for assessment, has been a creative way to show a pattern of connected ideas through words and pictures. Ms. Pekar emphasized the importance that students entering the Middle School need to feel emotionally and physically safe with appropriate space. Of concern is the current shortage of storage and PE space that creates loss of hallway space, as well as, the fact that a full lockdown is currently impossible with students traveling between the building and the portables. In addition, out of 700 students, 25-30% are in performing arts groups...this large participation in music programs, etc., has created storage and performance space issues...all possible space is used for rehearsals and lessons. Culture, communication, travel, and music have been enhanced through the annual trip to Quebec City, the French Culinary Academy, the NYSSMA Solo and Ensemble Festival, SCMEA All County Festival, LISFA Festival, and NYSBDA All State Honor Band. Learning at the Middle School has been expanded and interactive on-line experiences for students have been created (*i.e.*, WIKIs, blogs, and a link to our website – [weatherbug.com](http://weatherbug.com)) to extend curriculum beyond the classroom and continue dialogue at home. Growth in assessment results continue with the help of Teachers College and Reading and Writing Workshops:

English Language Arts

Grade 7

2007 – 58% proficient  
2008 – 68% proficient  
2009 – 73% proficient

Grade 8

2007 – 58% proficient  
2008 – 54% proficient  
2009 – 65.4% proficient

Mathematics

Grade 7

2007 – 77% proficient  
2008 – 85% proficient  
2009 – 94% proficient

NOT BOARD APPROVED

Minutes  
Board of Education  
October 13, 2009  
Page 6

Grade 8

2007 – 67% proficient

2008 – 78% proficient

2009 – 84% proficient

In summation, all students have the opportunity to be successful at the Middle School based on their individual needs!

A motion was made by Mr. Meyer, seconded by Mr. Griffing, to adjourn the meeting.

Adjournment

Yes 7 No 0  
Motion Carried.

The meeting adjourned at 8:53 p.m.

Respectfully submitted,

  
Barbara O'Kula  
District Clerk