

CITY SCHOOL DISTRICT OF THE CITY OF NIAGARA FALLS

Niagara Falls, New York

**Agenda**

**03/25/2021 Regular Board 7 p.m.**

**1. Agenda Review Session**

The Board convened an executive session at 5:31 p.m. on a motion by Dr. Barstys seconded by Mr. Kudela 5:30 p.m. for the purpose of discussion which could identify a student; to discuss three instances that may result in the discipline or removal of employees; and one case of litigation.

The Board exited Executive Session at 6:16 on a motion by Dr. Barstys seconded by Mr. Vilardo.

Mr. Cancemi opened the meeting at 6:21 p.m.

Mr. Laurie introduced the Prep Schools Administrative Teams:

**P-TECH Grant** Grant with NCCC; 25 students in cohort can graduate in four years with a high school diploma and 24 credit hours toward associate's degree or could conceivably complete an associate's degree by taking additional college credit bearing courses at NFHS. The grant also allows for successful students to complete the degree at NCCC, with the grant paying the remaining tuition obligation.

Mr. Carella and Ms. Rotella-Zafuto offered the following update (Also in attendance.

Derek Zimmerman, Principal & John Briglio Vice Principal GPS; Kathy Urban, Principal & Roland Davis III, Vice Principal LPS; Monica Lopoyda (NCCC) Assistant to the Vice President of Academic Affairs; Brad Wingert, Assistant Vice President of Academic Affairs):

P-TECH is a seven – year \$2.28 million grant for college and career preparation. Participating students in rigorous science and math courses could earn up to 24 credit hours through Niagara County Community College tuition free in Mechanical Tech. Job shadowing, internships. STEM based. CDOS, Regents, up to 24 credit hours.

Recruiting is taking place through drone clubs at the prep schools; outreach to grade eight students and parents; parent meetings at each prep school.

Coursework includes: 9th Grade - CFM 1, Accelerated Math and Science . 1st college course MET 110

summer of 9th grade; 10th Grade - CFM2, MAT 111 Advanced; Algebra Trig. Summer of 10th grade DRF 180, Drafting Techniques. 1th Grade - 4 College credit bearing

courses: ELT 110, TEC 105, ENG 101 and ENG 103 Writing for STEM. Summer of 11th grade DRF 279 Technical Seminar 12th Grade - TEC 120 and PHY 152 Prep Classes, Job shadowing and Internships.

\*Students can advance through PTECH program at their own pace. There is built in after school academic support 2 days per week as well as some Saturdays. Students could possibly complete NCCC's degree requirements in 4, 5 or 6 years depending on how many college credits they accumulate in high school.

Summer camp July 12 -26; Algebra, engineering, and speaker series and parent engagement components. New courses at NFHS bearing college credit: MET 110 and more to come.

To date, 41 students are interested in participating. This is not income based.

**Review of Agenda** – An agenda review was held.

Mr. Massaro explained a resolution to be walked on regarding opposition to an asphalt plant located near several Niagara Falls Schools and potentially impacting environmental quality. See 6.12.

**2. Call to Order** by Mr. Cancemi at 7 p.m.

**2.01** Pledge of Allegiance

**2.02** Prayer offered by Mrs. Dunn.

**2.03** Roll Call – all present.

**3. Letters and Communications -**

**3.01** Oral Communications – A gentleman identifying himself as Squeezebox Johnny Quinn, 3959 Forest Parkway, North Tonawanda spoke on his opposition to renaming Maple Avenue School. He is chair of the 100<sup>th</sup> anniversary celebration committee for that school.

Michaele LaNova of the same address spoke on her opposition to school renaming.

**3.02** Written Communications- Notes of thanks from the families of Vincent Porto, Casey Frank, and Anthony Gelose for adjourning in memory of their loved ones.

#### **4. Recommended Actions from the Superintendent of Schools - Routine Matters**

##### **4.01** Minutes – February 2021 (SG 4)

Motion to approve minutes - January 2021

Motion by Earl F Bass, second by Paul Kudela.

Final Resolution: Motion Carries

Yes: Ronald J Barstys, Earl F Bass, Vincent Cancemi, Anthony F Paretto, Russell Petrozzi, Nicholas Vilardo, Paul Kudela, Rob Bilson, Clara Dunn

##### **4.02** Approval of Budget Transfer - #8 (SG3)

Motion by Earl F Bass, second by Paul Kudela.

Final Resolution: Motion Carries

Yes: Ronald J Barstys, Earl F Bass, Vincent Cancemi, Anthony F Paretto, Russell Petrozzi, Nicholas Vilardo, Paul Kudela, Rob Bilson, Clara Dunn

##### **4.03** Approval of the following Bids (SG3)

1. RECYCLING & TRASH REMOVAL SERVICES BID #14, MINI - BID NO. 1

Motion by Paul Kudela, second by Russell Petrozzi.

Final Resolution: Motion Carries

Yes: Ronald J Barstys, Earl F Bass, Vincent Cancemi, Anthony F Paretto, Russell Petrozzi, Nicholas Vilardo, Paul Kudela, Rob Bilson, Clara Dunn

##### **4.04** Treasurer's Report – February 2021 (SG3) Received and filed.

##### **4.05** Budget Status Report – March 2021 (SG3) Received and filed.

##### **4.06** Personnel Report – Certificated (SG 1, 2)

Motion by Paul Kudela, second by Earl F Bass.

Final Resolution: Motion Carries

Yes: Ronald J Barstys, Earl F Bass, Vincent Cancemi, Anthony F Paretto, Russell Petrozzi, Nicholas Vilardo, Paul Kudela, Rob Bilson, Clara Dun

#### **4.07 Personnel Report - Classified (SG 1, 2)**

Motion by Ronald J Barstys, second by Russell Petrozzi.

Final Resolution: Motion Carries

Yes: Ronald J Barstys, Earl F Bass, Vincent Cancemi, Anthony F Paretto, Russell Petrozzi, Nicholas Vilardo, Paul Kudela, Rob Bilson, Clara Dunn

#### **4.08 Report from Committee on Special Education (SG 1)**

Motion by Ronald J Barstys, second by Rob Bilson.

Final Resolution: Motion Carries

Yes: Ronald J Barstys, Earl F Bass, Vincent Cancemi, Anthony F Paretto, Russell Petrozzi, Nicholas Vilardo, Paul Kudela, Rob Bilson, Clara Dunn

#### **4.09 Report from Committee on Preschool Special Education (SG 1)**

Motion by Ronald J Barstys, second by Rob Bilson.

Final Resolution: Motion Carries

Yes: Ronald J Barstys, Earl F Bass, Vincent Cancemi, Anthony F Paretto, Russell Petrozzi, Nicholas Vilardo, Paul Kudela, Rob Bilson, Clara Dunn

#### **4.10 Short-Term Contracts (SG 1, 3)**

1. Robert Jacobs School Bus Logistics Planning and Implementation of School Transportation Routes \$135.00 per hour NTE \$13,500. A2280.409.007

March – April 2021

Motion by Anthony F Paretto, second by Clara Dunn.

Final Resolution: Motion Carries

Yes: Ronald J Barstys, Earl F Bass, Vincent Cancemi, Anthony F Paretto, Russell Petrozzi, Nicholas Vilardo, Paul Kudela, Rob Bilson, Clara Dunn

### **5. Unfinished Business**

#### **5.01 None**

## **6. New Business** *(see BoardDocs)*

Items 6.01 – 6.03: Motion by Paul Kudela, second by Anthony F Paretto.

Final Resolution: Motions Carry

Yes: Ronald J Barstys, Earl F Bass, Vincent Cancemi, Anthony F Paretto, Russell Petrozzi, Nicholas Vilardo, Paul Kudela, Rob Bilson, Clara Dunn

### **6.01** Acceptance of Funds From the City of Niagara Falls, New York for Assistance in the Operation and Maintenance of the Our Schools Channel (OSC) 01/01/2021 – 12/31/2021 (SG 1, 3, 4, 5)

WHEREAS, In 2004, the City School District of the City of Niagara Falls, New York by Agreement with the City of Niagara Falls, New York was designated to operate and administer the Access Education Channel, now known as Our School's Channel (OSC); and

WHEREAS, The District has successfully operated the OSC since the date of the Agreement affording its students, staff and the community educational and informative programs; and

WHEREAS, In the past, the City has assisted the District by contributing monies towards the operation and maintenance of OSC; and

WHEREAS, The City again wishes to assist the District and contribute \$10,000.00 (ten thousand dollars) towards the operation and maintenance of OSC for the period of January 01, 2021 through December 31, 2021, subject to certain terms and conditions contained within the Agreement negotiated by the City and District representatives; therefore be it

RESOLVED, That the Board of Education accepts the sum of \$10,000.00 (ten thousand dollars) from the City of Niagara Falls, New York for assistance in the operation and maintenance of Our Schools Channel (OSC) and does hereby approve the Agreement attached hereto, by and between the City and School District, as to the use of said funds; and

RESOLVED, That the Agreement is subject to such modifications as the Superintendent and School District Attorney deem appropriate, and be it further

RESOLVED, That the President is hereby authorized to execute the Agreement attached hereto; and

RESOLVED, That the District Clerk is directed to obtain the signature of the President of the Board of Education on the Agreement.

## **MUNICIPAL COOPERATION AGREEMENT**

Our Schools Channel (OSC-21) – 2021

This Municipal Cooperation Agreement (the "Agreement") made this 25th day of March, 2021 and effective the 1st day of January, 2021 by and between the CITY OF NIAGARA FALLS, NEW YORK, a municipal corporation organized and existing pursuant to the laws of the State of New York, with offices at 745 Main Street, Niagara Falls, NY 14302 (the "CITY") and the CITY SCHOOL DISTRICT OF THE CITY OF NIAGARA FALLS organized under the laws of the State of New York with offices at 630 - 66th Street, Niagara Falls, NY 14304 (the "DISTRICT").

WITNESSETH:

WHEREAS, the DISTRICT operates a cable television station known as OSC 21; and

WHEREAS, the CITY has appropriated funds in its 2021 fiscal budget which may be applied toward the DISTRICT'S operation of OSC 21; and

NOW, THEREFORE, it is mutually agreed by and between the CITY and the DISTRICT as follows:

1. TERM The term of this Agreement shall commence on January 1, 2021 and terminate on December 31, 2021 unless sooner terminated in accordance with the terms of this Agreement.
2. PAYMENT. The CITY agrees to assist the DISTRICT's operation and administration of OSC 21 by payment to the DISTRICT in the sum of \$10,000.00.
3. INDEPENDENT CONTRACTOR. It is hereby expressly agreed between the parties that the DISTRICT is an independent contractor and that the DISTRICT, its servants, agents and employees shall not be deemed to be the servants, agents, or employees of the CITY.
4. RECORDS The DISTRICT agrees that the CITY shall, until the expiration of three (3) years after final payment, have access to and the right to examine any directly pertinent books, documents, papers and records of its and of any of its subcontractors engaged in the performance of and involving transactions related to this Agreement or any subcontractors.
5. INSURANCE. As a condition to receipt of any payment under the terms of the Agreement the DISTRICT shall furnish certificates of insurance coverage satisfactory to the CITY's Corporation Counsel.

6. ASSIGNMENT. The DISTRICT agrees that it is prohibited from assigning, transferring, conveying, subletting or otherwise disposing of this Agreement of any of its contacts, or of its right, title or interest therein, or of its power to execute such Agreement to any other person or corporation without the previous consent in writing of the CITY.

7. TERMINATION. If for any reason the terms of this Agreement are not adhered to, then the CITY may terminate the said Agreement upon written notice to the DISTRICT.

8. COMPLIANCE WITH LAWS. The DISTRICT shall comply with all federal, state and local laws, rules, and regulations applicable to obligations, conduct and activities under this Agreement.

IN WITNESS WHEREOF, the DISTRICT and the CITY have executed this Agreement on the day and year indicated.

Date: \_\_\_\_\_ CITY SCHOOL DISTRICT OF THE CITY OF  
NIAGARA FALLS

By: \_\_\_\_\_

Date: \_\_\_\_\_ CITY OF NIAGARA FALLS, NY

By: \_\_\_\_\_

Robert M. Restaino, Mayor

Attest: \_\_\_\_\_

Niagara Falls City Clerk

**6.02 Approval of Agreement Between The City School District Of The City Of Niagara Falls and Buffalo Federation of Neighborhood Centers For Consulting Services In The Area Of Multi-Systemic Crime Prevention 3/26/2021 – 12/31/2021 (SG 4)**

WHEREAS, The City School District of the City of Niagara Falls ("District") and the Niagara County Department of Social Services ("Social Services") entered into an Agreement providing for an innovative Crime Prevented Collaborative Partnership for a multi-systemic approach to youth by addressing the educational, social and emotional needs of youth ages 12-15; and

WHEREAS, The Agreement, among other things, provides for the District to enter into an Agreement with the Buffalo Federation of Neighborhood Centers ("BFNC") to provide the services required in implementing the Crime Prevention Collaborative Partnership; and

WHEREAS, According to the Contract the District will pay BFNC the sum of Six Thousand Six Hundred Sixty Six Dollars (\$6,666.00) per month for nine (9) months not to exceed the total sum of Sixty Thousand Dollars (\$60,000.00); and

WHEREAS, The District will be reimbursed for fifty percent (50%) of the Contract cost to be paid to BFNC, by the Niagara County Social Services upon verification of services rendered by the Administrator for School Business Services. Reimbursement will be at the rate of \$3,333.33 per month commencing the 1st day of the month, for services rendered for the previous month, commencing the 1st day of May and continuing thereafter with the last payment on the 31s day of December 2021; and

WHEREAS, The Superintendent has negotiated a Contract with BFNC, Inc. to provide the services required; therefore, be it

RESOLVED, that the Board hereby approves the Contract between the City School District of the City of Niagara Falls and the Buffalo Federation of Neighborhood Centers to provide services in implementing the Crime Prevention Collaborative Partnership for the multi-systemic approach to youth by addressing the educational, social and emotional needs of youth ages 12-15 which is attached hereto; and be it further

RESOLVED, that the Contract is subject to such further terms, provisions and conditions that may be deemed appropriate by the Superintendent and the School District Attorney; and be it further

RESOLVED, that the President of the Niagara Falls Board of Education be authorized to execute the Contract; and be it further

RESOLVED, that the District Clerk be directed to obtain the signature of the President of the Board on said Agreement.



**6.03 Approval of Agreement Between The City School District of The City Of Niagara Falls And The Niagara County Department of Social Services Creating A Crime Prevention Collaborative Partnership (SG 4)**

WHEREAS, The City School District of the City of Niagara Falls ("District") and Niagara County Department of Social Services ("Social Services") recognize that a multi-systemic approach to youth is critical to establish the future success of young adults ages 12-15, and that an innovative partnership between them needs to be created to implement such approach; and

WHEREAS, The District and Social Services agree to form a Crime Prevention Collaborative Partnership and to contract with the Buffalo Federation of Neighborhood Centers to provide the multi-systemic approach to youth ages 12-15 by addressing their educational, social and emotional needs; and

WHEREAS, An Agreement has been negotiated by the Superintendent with the Niagara County Department of Social Services for creation of the Crime Prevention Collaborative Partnership and is presented to the Board for its action; and

WHEREAS, The Agreement provides, among other things, for the District and Social Services to each contribute Thirty Thousand Dollars (\$30,000.00) for a total of Sixty Thousand Dollars (\$60,000.00) to fund the program.

WHEREAS, The Social Services will reimburse the District the sum of \$3,333.33 per month for nine (9) months for total of Thirty Thousand Dollars (\$30,000.00); and

WHEREAS, The District will serve as Lead Agency and retain consulting services from Buffalo Federation of Neighborhood Centers to provide the services required and shall pay Buffalo Federation of Neighborhood Centers the sum of \$3,333.33 per month for nine (9) months, upon verification by the Administrator for School Business Services of services rendered; therefore, be it

RESOLVED, that the Board hereby approves the Agreement between the District and Social Services forming a Crime Prevention Collaborative Partnership providing multi-systemic approach to addressing the educational, social and emotional needs of youth ages 12-15 attached hereto; and be it further

RESOLVED, that the Agreement is subject to such further terms, provisions and conditions that may be deemed appropriate by the Superintendent and the School District Attorney; and be it further

RESOLVED, that the President of the Niagara Falls Board of Education be authorized to execute the Agreement; and be it further

RESOLVED, that the District Clerk be directed to obtain the signature of the President of the Board on the Agreement.

CONTRACT

CRIME PREVENTION COLLABORATIVE PROGRAM

THIS AGREEMENT made as of the 25th day of March 2021, by and between the CITY SCHOOL DISTRICT OF THE CITY OF NIAGARA FALLS, 630 66th Street, Niagara Falls, New York, 14304 (hereinafter called the "District"), and NIAGARA COUNTY DEPARTMENT OF SOCIAL SERVICES, 20 East Avenue, P.O. Box 506, Lockport, New York 14095-0506, (hereinafter called the "Social Services ");

WHEREAS, the District and Social Services recognize that a multi-systemic approach to youth is critical to establish the future success of young adults ages 12 through 15, and that an innovative partnership needs to be created to implement such approach; and

WHEREAS, the District and Social Services agree to form a Crime Prevention Collaborative partnership and to contract with the Buffalo Federation of Neighborhood Centers to provide the multi-systemic approach to youth by addressing the educational, social, and emotional needs of youth ages 12 through 15.

THEREFORE, the District and Social Services in consideration of the mutual covenants and conditions herein contained agree as follows:

FIRST: To form an intergovernmental partnership to the fullest extent permitted by law to address the following areas:

- a. Educational
  1. To reduce student truancy.
  2. To improve the attendance and tardiness rate for project students.
  3. To reduce student disciplinary referrals by 10%.
- b. Juvenile Justice
  1. To eliminate new referrals for project students to the Juvenile Justice and Court system.
  2. To eliminate recidivism in criminal activities of the project students.
- c. Social Services
  1. Provide to all families whose children are eligible and referred to participate in the program, outreach services at their homes so as to communicate the school's concern, and to offer a range of home and school-based services available to assist them.
  2. Provide to those served, instructions as to their educational rights, responsibilities, state law, and the child welfare educational neglect process, and its enforcement procedures.
  3. Provide to the families, parenting or other skill improvement assistance.

4. Work toward reducing youth referred for school truancy issues showing an improvement in attendance across a twelve-month period.

5. Work toward showing an improvement in Life-Skills functioning in at least one Life Area using the Case Life Skills Assessment Tool at the six-month mark.

SECOND: The referral of eligible students will be conducted by an established collaborative team representing the District, City and Social Services.

THIRD: The collaborative effort will commence on March 26, 2021 and will be in effect until December 31, 2021.

FOURTH: Payment under this Agreement shall be as follows:

a. The District and Social Services each agree to contribute \$30,000 per year for a total of \$60,000.00 to fund the Crime Prevention Collaborative Program.

b. Social Services shall reimburse the District, which will serve as lead agency in dispensing the funds to the Buffalo Federation of Neighborhood Centers.

c. Reimbursement by Social Services to the District shall be in the sum of \$30,000.00 on December 31, 2021 for the services provided from January 2, 2021 through December 31, 2021.

d. For the services provided in 2021, Social Services shall reimburse the District two payments in the amount of \$15,000.00, payable on July 15, 2021 and December 15, 2021.

FIFTH: The District shall enter into an Agreement with the Buffalo Federation of Neighborhood Centers which shall provide among other provisions for the following:

a. Payment to the Buffalo Federation of Neighborhood Centers the sum of \$60,000.00 payable in monthly installments of \$6,666.66 for services rendered as verified by the School Business Administrator.

b. The Buffalo Federation of Neighborhood Centers agreeing to provide :

1. Service up to 30 "at-risk" Niagara Falls City School District students, ages 12 to 15.

2. Provide individual student progress reports each month to collaborating agencies detailing the progress around the objectives listed above.

3. Provide a monthly financial status report on any and all expenditures relating to this program.

4. Provide a final financial report and student progress report to all agencies within 30 days of the conclusion of this agreement.

5. Ensure that all appropriate parental/guardian permissions and approvals have been placed on file with all three agencies prior to commencing work with any student.

6. Provide to all families whose children are eligible and referred to participate in the program, outreach services at their homes so as to communicate the school's concern, and to offer a range of home and school-based services available to assist them.

7. Provide to those served, instructions as to their educational rights, responsibilities, state law, and the child welfare educational neglect process, and its enforcement procedures.

8. Provide to the families, parenting, or other skill improvement assistance.

9. Work toward reducing youth referred for school truancy issues showing an improvement in attendance across a ten-month period.

10. Work toward youth showing an improvement in Life-Skills functioning in at least one Life Area using the Case Life Skills Assessment Tool at the six-month mark.

SIXTH: Entire Agreement. This Agreement contains the entire agreement of the Parties and may be modified or amended only in writing duly subscribed by all of the Parties.

IN WITNESS WHEREOF, the parties have executed this Agreement on the date and year first above written.

CITY SCHOOL DISTRICT OF CITY OF NIAGARA FALLS

By: \_\_\_\_\_

President of the Board of Education

City School District of the City of Niagara Falls

NIAGARA COUNTY DEPARTMENT SOCIAL SERVICES

By: \_\_\_\_\_

Commissioner

Niagara County Department of Social Services

Approved as to Form:

\_\_\_\_\_

\_\_\_\_\_

Chief Counsel

Niagara County Department of

Social Services

STATE OF NEW YORK      )

) ss:

COUNTY OF NIAGARA      )

On the \_\_\_\_ day of \_\_\_\_\_, 20\_\_\_\_, before me, the undersigned, personally appeared \_\_\_\_\_, President of the Board of Education of the City School District of the City of Niagara Falls, to me known or proved to me on the basis of satisfactory evidence to be the individual whose name is subscribed to the within instrument and acknowledged to me that she executed the same in her capacity and that by her signature on the instrument, the individual, or the person upon behalf of which the individual acted, executed the instrument.

\_\_\_\_\_

\_\_\_\_\_

Notary Public

STATE OF NEW YORK      )

) ss:

COUNTY OF NIAGARA      )

On the \_\_\_\_ day of \_\_\_\_\_, 20\_\_\_\_, before me, the undersigned, personally appeared \_\_\_\_\_, Commissioner of the Niagara County Department of Social Services, to me known or proved to me on the basis of satisfactory evidence to be the individual whose name is subscribed to the within instrument and acknowledged to me that she executed the same

in her capacity and that by her signature on the instrument, the individual, or the person upon behalf of which the individual acted, executed the instrument.

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Items 6.04 -6.07: Motion by Earl F Bass, second by Anthony F Paretto.

Final Resolution: Motions Carry

Yes: Ronald J Barstys, Earl F Bass, Vincent Cancemi, Anthony F Paretto, Russell Petrozzi, Nicholas Vilardo, Paul Kudela, Rob Bilson, Clara Dunn

Notary Public

**6.04** Approval of Appointment of Election Inspectors for 2021 (SG 1, 4)

WHEREAS, The annual school election/budget vote of the Niagara Falls City School District will be held on Tuesday, May 18, 2021; and

WHEREAS, This Board at its February 25, 2021, Regular Meeting established the number and location of election polls; and

WHEREAS, Education Law 2607 states that "...the Board of Education shall appoint for each election district at least three qualified voters residing therein to act as inspectors at such election in such election district at such election" and may appoint additional inspectors for one or more districts when in its opinion special circumstances exist requiring the services of such additional inspectors. and

WHEREAS, The District has canvassed persons for appointment to these positions; therefore, be it

RESOLVED, That the Board of Education determines that special circumstances exist requiring the services of additional inspectors in certain districts; and

RESOLVED, That the following list of qualified voters are hereby appointed to serve as Inspectors, and/or poll monitors, as indicated, to perform all duties in connection with canvassing of the ballots at said school election/budget vote pursuant to 2610 of the Education Law; and

RESOLVED, That each inspector appointed be compensated in the amount of \$131.25 for the day's work, and

RESOLVED, That the Clerk of the Board of Education is hereby directed to give written notification of such appointment to each appointee, and

BE IT FURTHER RESOLVED, That inspectors elected as Chairpersons who will be responsible for the handling of absentee ballots, keys, and supplies at their respective polling sites and the returning of same will be compensated an additional \$30.00, and

BE IT FURTHER RESOLVED, That each election inspector who attends one of the workshops held on Monday, May 18, 2021, be compensated \$25.00.

ANNUAL SCHOOL ELECTION

May 18, 2021

Election Inspectors

School Election

3<sup>rd</sup> Legislative District

District

Board of Education Admin. Bldg.

D Roxanna Raverini

Elect. Dist. 1,11 630 – 66<sup>th</sup> Street

R Ed Walek

R Candyce Platt

Elect. Dist. 2, 3 St. John De LaSalle  
8469 Buffalo Avenue

D Gloria Critelli

R Joan Dorgan

D Allison Vega

R Sharon A. Benavidez

Elect. Dist. 4,8,13 Grace Lutheran Church  
736 Cayuga Drive

R Annemarie Evans

D Shirley A. Wayda

R David Bathurst

D Margaret R. Speck

Elect. Dist. 5 LaSalle Senior Citizens Center  
9501 Colvin Blvd

R Vincent Mameli

D Karen Gallo

R Marla McGahey

D Tammy Gallo

R Terry Eisenman

Elect. Dist. 6, 7 Geraldine J. Mann School  
1330 95<sup>th</sup> Street

D Rita Dupree

D Carol Pennesi

D Shirley Bathurst

Elect. Dist.	9, 10	79 <sup>th</sup> Street School 551 79 <sup>th</sup> Street	D Janice Ambrose R Peter Henry D Yvonne Gamble
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Elect. Dist.	12	Community Education Center 6040 Lindbergh Avenue	D Margaret Castile R David Manginn D David Tucker
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8	Elect. Dist.	1	St. John AME Church	D Ruby Turner
			917 Garden Avenue	R Willie A. Price
				D Nicole Laster
9	Elect. Dist.	2, 4	Veterans of Foreign Wars Pt. 917	D Willie Cheeley
			2435 Seneca Avenue	R Irene Wilson
				D Evelyn Payne
10	Elect. Dist.	3	Wrobel Towers	R Olivia Winkfield
			800 Niagara Avenue	D Josephine Mallon
				I Janice Ridgeway D Brian Archie
11	Elect. Dist.	5, 6	Niagara Falls Public Library	D Brenda Hamilton
			1425 Main Street	R John W. Schappa
				D Harinder S. Sand
12	Elect. Dist.	7, 8	Niagara Arts & Cultural Center	R Betty J. Larratta
			1201 Pine Avenue	D Yvonne Davis
				D Wanda Adams



School Election

District

4<sup>th</sup> Legislative District

				R William S. Carroll (monitor)
				R Craig Stonebraker
13	Elect. Dist.	1, 2, 3	Maple Avenue School 952 Maple Avenue	D Helen Beaman R Gayle Fadel I John Gordon
				D Jean M. Kennedy (monitor)
			Maple Avenue School 952 Maple Avenue	R Patricia A. Swift
13	Elect. Dist.			D David Lemke D Deborah Willis R Penny Rodden
14	Elect. Dist.	4	Spallino Towers 720 Tenth Street	D Saladin Allah R Michael Gawel D Cynthia Harrison D Satnam Kaur
15	Elect. Dist.	5, 6	John Duke Senior Citizens Center 1201 Hyde Park Blvd.	D Georgia Robinson R Charles Searcy R Robert Turcotte D Sheila Tallarico

Election Inspectors

School Election

District

5<sup>th</sup> Legislative District

School Election  
District

6<sup>th</sup> Legislative District

16	Elect. Dist. 1	Hyde Park School	D Karen Welch
		1620 Hyde Park Blvd.	I Gloria McGovern
17	Elect. Dist. 2	Gaskill Prep School 910 Hyde Park Blvd.	D Mary Rose Archie
			R Barbara Joyce, Poll Monitor
18	Elect. Dist. 3,4,8	Cristoforo Columbo Society 2223 Pine Avenue	R Amy Carr
			D Judith Delgrolice
			D Robert Smitter
19	Elect. Dist. 5	City Hall 745 Main Street	D Tana Shine
			I Pamela Woods
			D Juanita Ewing
20	Elect. Dist. 6,7	Niagara Street School 2513 Niagara Street	R Nancy Stoianoff
			D Mark Smith
			I Sharon L. Smith
21	Elect. Dist. 9	Packard Court Community Center 4300 Pine Avenue	D Joseph McGhee
			I Thomas Quinn
			R Daniel R. Morrisette
21	Elect. Dist. 9	Packard Court Community Center 4300 Pine Avenue	D Georgetta Hamilton
			D Michael Watson
21	Elect. Dist. 9	Packard Court Community Center 4300 Pine Avenue	D Isaiah Mathews
			R Norman Bock
			D Aminah El-Dhany

22

Elect. Dist.

10

LaSalle Prep School

7436 Buffalo Avenue

R Victoria Komorowski

D Ann Schiro

D Terese Torre

**6.05 Approval of Appointment of Additional Election Inspectors for 2021 (SG 1, 4)**

WHEREAS, The Annual School Election/Budget Vote will be held on Tuesday, May 18, 2021; and

WHEREAS, At the Regular Board Meeting of March 25, 2021, election inspectors were appointed to work the polls for that election; and

WHEREAS, In the normal course of events some inspectors are unable to work on the particular day of the election and must be replaced; therefore, be it

RESOLVED, That the persons named on the attached list are hereby appointed as substitute election inspectors for said election; and

RESOLVED, That each inspector called in to substitute will be compensated in the amount of \$131.25 for the day's work; and be it

BE IT FURTHER RESOLVED, That each election inspector who attends one of the workshops held on Monday, May 17, 2021, be compensated \$25.00.

**Error! Filename not specified.**

*Updated 3/31/14*

**ANNUAL SCHOOL ELECTION**

May 18, 2021

Additional Election Inspectors

School Election

3 <sup>rd</sup> Legislative District			
District			
1	Elect. Dist.	1,11	R Andrea Zaccarella
2	Elect. Dist.	2, 3	D Sharon Greathouse
			R Frank Hansen
			R R. Mathew Evans
3	Elect. Dist.	4,8,13	D Yolanda Davis
4	Elect. Dist.	5	
5	Elect. Dist.	6, 7	
6	Elect. Dist.	3, 10	I Mary Baillargeon
4 <sup>th</sup> Legislative District			
7	Elect. Dist.	12	D Michael Gallo
			D Sandra Henderson
			D Carol Tucker
8	Elect. Dist.	1	R Linda Barksdale

9	Elect. Dist.	2, 4	
10	Elect. Dist.	3	D Brenda Caldwell
11	Elect. Dist.	5, 6	
			D Fred Chambers
12	Elect. Dist.	7, 8	R Joanna Romano
			R Randy Ubriaco

#### **5<sup>th</sup> Legislative District**

13	Elect. Dist.	1, 2, 3,	
14	Elect. Dist.	4	
15	Elect. Dist.	5, 6	D Karen Spencer

#### **6<sup>th</sup> Legislative District**

16	Elect. Dist.	1	
17	Elect. Dist.	2	
18	Elect. Dist.	4	
19	Elect. Dist.	5	
20	Elect. Dist	6,7	

21	Elect. Dist.	9	R MaryAnn Koperski
22	Elect. Dist.	10	D Darlene Toarmino R Dorothy West

#### **6.06 Approval of Statutory Meeting May 19, 2021 (SG 4)**

WHEREAS, The Annual School Election/Budget Vote will be held on Tuesday, May 18, 2021; and

WHEREAS, §2610, subdivision 4, of the New York State Education Law requires that the Board of Education shall meet after the canvass of votes on the day of the election or at eight o'clock in the evening of the day following such election to officially examine and announce the results of the election; and

WHEREAS, It is the intent of this Board of Education to comply completely with the provisions of the law; therefore, be it

RESOLVED, That the Niagara Falls Board of Education will hold the Statutory Meeting, as required by law, on Wednesday, May 19, 2021, at 8:00 P.M., E.D.S.T., to officially examine and announce the results of the Annual School Election/Budget Vote held on Tuesday, May 18, 2021.

#### **6.07 Approval of Special Meeting April 27, 2021 (SG 4)**

WHEREAS, The provisions of the Education Law §1606(3) and Board Policy 1520 authorize the Board of Education to hold special meetings; and

WHEREAS, It is necessary that a special meeting of this Board of Education be held at the date and time and for the purposes below mentioned; therefore, be it

RESOLVED, That a special meeting of this Board of Education shall be held remotely at 6:00 p.m., on Tuesday, April 27, 2021, for the purpose of considering and/or acting upon such business as might properly come before a regularly scheduled meeting of the Board if held on such date; and be it

FURTHER RESOLVED, That the Clerk shall give due notice thereof to the public media and the members of the Board of Education as required by law and the rules, by-laws and regulations of this Board.

Items 6.08 -6.11 Motion by Anthony F Paretto, second by Russell Petrozzi.

Final Resolution: Motions Carry

Yes: Ronald J Barstys, Earl F Bass, Vincent Cancemi, Anthony F Paretto, Russell Petrozzi, Nicholas Vilardo, Paul Kudela, Rob Bilson, Clara Dunn

**6.08** Approval of Payment No. 11 to Scrufari Construction Co, LLC. for General Contractor Work, Contract #106, For The Stewardship Capital Project (SG 3)

WHEREAS, The Board of Education executed a Contract dated February 14, 2020, with Scrufari Construction Co. LLC for General Contractor construction work on the Stewardship Capital Project, which provides for payment to it for services rendered and materials furnished, upon the filing and approval of AIA Document G702, Application and Certificate for Payment; and

WHEREAS, In order that an official record of expenditures for Capital Projects be maintained, all invoices pertaining to the Capital Project must be approved by the Board, upon approval of the Application and recommendation for payment by the Architect, the Construction Managers and Administrator for School Business Services; and

WHEREAS, Scrufari Construction Co LLC has submitted an Application and Certificate for Payment, AIA Document G702, for services rendered and material furnished in the amount of \$59,122.46; and

WHEREAS, The Application has been reviewed, approved and recommended for by the Architect, Clark Patterson Lee, the Construction Managers Buffalo Construction Consultants and Joseph Giarrizzo, Administrator for School Business Services; and

WHEREAS, The Application is in accordance with the Contract and is inclusive of the required 5% retention in the amount of \$2,956.12; and

WHEREAS, This appropriation will be expended from the Capital Fund and will be submitted as a claim for State Aid reimbursement according to the State formula for school buildings; now therefore be it

RESOLVED, That the Board of Education approves the payment of \$59,122.46 to Scrufari Construction Co LLC, 3925 Hyde Park Blvd Niagara Falls, NY 14305 in accordance with the Application and Certificate for Payment #11; and further

RESOLVED, That the appropriation be expended from the Capital Fund and submitted as a claim for State Aid reimbursement according to the State formula for school buildings.

**6.09** Approval of Payment No. 13 to CIR Electric Co. for Electrical Work, Contract #110, for The Stewardship Capital Project (SG 3)

WHEREAS, The Board of Education executed a Contract dated February 14, 2020, with CIR Electric Co. for Electrical work on the Stewardship Capital Project, which provides for payment to it for services rendered and materials furnished, upon the filing and approval of AIA Document G702, Application and Certificate for Payment; and

WHEREAS, In order that an official record of expenditures for Capital Projects be maintained, all invoices pertaining to the Capital Project must be approved by the Board, upon approval of the Application and recommendation for payment by the Architect, the Construction Managers and Administrator for School Business Services; and

WHEREAS, CIR Electric Co. has submitted an Application and Certificate for Payment, AIA Document G702, for services rendered and material furnished in the amount of \$13,733.74; and

WHEREAS, The Application has been reviewed, approved and recommended for by the Architect, Clark Patterson Lee, the Construction Managers Buffalo Construction Consultants and Joseph Giarrizzo, Administrator for School Business Services; and

WHEREAS, The Application is in accordance with the Contract and is inclusive of the required 5% retention in the amount of \$686.69; and

WHEREAS, This appropriation will be expended from the Capital Fund and will be submitted as a claim for State Aid reimbursement according to the State formula for school buildings; now therefore be it

RESOLVED, That the Board of Education approves the payment of \$13,733.74 to CIR Electric Co. 2715 Long Rd Suite 1 Grand Island, NY 14072 in accordance with the Application and Certificate for Payment #13; and further

RESOLVED, That the appropriation be expended from the Capital Fund and submitted as a claim for State Aid reimbursement according to the State formula for school buildings.

**6.10 Approval of Payment No. 14 to CIR Electric Co. for Electrical Work, Contract #110, for The Stewardship Capital Project (Retention) (SG 3)**

WHEREAS, The Board of Education executed a Contract dated February 14, 2020, with CIR Electric Co., for Electrical work on the Stewardship Capital Project, which provides for payment to it for services rendered and materials furnished, upon the filing and approval of AIA Document G702, Application and Certificate for Payment; and

WHEREAS, In order that an official record of expenditures for Capital Projects be maintained, all invoices pertaining to the Capital Project must be approved by the Board, upon approval of the Application and recommendation for payment by the Architect, and Administrator for School Business Services; and

WHEREAS, CIR Electric Co. has submitted an Application and Certificate for Payment, AIA Document G702, for Retention in the amount of \$75,149.79; and

WHEREAS, The Application for Payment has been reviewed, approved and recommended for by the Architect, Clark Patterson Lee, the Construction Manager, Buffalo Construction Consultants, and Joseph Giarrizzo, Administrator for School Business Services; and

WHEREAS, This appropriation will be expended from the Capital Fund and will be submitted as a claim for State Aid reimbursement according to the State formula for school buildings; now therefore be it;

RESOLVED, That the Board of Education approves the payment of \$75,149.79 to CIR Electric Co. 2715 Long Rd Suite 1 Grand Island, NY 14072 in accordance with the Application and Certificate for Payment #14; and further

RESOLVED, That the appropriation be expended from the Capital Fund and submitted as a claim for State Aid reimbursement according to the State formula for school buildings.



**6.11** Approval of Payment No. 12 to Johnson Controls Inc. for Temperature Control Work, Contract #111, for The Stewardship Capital Project (SG 3)

WHEREAS, The Board of Education executed a Contract dated February 14, 2020, with Johnson Controls Inc. for Temperature Control work on the Stewardship Capital Project, which provides for payment to it for services rendered and materials furnished, upon the filing and approval of AIA Document G702, Application and Certificate for Payment; and

WHEREAS, In order that an official record of expenditures for Capital Projects be maintained, all invoices pertaining to the Capital Project must be approved by the Board, upon approval of the Application and recommendation for payment by the Architect, the Construction Managers and Administrator for School Business Services; and

WHEREAS, Johnson Controls Inc. has submitted an Application and Certificate for Payment, AIA Document G702, for services rendered and material furnished in the amount of \$11,838.00; and

WHEREAS, The Application has been reviewed, approved and recommended for by the Architect, Clark Patterson Lee, the Construction Managers Buffalo Construction Consultants and Joseph Giarrizzo, Administrator for School Business Services; and

WHEREAS, The Application is in accordance with the Contract and is inclusive of the required 5% retention in the amount of \$592.00; and

WHEREAS, This appropriation will be expended from the Capital Fund and will be submitted as a claim for State Aid reimbursement according to the State formula for school buildings; now therefore be it

RESOLVED, That the Board of Education approves the payment of \$11,838.00 to Johnson Controls Inc. 130 John Muir Drive, Suite 100 Amherst, NY 14228 in accordance with the Application and Certificate for Payment #12; and further

RESOLVED, That the appropriation be expended from the Capital Fund and submitted as a claim for State Aid reimbursement according to the State formula for school buildings.

Action: 6.12 Motion to introduce resolution on asphalt company.

Motion to approve.

Motion by Russell Petrozzi, second by Ronald J Barstys.

Final Resolution: Motion Carries

Yes: Ronald J Barstys, Earl F Bass, Vincent Cancemi, Anthony F Paretto, Russell Petrozzi, Nicholas Vilardo, Paul Kudela, Rob Bilson, Clara Dunn

Item 6.12 Motion by Paul Kudela, second by Anthony F Paretto.

Motion Carries

Yes: Ronald J Barstys, Earl F Bass, Vincent Cancemi, Anthony F Paretto, Russell Petrozzi, Nicholas Vilardo, Paul Kudela, Rob Bilson, Clara Dunn

Motion to approve RESOLUTION OF THE BOARD OF EDUCATION OF THE CITY SCHOOL DISTRICT OF THE CITY OF NIAGARA FALLS, OPPOSING THE CONSTRUCTION OF PROPOSED ASPHALT PLANT TO BE LOCATED ON WITMER ROAD, TOWN OF NIAGARA, NEW YORK.

RESOLVED, that the City School District of the City of Niagara Falls is opposed to the construction of hot mix Asphalt Plant to be located on Witmer Road, in the Town of Niagara west of Interstate I-90, near the entrance of the Niagara University Campus and near District schools including Maple Avenue, Hyde Park, Gaskill, Harry F Abate, Henry J. Kalfas and the Niagara Falls High School, as the operation of the Plant will affect the air quality near the schools and adjacent playgrounds, and over the years could affect the health of District students and members of the community; and further

RESOLVED, that the Superintendent, be and is hereby directed to prepare and submit formal written comments, opposing the Project to the New York State Department of Environmental Conservation by April 2, 2021 as requested in the Notice of Application filed for the project; and be it further

RESOLVED, that a certified copy of this Resolution be sent to the Mayor of the City of Niagara Falls, the Supervisor of the Town of Niagara, the Chairman of the Niagara County Legislature, Congressman Brian Higgins, New York Senator Robert Ortt and New York Assemblyman Angelo Morinello, with a request that they assist the District in protecting the air quality of the area and the health and safety of District students threatened by the construction of the Project.

*The Clerk is directed to send certified copies to Messrs. Restaino, Wallace, Higgins, Morinello, Ortt, and Ms. Wydysh.*

Item 6.13 Motion by Ronald J Barstys, second by Rob Bilson.

Final Resolution: Motion Carries

Yes: Ronald J Barstys, Earl F Bass, Vincent Cancemi, Anthony F Paretto, Russell Petrozzi, Nicholas Vilardo, Paul Kudela, Rob Bilson, Clara Dunn

### **6.13 Resolution Honoring Mrs. Lexie Sanders**

Whereas Mrs. Lexie Sanders rendered long and faithful service to the youth of the City of Niagara Falls; and

Whereas, Mrs. Sanders has demonstrated an unwavering commitment to further the best interests of the greater community by starting an adult literacy class at 93rd Street School; and

Whereas, Mrs. Sanders served children by starting a Girl Scout Troop, Majorette Group, Big Brother and Big Sister Group; and

Whereas, Mrs. Sanders was founder and President of the LaSalle Education Club Inc. dedicated to helping youth pursue higher education; and

Whereas, Mrs. Sanders retired from the Niagara Falls City School District as a Home School Associate;

Now, therefore, be it resolved, that the Board of Education hereby expresses its admiration of Mrs. Lexie Sanders for her contributions and its sorrow at her passing; and

Be it further resolved, that the Board of Education recognizes the exemplary character and invaluable contributions of Mrs. Lexie Sanders.

### **Review of the Proposed Policy(ies)**

Policy 7.01: Motion by Ronald J Barstys, second by Earl F Bass.

Final Resolution: Policy adopted.

Yes: Ronald J Barstys, Earl F Bass, Vincent Cancemi, Anthony F Paretto, Russell Petrozzi, Nicholas Vilardo, Paul Kudela, Rob Bilson, Clara Dunn

**7.01** Approval of Public Employer Health Emergency Plan Addendum To The Comprehensive District-Wide School Safety Plan As Amended and Filing With The New York State Commissioner of Education (SG 1,2)

WHEREAS, the State of New York enacted a Safe Schools Against Violence in Education Act (SAVE), a component of which requires Boards of Education within the State to adopt and annually review and amend, if necessary, a Comprehensive District-Wife Safety Plan that address crisis intervention and prevention, emergency response and management; and

WHEREAS, the Board of Education in compliance with the laws and regulations did formulate, adopt and file a Comprehensive Plan; and The Board of Education, developed, adopted and filed a Comprehensive District-Wide School Safety Plan for the Niagara Falls City School District in 2020; and

WHEREAS,; In September 2020 Governor Andrew Cuomo signed into law Chapter 168 of the laws of 2020 that requires public school districts to adopt a continuation of operations plan which governs actions in the event that the governor declares a public health emergency involving communicable disease.and

WHEREAS, the comprehensive district wide school safety plan was amended to include the addendum containing protocols for responding to a declared public health emergency involving communicable disease that are substantially consistent with provisions of section 27-c of the Labor Law; and

WHEREAS, As requested by the Superintendent Members of the COVID -19 Response team representing all of the Districts six Collective Bargaining Units reviewed the attached Public Employer Health Emergency Plan addendum to the Comprehensive District-Wide School Safety Plan for submission for approval by the Board; and

WHEREAS A copy of the Amendment was made available to recognized/certified representative members of all unions by February 4, 2021 allowing for a reasonable comment period prior to formal adoption by the Board and publishing of the final version; now, therefore, be it

RESOLVED that the Board of Education does hereby approve and adopt the Public Employer Health Emergency Plan Addendum to the Comprehensive District-Wide School Safety Plan; and be it further

RESOLVED, that the Public Employer Health Emergency Plan Addendum to the Comprehensive District-Wide School Safety Plan as amended and hereby adopted be filed with the New York State Commissioner of Education and published in a clear and conspicuous location, before April 1, 2021. as required by law and regulations; and be it further

RESOLVED, that the President of the Board and District Clerk are hereby directed to do all things necessary to effectuate the purposes of this Resolution.

Niagara Falls City

School District

Public Employer Health Emergency Plan

**Date of Approved Plan**

This plan has been developed in accordance with NYS legislation S8617B/A10832.

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## Promulgation

This plan has been developed in accordance with the amended New York State Labor Law section 27-c and New York State Education Law paragraph m of subdivision 2 of section 2801-a (as amended by section 1 of part B of chapter 56 of the laws of 2016), as applicable.

This plan has been developed with the input of the NIAS, ASC, NFT, CSEA, TAUL, STU unions, as required by the amended New York State Labor Law.

No content of this plan is intended to impede, infringe, diminish, or impair the rights of us or our valued employees under any law, rule, regulation, or collectively negotiated agreement, or the rights and benefits which accrue to employees through collective bargaining agreements, or otherwise diminish the integrity of the existing collective bargaining relationship.

This plan has been approved in accordance with requirements applicable to the agency, jurisdiction, authority, or district, as represented by the signature of the authorized individual below.

As the authorized official of **Niagara Falls City School District**, I hereby attest that this plan has been developed, approved, and placed in full effect in accordance with S8617B/A10832 which amends New

York State Labor Law section 27-c and New York State Education Law paragraph m of subdivision 2 of section 2801-a (as amended by section 1 of part B of chapter 56 of the laws of 2016), as applicable, to address public health emergency planning requirements.

Signed on this

day: \_\_\_\_\_

Signature: \_\_\_\_

By: Mr. Mark Laurie

Title: Superintendent

## Record of Changes

Date of Change	Description of Changes	Implemented By

## Purpose, Scope, Situation Overview, and Assumptions

### Purpose

This plan has been developed in accordance with the amended New York State Labor Law section 27-c and New York State Education Law paragraph m of subdivision 2 of section 2801-a (as amended by section 1 of part B of chapter 56 of the laws of 2016), as applicable. These laws were amended by the passing of legislation S8617B/A10832 signed by the Governor of New York State on September 7, 2020, requires public employers to adopt a plan for operations in the event of a declared public health emergency involving a communicable disease. The plan includes the identification of essential positions, facilitation of remote work for non-essential positions, provision of personal protective equipment, and protocols for supporting contact tracing.



## Scope

This plan was developed exclusively for and is applicable to **Niagara Falls City School District**. This plan is pertinent to a declared public health emergency in the State of New York which may impact our operations; and it is in the interest of the safety of our employees and contractors, and the continuity of our operations that we have promulgated this plan.

## Situation Overview

On March 11, 2020 the World Health Organization declared a pandemic for the novel coronavirus which causes the COVID-19 severe acute respiratory syndrome. This plan has been developed in accordance with amended laws to support continued resilience for a continuation of the spread of this disease or for other infectious diseases which may emerge and cause a declaration of a public health emergency.

The health and safety of our employees and contractors is crucial to maintaining our mission essential operations. We encourage all employees and contractors to use [CDC Guidance for Keeping Workplaces, Schools, Homes, and Commercial Establishments Safe](#). The fundamentals of reducing the spread of infection include:

- Using hand sanitizer and washing hands with soap and water frequently, including:
  - After using the restroom
  - After returning from a public outing
  - After touching/disposing of garbage
  - After using public computers, touching public tables, and countertops, etc.
- Practice social distancing when possible
- If you are feeling ill or have a fever, notify your supervisor immediately and go home
- If you start to experience coughing or sneezing, step away from people and food, cough or sneeze into the crook of your arm or a tissue, the latter of which should be disposed of immediately
- Clean and disinfect workstations as required in cleaning checklists

- Other guidance which may be published by the CDC, the State Department of Health, or County health officials

## Planning Assumptions

This plan was developed based on information, best practices, and guidance available as of the date of publication. The plan was developed to largely reflect the circumstances of the current Coronavirus pandemic but may also be applicable to other infectious disease outbreaks.

The following assumptions have been made in the development of this plan:

- The health and safety of our employees and contractors, and their families, is of utmost importance
- The circumstances of a public health emergency may directly impact our own operations
- Impacts of a public health emergency will take time for us to respond to, with appropriate safety measures put into place and adjustments made to operations to maximize safety
- The public and our constituency expects us to maintain a level of mission essential operations
- Resource support from other jurisdictions may be limited based upon the level of impact the public health emergency has upon them
- Supply chains, particularly those for personal protective equipment (PPE) and cleaning supplies, may be heavily impacted, resulting in considerable delays in procurement
- The operations of other entities, including the private sector (vendors, contractors, etc.), non-profit organizations, and other governmental agencies and services may also be impacted due to the public health emergency, causing delays or other disruptions in their services
- Emergency measures and operational changes may need to be adjusted based upon the specific circumstances and impacts of the public health emergency, as well as guidance and direction from public health officials and the governor
- Per S8617B/A10832, 'essential employee' is defined as a public employee or contractor that is required to be physically present at a work site to perform their job

- Per S8617B/A10832, 'non-essential employee' is defined as a public employee or contractor that is not required to be physically present at a work site to perform their job

## Concept of Operations

The Superintendent of **Niagara Falls City School District**, their designee, or their successor holds the authority to execute and direct the implementation of this plan. Implementation, monitoring of operations, and adjustments to plan implementation may be supported by additional personnel, at the discretion of the Superintendent.

Upon the determination of implementing this plan, all employees and contractors of **Niagara Falls City School District** shall be notified by the Email, and District Messaging System (Auto-dialer, Youtube channel, social media platforms) with details provided as possible and necessary, with additional information and updates provided on a regular basis. All district employees, parents and guardians, and the Board of Education will be notified of pertinent operational changes by way of the Email, and District Messaging System (Auto-dialer, Youtube channel, social media platforms). Other interested parties, such as vendors, will be notified by phone and/or email as necessary. The Superintendent or his/her designee will maintain communications with the public and constituents as needed throughout the implementation of this plan.

The Superintendent of Schools of the the **Niagara Falls City School District**, his/her designee, or his/her successor will maintain awareness of information, direction, and guidance from public health officials and the Governor's office, directing the implementation of changes as necessary.

Upon resolution of the public health emergency, the Superintendent of Schools of the **Niagara Falls City School District**, his/her designee, or his/her successor will direct the resumption of normal operations or operations with modifications as necessary.

## Mission Essential Functions

When confronting events that disrupt normal operations, **Niagara Falls City School District** is committed to ensuring that essential functions will be continued even under the most challenging circumstances.

Essential functions are those functions that enable an organization to:

1. Maintain the safety of students, employees, contractors, and our constituency
2. Provide vital services
3. Provide services required by law
4. Sustain quality operations
5. Uphold the core values of **Niagara Falls City School District**

The **Niagara Falls City School District** has identified as critical only those priority functions that are required or are necessary to provide vital services. During activation of this plan, all other activities may be suspended to enable the organization to concentrate on providing the critical functions and building the internal capabilities necessary to increase and eventually restore operations. Appropriate communications with students, employees, contractors, our constituents, and other stakeholders will be an ongoing priority.

Essential functions are prioritized according to:

- The time criticality of each essential function
- Interdependency of a one function to others
- The recovery sequence of essential functions and their vital processes

Priority 1 identifies the most essential of functions, with priority 4 identifying functions that are essential, but least among them.

The mission essential functions for the **Niagara Falls City School District** have been identified as:

Essential Function	Description	Priority
Superintendent of Schools	Oversees and plans. Assigns critical functions assuring compliance with all CDC, DOH and NYSED requirements. Establishes communication with staff and parents to execute	1

	and standardize district goals. Establishes contacts to provide outside organizations with information relative to District plans to procedures. Communicates with the Board of Education directly.	
<b>Administrator for School Business Services</b>	<p>Reports to the Superintendent of Schools directly.</p> <p>Coordinates and supports the goals of the District with the Superintendent of Schools and other District Administrators and Supervisors. Oversees the functions of the Business Office. Communicates directly with Superintendent and administration to assist with planning and daily functions to achieve District goals..</p>	1
<b>Administrator for Human Resources</b>	<p>Reports to the Superintendent of Schools directly.</p> <p>Coordinates and supports the goals of the District with the Superintendent of Schools and other District Administrators and Supervisors. Oversees the functions of the Human Resources Office. Communicates directly with Superintendent and administration to assist with planning and daily functions to achieve District goals.</p>	1
<b>Administrator for Curriculum and Instruction</b>	<p>Reports to the Superintendent of Schools directly. Coordinates and supports the goals of the District with the Superintendent of Schools and other District Administrators and Supervisors. Oversees the creation and implementation of Curriculum, Instruction, remote and distance learning and professional development. Communicates directly with Superintendent and administration to assist with planning and daily functions to achieve District goals.</p>	
<b>Administrator for Information Services</b>	<p>Reports to the Superintendent of Schools directly.</p> <p>Coordinates and supports the goals of the district with the Superintendent of Schools and Director of Administrative Services. Communicates directly with the Superintendent and administration to assist with all technology planning and functions, including hardware, software, systems and network, ensuring that the needs of the district are being met.</p>	1
<b>School Administrators</b>	<p>Coordinates functions delegated by the Superintendent of Schools. Assign tasks to facilitate and accomplish district goals. Communicates regularly with the Superintendent and District</p>	1

	<p>level Administrators Oversee school based instructional and non-instructional personnel. Ensure critical functions are being performed as necessary. Provides regular progress reports on daily activities necessary to accomplish district goals. When directed by the Superintendent of Schools, School Administrators are responsible for communicating and updating employees in district policy. This includes instruction, assessment, technology and maintenance, and scheduling and any changes to these duties. Monitor and request building safety equipment and supplies as needed.</p>	
<b>District Medical Director</b>	<p>Reports to the Superintendent of Schools directly.</p> <p>Coordinates and supports the medical/health goals of the district with the Superintendent of Schools and District Administrators. Communicates directly with the Superintendent and administration. Assists with CDC, DOH and NYSED regulations including oversight of NYS recording requirements and Nursing Staff.</p>	
<b>Director of Facilities</b>	<p>Reports to the Superintendent of Schools directly Coordinates functions with the Superintendent of Schools, District Administrators, Administrators and Staff. Responsible for maintenance activities, custodial duties including ordering supplies, training, scheduling to meet the needs of the district. Instructs and informs staff of district policy and procedures including personal protection, cleaning procedures and methods of reporting and receiving issues and concerns that may affect or enhance safety procedures. Responsible for communication and updating employees in cleaning regimen /schedules and constant changes to these duties. Maintains a current inventory of supplies and safety equipment and provides staff and services as needed. Inventory includes maintaining a cache of necessary supplies and equipment through reordering and replenishing stock so as not to fall short of critical supplies. Adjusts schedules to meet current needs, updates and trains staff on proper handling and use of tools and chemicals as per the manufacturer, CDC, DOL and DOH requirements. Coordinates deliveries and ensures delivery agents know and follow district policy when on site. Schedules outside maintenance activities. Ensures third party contractors know and follow all school, CDC, DOL and DOH policies while on school district property.</p>	1

<b>Food Service Administrator</b>	<p>Reports to the Superintendent of Schools and Administrator for School Business Services directly.</p> <p>Coordinates and supports the child nutrition goals of the district with the Superintendent of Schools and District Administrators. Communicates directly with the Superintendent and administration. Assists with NYSED regulations including oversight of all kitchen/Food Service Staff. Initiates and Implements all Nutritional, health and safety food service protocols.</p>	1
<b>Custodian on Special Assignment</b>	<p><i>Reports to the Director of Facilities. Coordinates activities with, and updates the Director of Facilities regularly. Assists in providing employees with proper direction for performing necessary cleaning, equipment, cleaning products and protocols. Provides a direct line of communication from custodial staff to the Director of Facilities. Assists with keeping records of and controlling inventory, communicates directly with suppliers for ordering and receiving material and supplies to maintain an adequate cache of necessary products and materials. Assists with building schedules and arranging custodial staff and staff schedules to meet District needs. Assists with communication and updating employees in district cleaning regimen/schedules and constant changes to these duties.</i></p>	1 FOR DISC
<b>Business Office</b>	<p>Assists the Superintendent of Schools and Administrator for School Business Services with maintaining critical financial functions and oversight. Provides needed guidance and advice with logistical and financial obligation; as well as record keeping. Provides purchasing support to ensure that necessary safety equipment and supply inventory can be maintained for education, maintenance, nursing, and custodial functions.</p>	1
<b>Technology Department</b>	<p>Provides support to ensure critical infrastructure is in place to provide effective building support and educational support securely. Works directly with the Superintendent of Schools, Administrator for Information Services and Administrative staff to ensure communication and internet stability. Provides the necessary equipment and approved software to staff and students to perform the functions of each necessary school sector to maintain building maintenance, day to day operations, and educational needs.</p>	1

<b>Nurses</b>	Assist with the medical goals of the district. Provide medical insight and support to help maintain a healthy school population. Assists with planning and achieving district goals. Provides support and assistance to carry out orders from the Medical Director, CDC, DOH and NYSED regulations. Maintain Fa sanitary environment. Monitors quarantine area. Keeps accurate records. Makes immediate and necessary notifications to building administrators when necessary. Coordinates activities with parents. Offers guidance to building occupants and parents. Communicates regularly with the building administration and the Superintendent.	1
<b>Building Secretaries</b>	Staff will continue to perform vital services as directed by the Superintendent of Schools and directed by their school administrator. The District will determine need based on individual circumstances and can be utilized in school or remotely. Administration will provide services necessary for staff to operate in a safe and clean environment on site. Administration will ensure all staff will be informed of and are required adhere to district safety policy while onsite. Administration will provide the necessary means and materials to safely and effectively work in a remote setting as well.	1
<b>Maintenance Staff</b>	Maintenance staff will perform vital services to keep and maintain essential equipment for onsite and remote learning. Maintenance staff and work will be overseen by the Director of Facilities. Staff will be informed of school procedures and adhere to all personal safety protocols required by the CDC, DOL (PESH), and DOH at all times. The Director of Facilities will supervise and schedule maintenance personnel for the purpose of keeping vital services operating and functional.	1
<b>Custodial Staff</b>	Custodial staff will work as directed by the Director of Facilities and Operations and Custodial Supervisor. The Director of Facilities and Operations and Custodial Supervisor will oversee and ensure school buildings are being cleaned properly. Building Administration will also assist with notification and information about building conditions and issues that need to be discussed or addressed. Custodial staff has received pandemic awareness training. Training provided essential information about communicable diseases. Training also included information about personal protective equipment, cleaning products, proper disinfection and sanitization and product use, product labels, Safety Data Sheets, and	1



	manufacturers' requirements for use. The district will provide custodial staff with the required personal protective equipment and cleaning supplies to maintain a safe working environment. Staff shifts and personnel will be scheduled accordingly based on the needs of the district. As with all staff, custodial personnel will follow district protocols required by the CDC, DOL (PESH), DOH and the district while providing services and on breaks.	
<b>Educational</b>	The Superintendent, with assistance from the Administrator for Curriculum and Instruction, Administrator for Information Services and other District Administrators will determine the level of on-site education and or implement the District Remote Learning Plan.	1
<b>Outside Contractors</b>	Outside contractors will be scheduled and work will be performed with the oversight of the Director of Facilities. All outside contractors will notify the Director of Facilities when they arrive on-site. Outside contractors will be informed of district procedures and policy before they are allowed to work on the premises. Companies performing work on site will provide their employees with the proper PPE to comply with District policy. Outside contractors who do not or cannot work safely will not be allowed on district property.	1
<b>Food Service</b>	All District protocols will be initiated by the District Food Service Administrator.	1
<b>Transportation</b>	Transportation will provide services directed by the Superintendent with the assistant of the Administrator for School Business Services. As directed by the Superintendent, and/or the Administrator for School Business Services, the District Transportation Coordinator will work in conjunction with the Transportation Contractor on daily operations. The District will provide safe and secure transportation based on the needs of the District and learning environment. Protocols will be established and the Transportation Contractor has will ensure proper training for cleaning and sanitizing buses. The Transportation Contractor will provide their employees with the training and proper PPE and disinfection equipment to effectively maintain the transportation fleet. Records will be maintained accurately to ensure bus safety procedures are being followed. The District Transportation Coordinator will schedule student	1

	bussing pickup and drop off according to the needs of district. The District will continually inform staff and parents of changes to procedures as necessary.	
<b>B.O.E</b>	The Board of Education and Superintendent of Schools will dictate school policy and procedures.	<b>1</b>
<b>Outside Deliveries</b>	Deliveries will be coordinated with the Director of Facilities , Custodial Supervisor, and Building Custodians. The Director of Facilities will inform companies of District Policy and procedures in advance. All delivery agents will be required to notify the district prior to arrival on District and strictly adhere to district policy while on site. Employers will be required to provide their employees with the proper PPE to work safely while on site.	<b>1</b>

## Essential Positions

Each essential function identified above requires certain positions on-site to effectively operate. The table below identifies the positions or titles that are essential to be staffed on-site for the continued operation of each essential function. Note that while some functions and associated personnel may be essential, some of these can be conducted remotely and do not need to be identified in this section.

Essential Function	Essential Positions/Titles	Justification for Each
Administration and Oversight	Superintendent of Schools	The Superintendent is the decision-maker for the entire district.
Financial Operations	Administrator for School Business Services	Administrator for School Business Services ensures all essential financial functions are maintained.
Human Resources/Personnel	Administrator for Human Resources	The Administrator for Human Resources ensures all essential staff and substitutes are employed and deployed appropriately at each location

Education	Administrator for Curriculum and Instruction	The Administrator for Curriculum and Instruction, assists in determining the District's educational plan.
Information Technology	Administrator for Information Services	The Administrator for Information Services establishes all priorities for IT tasks and organizes staff.  IT staff members provide support in setting up hardware and software, network management, and help desk support.
Administration	Principals, Assistant Principals	The Principals, and Assistant Principals, are the liaisons between students, families, and employees in the building.
Health Services	District Medical Director	Directs all Health Services including Nurses
Facilities	Director of Facilities	The Director of Facilities ensures the maintenance of buildings and grounds and the necessary level of cleaning and sanitizing at all locations
Child Nutrition	Food Service Administrator	Coordinates and supports the child nutrition goals of the district including oversight of all kitchen/Food Service Staff. Initiates and Implements all Nutritional, health and safety food service protocols.
Cleaning and Sanitizing	Buildings and Grounds Staff, Custodial Maintenance, Repairers and Laborers	Perform all cleaning and sanitization and necessary upkeep of the buildings.
Support	District Clerical Staff	Provides necessary support for all Administrators.

### Reducing Risk Through Remote Work and Staggered Shifts

Through assigning certain staff to work remotely and by staggering work shifts, we can decrease crowding and density at work sites and on public transportation.

### Remote Work Protocols

Non-essential employees and contractors able to accomplish their functions remotely will be enabled to do so at the greatest extent possible. Working remotely requires:

1. Identification of staff who will work remotely
2. Approval and assignment of remote work
3. Equipping staff for remote work, which may include:
  - a. Internet capable laptop
  - b. Necessary peripherals
  - c. Access to VPN and/or secure network drives
  - d. Access to software and databases necessary to perform their duties
  - e. A solution for telephone communications
- i. Note that phone lines may need to be forwarded to off-site staff

The Superintendent of Schools and the District Administrative Staff will determine the level of remote working for all district employees in conjunction with all NYSDOH guidelines.

### **Staggered Shifts**

Implementing staggered shifts may be possible for personnel performing duties which are necessary to be performed on-site but perhaps less sensitive to being accomplished only within core business hours. As possible, management will identify opportunities for staff to work outside core business hours as a strategy of limiting exposure. Regardless of changes in start and end times of shifts, **Niagara Falls City School District** will ensure that employees are provided with their typical or contracted minimum work hours per week. Staggering shifts requires:

1. Identification of positions for which work hours will be staggered
2. Approval and assignment of changed work hours

The Director of Facilities will work with the Superintendent of Schools and District Administrators to formulate a calendar that schedules employees based on the needs of the District.

## Personal Protective Equipment

The use of personal protective equipment (PPE) to reduce the spread of infectious disease is important to supporting the health and safety of our employees and contractors. PPE which may be needed can include:

- Masks
- Face shields
- Gloves
- Disposable gowns or aprons

Note that while cleaning supplies are not PPE, there is a related need for cleaning supplies used to sanitize surfaces, as well as hand soap and hand sanitizer. The Coronavirus pandemic demonstrated that supply chains were not able to keep up with increased demand for these products early in the pandemic. As such, we are including these supplies in this section as they are pertinent to protecting the health and safety of our employees and contractors.

Protocols for providing PPE include the following:

1. Identification of need for PPE based upon job duties and work location
2. Procurement of PPE
  - a. As specified in the amended law, public employers must be able to provide at least two pieces of each required type of PPE to each essential employee during any given work shift for at least six months
  - b. Public employers must be able to mitigate supply chain disruptions to meet this requirement
3. Storage of, access to, and monitoring of PPE stock
  - a. PPE must be stored in a manner which will prevent degradation
  - b. Employees and contractors must have immediate access to PPE in the event of an emergency

- c. The supply of PPE must be monitored to ensure integrity and to track usage rates

The Director of Facilities and the District Medical Director will be responsible for insuring the proper PPE is available at all buildings for required applications. The District will work to ensure we maintain a six month supply of PPE as directed above for all faculty and students. An extra supply of PPE will be available in all buildings for the Principals, Nurses or Custodial staff. The **Niagara Falls City School District** participates in the Orleans/Niagara Cooperative Bid Purchasing Agreement. It provides a comprehensive list of suppliers and products used for maintaining employee safety, disinfecting and sanitization protocols.

Surplus PPE will be stored in a dry, secured central location. Access to the surplus PPE can only be made by the Director of Facilities as this will ensure the accurate accountability of all supplies on hand. The District Storekeeper will be responsible for keeping accurate records and reporting to the Director of Facilities.

## **Staff Exposures, Cleaning, and Disinfection**

### **Staff Exposures**

Staff exposures are organized under several categories based upon the type of exposure and presence of symptoms. Following CDC guidelines, we have established the following protocols:

- A. If employees or contractors are exposed to a known case of communicable disease that is the subject of the public health emergency (defined as a 'close contact' with someone who is confirmed infected, which is a prolonged presence within six feet with that person):
  - 1. Potentially exposed employees or contractors who do not have symptoms should remain at home or in a comparable setting and practice social distancing for the lesser of 14 days or other current CDC/public health guidance for the communicable disease in question.
    - a. As possible, these employees will be permitted to work remotely during this period of time if they are not ill.
    - b. All necessary parties will be notified of staff exposure through contact tracing.

- c. See the section titled Documentation of Work Hours and Locations for additional information on contact tracing.
- 2. CDC guidelines for COVID-19 provide that critical essential employees may be permitted to continue work following potential exposure, provided they remain symptom-free and additional precautions are taken to protect them, other employees and contractors, and our constituency/public.
  - a. Additional precautions will include the requirement of the subject employee or contractor, as well as others working in their proximity, to wear appropriate PPE at all times to limit the potential of transmission.
  - b. In-person interactions with the subject employee or contractor will be limited as much as possible.
  - c. Work areas in which the subject employee or contractor are present will be disinfected according to current CDC/public health protocol at least every hour, as practical. See the section on Cleaning and Disinfection for additional information on that subject.
  - d. If at any time they exhibit symptoms, refer to item B below.
  - e. The Superintendent of Schools, in the organization is the decision-maker in these circumstances and who is responsible for ensuring these protocols are followed.
- B. If an employee or contractor exhibits symptoms of the communicable disease that is the subject of the public health emergency:
  - 1. Employees and contractors who exhibit symptoms in the workplace should be immediately separated from other employees, customers, and visitors. They should immediately be sent home with a recommendation to contact their physician.
  - 2. Employees and contractors who exhibit symptoms outside of work should notify their supervisor and stay home, with a recommendation to contact their physician.
  - 3. Employees should not return to work until they have met the criteria to discontinue home isolation per CDC/public health guidance and have consulted with a healthcare provider.
  - 4. Niagara Falls City School District will not require sick employees to provide a negative test result for the disease in question or healthcare provider's note to validate their illness, qualify for sick

leave, or return to work unless there is a recommendation from the CDC/public health officials to do so.

5. CDC criteria for COVID-19 provides that persons exhibiting symptoms may return to work if at least 24 hours have passed since the last instance of fever without the use of fever-reducing medications. If the disease in question is other than COVID-19, CDC and other public guidance shall be referenced.
  6. The Superintendent, Medical Director and Administrator for Human Resources in the organization must be informed in these circumstances and are responsible for ensuring these protocols are followed.
- C. If an employee or contractor has tested positive for the communicable disease that is the subject of the public health emergency:
1. Apply the steps identified in item B, above, as applicable.
  2. Areas occupied for prolonged periods of time by the subject employee or contractor will be closed off.
    - a. CDC guidance for COVID-19 indicates that a period of 24 hours is ideally given before cleaning, disinfecting, and reoccupation of those spaces will take place. If this time period is not possible, a period of as long as possible will be given. CDC/public health guidance for the disease in question will be followed.
    - b. Any common areas entered, surfaces touched, or equipment used shall be cleaned and disinfected immediately.
    - c. See the section on Cleaning and Disinfection for additional information on that subject.
  3. Identification of potential employee and contractor exposures will be conducted
    - a. If an employee or contractor is confirmed to have the disease in question, the Superintendent, or his/her designee, should inform all contacts of their possible exposure. Confidentiality shall be maintained as required by the Americans with Disabilities Act (ADA).
    - b. Apply the steps identified in item A, above, as applicable, for all potentially exposed personnel.



We recognize there may be nuances or complexities associated with potential exposures, close contacts, symptomatic persons, and those testing positive. We will follow CDC/public health recommendations and requirements and coordinate with our local public health office for additional guidance and support as needed.

## **Cleaning and Disinfecting**

CDC/public health guidelines will be followed for cleaning and disinfection of surfaces/areas. Present guidance for routine cleaning during a public health emergency includes:

1. As possible, employees and contractors will clean their own workspaces in the beginning, middle, and end of their shifts, at a minimum, in conjunction with District custodial staff.
  - a. High traffic/high touch areas and areas which are accessible to the public/constituents will be disinfected at least hourly.
  - b. The Director of Facilities will coordinate and establish cleaning guidelines and schedules for all cleaners to cover the common areas listed above.
2. Staff tasked with cleaning and disinfecting areas will be issued and required to wear PPE appropriate to the task.
3. Soiled surfaces will be cleaned with soap and water before being disinfected.
4. Surfaces will be disinfected with products that meet EPA criteria for use against the virus in question and which are appropriate for that surface.
5. Staff will follow instructions of cleaning products to ensure safe and effective use of the products.

## **Employee and Contractor Leave**

Public health emergencies are extenuating and unanticipated circumstances in which Niagara Falls City School District is committed to reducing the burden on our employees and contractors. The Families First Coronavirus Response Act provided requirements related to the COVID-19 pandemic, which form the policies outlined below. This policy may be altered based upon changes in law or regulation, as applicable.

It is our policy that employees of Niagara Falls City School District will not be charged with leave time for testing. Employees will be provided with up to two weeks (80 hours) of paid sick leave at the employee's regular rate of pay for a period which the employee is unable to work due to quarantine (in accordance with federal, state, or local orders or advice of a healthcare provider), and/or experiencing symptoms and seeking medical diagnosis.

Further, Niagara Falls City School District will provide up to two weeks (80 hours) of paid sick leave at minimum of two-thirds the employee's regular rate of pay if the employee is unable to work because of a bona fide need to care for an individual subject to quarantine (pursuant to federal, state, or local orders or advice of a healthcare provider), or to care for a child (under 18 years of age) whose school or child care provider is closed or unavailable for reasons related to the public health emergency, and/or the employee is experiencing a substantially similar condition as specified by the CDC/public health officials. This provision may be modified if an employee is able to effectively work remotely and the need exists for them to do so.

Additionally, Niagara Falls City School District will provide up to an additional 10 weeks of paid expanded family and medical leave at minimum of two-thirds of the employee's regular rate of pay where an employee, who has been employed for at least 30 calendar days by Niagara Falls City School District, is unable to work due to a bona fide need for leave to care for a child whose school or child care provider is closed or unavailable for reasons related to the public health emergency. This provision may be modified if an employee is able to effectively work remotely and the need exists for them to do so.

Additional provisions may be enacted based upon need and the guidance and requirements in place by federal and state employment laws, FMLA, executive orders, and other potential sources.

Contractors, either independent or affiliated with a contracted firm, are not classified as employees of Niagara Falls City School District, and as such are not provided with paid leave time by Niagara Falls City

School District, unless required by law.

### **Documentation of Work Hours and Locations**

In a public health emergency, it may be necessary to document work hours and locations of each employee and contractor to support contact tracing efforts. Identification of locations shall include on-site work, off-site visits.

This information may be used by Niagara Falls City School District to support contact tracing within the organization and may be shared with local public health officials.

7.02 Motion to table by Ronald J Barstys, second by Nicholas Vilardo.

Final Resolution: Motion Fails

Yes: Vincent Cancemi, Russell Petrozzi, Nicholas Vilardo

No: Ronald J Barstys, Earl F Bass, Anthony F Paretto, Paul Kudela, Rob Bilson, Clara Dunn

Resolution Adopting Policy Pertaining Student Gender Identity - Gender Neutral Single-Occupancy Bathrooms

Motion by Paul Kudela, second by Ronald J Barstys.

Policy Adopted

Yes: Ronald J Barstys, Earl F Bass, Vincent Cancemi, Anthony F Paretto, Russell Petrozzi, Nicholas Vilardo, Paul Kudela, Rob Bilson, Clara Dunn

Resolution Adopting Policy Pertaining Student Gender Identity - Gender Neutral Single-Occupancy Bathrooms (SG 1,4)

RESOLVED, That in accordance with previous practice, this item will be tabled for thirty (30) days to allow for sufficient review time.

SUBJECT: GENDER NEUTRAL SINGLE-OCCUPANCY BATHROOMS

The District is committed to creating and maintaining an inclusive educational and work-environment. The District will ensure that all single-occupancy bathroom facilities are designated as gender neutral for use by no more than one occupant at a time or for family or assisted use.

"Single-occupancy bathroom" means a bathroom intended for use by no more than one occupant at a time or for family or assisted use and which has a door for entry into and egress from the bathroom that may be locked by the occupant to ensure privacy and security.

All gender neutral bathroom facilities will be clearly designated by the posting of signage either on or near the entry door of each facility.

Education Law § 409-m

Public Buildings Law § 145

NOTE: Refer also to Policy #7552 -- Student Gender Identity

**7.03** Motion to table:

Motion by Paul Kudela, second by Ronald J Barstys.

Final Resolution: Motion Fails

Yes: Vincent Cancemi, Russell Petrozzi, Rob Bilson

No: Ronald J Barstys, Anthony F Paretto, Nicholas Vilardo, Paul Kudela, Clara Dunn

Abstain: Earl F Bass

Motion to adopt Resolution Adopting Policy Pertaining Student Gender Identity - Locker Rooms, and Other Circumstances where Students may be Sex-segregated.

Motion by Ronald J Barstys, second by Anthony F Paretto.

Policy Adopted

Yes: Ronald J Barstys, Earl F Bass, Anthony F Paretto, Russell Petrozzi, Paul Kudela, Rob Bilson, Clara Dunn

No: Vincent Cancemi, Nicholas Vilardo

Resolution Adopting Policy Pertaining Student Gender Identity - Locker Rooms, and Other Circumstances where Students may be Sex-segregated. (SG 1,4)

RESOLVED, That in accordance with previous practice, this item will be tabled for thirty (30) days to allow for sufficient review time.

**2021**

7552

1 of 3

Students

**SUBJECT: STUDENT GENDER IDENTITY**

All students need a safe and supportive educational environment to progress academically and developmentally. The District is committed to fostering a safe learning environment for all students, free from discrimination and harassment on the basis of sex, gender, gender identity, gender nonconformity, and gender expression. In accordance with applicable law, regulations, and guidelines, the District will ensure that students have equal access to all school programs, facilities, and activities. The District will assess and address the specific needs of each student on a case-by-case basis.

**Key Terms**

Generally, District personnel should use the language that individual students are using to describe their own gender identity, appearance, or behavior. The most commonly used terms are:

Cisgender: a person whose gender identity corresponds to their assigned sex at birth.

Gender: actual or perceived sex, typically with reference to social and cultural differences rather than physiological ones.

Gender expression: the ways a person conveys their gender identity to others, such as through behavior, appearance, clothing, hairstyle, activities, voice, and mannerisms.

Gender identity: a person's inner sense or psychological knowledge of being male, female, neither, or both.

Gender nonconforming (GNC): describes someone whose gender identity or gender expression does not conform to social or stereotypical expectations of a person with that gender assigned at birth. This is also referred to as gender variant or gender atypical.

Transgender: someone whose gender identity is different than their gender assigned at birth.

Transition: the process by which a person socially or physically aligns their gender expression more closely to their gender identity than their assigned sex at birth.

**Records**

As required by law, the District will maintain the confidentiality of student information and records. If a transgender or GNC student has officially changed his or her name, as demonstrated by court order or birth certificate, the District will change its official and unofficial records, as needed, to reflect the change. The District will maintain records with the student's assigned birth name in a separate, confidential file.

If a transgender or GNC student has not officially changed his or her name, but wishes to be referred to by a different name that corresponds to their gender identity, the District may create or change unofficial records to reflect the name and gender identity that the student consistently asserts at school. On state standardized tests, certain reports to the New York State Education Department, and when necessary to ensure appropriate and coordinated medical care, however, the District will use the student's legal name and gender. Any student identification cards will be issued with the name reflecting the gender identity the student consistently asserts at school. The District will maintain records with the student's assigned birth name and gender in a separate, confidential file.

## **Names and Pronouns**

When apprised of a student's transgender or GNC status, the District will endeavor to engage the student and his or her parents or guardians, as appropriate, in an effort to agree upon a plan that will accommodate the student's individual needs at school. Transgender and GNC students have the right to discuss and convey their gender identity and expression openly and to decide when, with whom, and how much to share this confidential information. The plan may therefore include when and how to initiate the student's preferred name and associated pronoun use and if, when, and how this is communicated to others. District staff will use the name and pronoun that corresponds to the gender identity the student consistently asserts at school.

## **Restrooms and Locker Rooms**

The District will allow a transgender or GNC student to use the restroom and locker room that corresponds to the student's consistently expressed gender identity at school. Any student requesting increased privacy or other accommodations when using bathrooms or locker rooms will be provided with a safe and adequate alternative, but they will not be required to use that alternative.

## **Physical Education and Sports**

Physical education is a required part of the District's curriculum. Where these classes are sex-segregated, students will be allowed to participate in a manner consistent with their gender identity. Students will likewise be allowed to participate in intramural activities consistent with their gender identity.

Upon written notification that a transgender or GNC student would like an opportunity to participate in the District's interscholastic athletics program consistent with his or her gender identity, the District will determine his or her eligibility in accordance with applicable law, regulations, and guidelines.

The District will confirm the student's asserted gender identity with documentation it considers appropriate from a parent or guardian, counselor, doctor, psychologist, psychiatrist, or other medical professionals. The student's gender identity should be the same as the identity used for District registration and other school purposes.

The District's athletic director will notify opposing team athletic directors or the New York State Public High School Athletic Association if a student needs any accommodations during competitions. Any appeal regarding the District's eligibility decision will be directly to the Commissioner of Education.

### **Other Activities**

Generally, in other circumstances where students may be sex-segregated, such as overnight field trips, students may be permitted to participate in accordance with the gender identity that the student consistently asserts at school. Student privacy concerns will be addressed individually and on a case-by-case basis in accordance with District policy and applicable law, regulations, and guidelines.

### **Dress Code and Team Uniforms**

Transgender or GNC students may utilize restrooms in accordance with their gender identity or expression, within the parameters of the District's dress code. The District will not restrict students' clothing or appearance on the basis of gender.

The District's code applies while its athletes are traveling to and from athletic contests. Athletes will have access to uniforms that are appropriate for their sport.

Family Educational Rights and Privacy Act (FERPA), 20 USC § 1232g

34 CFR Part 99

Title IX of the Education Amendments of 1972

Education Law Article 2 and §§ 2-d, 11(7), 3201-a

8 NYCRR § 100.2

NOTE: Refer also to Policies #3410 -- Code of Conduct

#3420 -- Non-Discrimination and Anti-Harassment in the District

#7550 -- Dignity for All Students

#7551 -- Sexual Harassment of Students

#7553 -- Hazing of Students

#8242 -- Civility, Citizenship, and Character Education/Interpersonal  
Violence Prevention Education

Adoption Date

## 7. Information and Reports

### 8.01 Superintendent's Report

Questioned the Board's will on communicating the policies adopted regarding gender identity.

Mrs. Dunn wants parents notified. Dr. Barstys suggest principals include information in newsletters. Mrs. Dunn is fine with that suggestion. Mr. Laurie may prefer to handle it himself. He will discuss it soon via some communication with the Board.

**2021-2022 General Fund Budget Update** - Mr. Laurie and Mr. Giarrizzo offered the following update:

NYS has released almost all withholdings, except one grant.

Timeline: April 15 recommend budget to vote April 22.

It is unknown whether the State will capture any federal stimulus money intended for the District.

It is possible the gap will be eliminated.

Appropriations changes: electric costs change by \$20k

\$200,000 e-rate upfront costs to be run through BOCES.

1.9 percent year to year excluding debt.

COVID two years, \$32 million for NFCSD. Must be spent on academic recovery.

RESERVE: DEBT SERVICE (INC \$202,478 PRM)	\$541,000
PROJECTED ADDITIONAL APPROP.	\$5,061,043
GAP Total Appr. Minus Total Revenue	\$1,088,757

**COVID-19 Update:** Mr. Laurie offered the following update:



All current hybrid students (Blue and Gold) will become four day (Green) students once the Niagara County Department of Health approves reopening of schools fulltime. A four day (M, T, Th, F) schedule will continue; synchronous instruction will continue on Wednesdays.

Individual schools will assess space considerations to include classroom size, bathrooms, cafeterias, music rooms, and physical education space with respect to maintaining three feet of social distance.

Students and staff will wear masks, unless on an approved mask break or while eating or drinking.

Clarification on bussing is needed; a second run may be added.

Infection rates must be closely monitored. If rates rise to the threshold level, a retreat to the hybrid schedule must occur, as directed by the Superintendent.

Any student whose parent does not wish the child to attend four days will be placed on remote instruction.

Outside spaces should be used as frequently as possible.

Swimming pools may be used, with a plan approved by the Superintendent, no earlier than April 26, 2021.

Isolation Rooms and Wednesday staff/student BINEX testing must continue.

Outside groups will be approved on a case-by-case basis.

Current, fully remote students will remain on a remote instruction.

The plan will begin on April 19, 2021, depending on information at that time and at the discretion of the Superintendent.

The Superintendent will communicate this plan to the community and the administrators will make school-based determinations on bathrooms, classrooms, and cafeterias.

Rev. Sylvester Beaman – a video presentation was shown featuring this 1978 NFHS graduate- outstanding alumni to accept award. Rev. Beaman offered the invocation at President Biden's inauguration. He will be here May 13.

The Superintendent and Mrs. Jones will meet with the Chamber of Commerce tomorrow.

Seventeen NFHS students earned OSHA cards.

Wolverine 18 – 1 basketball team vs. Clarence tomorrow.

The District was approved to distribute 1,000 free AT&T Hotspot to students. Staff will work with Digital Promise and AT&T to identify eligible students who either do not have at-home internet access or do not have access to sufficient broadband speeds to participate in remote learning. The applications for this emergency fund are due no later than Friday, April 9th.

NFCSD Prep school students hold 10 of the top 11 spots in Robotics awards.

1-4, 6-11 autonomous drones 4/17/21 competing Championships in Rochester, N.Y.

## Spring Recess approaches.

### 8.02 Board Members Report and Comments

Mr. Vilardo: requests BOCES update of Mr. Cancemi.

Mr. Cancemi provided that update – tour of new BOCES building took place, BOCES is seeking instructors. Dr. Godshall plans to work another year. All Superintendents of Schools are meeting weekly. Dr. Godshall knows Niagara Falls will not be funding summer school. BOCES programming is down in students. A high number of challenged students are being served.

Mr. Paretto: Congratulated staff on budget work; football practice began, locker rooms are in great shape, even with COVID protocols. The trainer is excellent.

Mr. Kudela: Thanks for vote against asphalt company in the walked on resolution, 6.12.

Mr. Bass: Thanks to all staff for their hard work.

Mr. Bilson: Thanks to all staff for their hard work.

Dr. Barstys: Happy Easter.

Mr. Cancemi: Great Board open communication among members. Thanked the Superintendent for his leadership.

BRS Thursday, April 15th, 2021	ARS/Regular Mtg. Thursday, April 22, 2021
1. NF International Kite	1. NFHS Career Pathways
2. Capital Projects	2.
3. Sister Schools	
4. 2021-2022 General Fund Budget	2. 2021-2022 General Fund Budget
5. Review of Board Meeting Agenda Items – April 22 <sup>nd</sup> Regular Board Meeting – <i>Mr. Laurrie, Mrs. Glaser, Ms. Massaro</i>	3. Review of Board Meeting Agenda Items – April 22 <sup>nd</sup> Regular Board Meeting – <i>Mr. Laurrie, Mrs. Glaser, Ms. Massaro</i>

## 9. Advanced Planning

### 9.01 Future Agenda Items

### 9.02 Future Meeting Dates

<b>ARS/Regular (Virtual) – Thursday, April 27<sup>th</sup></b>
1. April 27 Special Board Meetings Agenda Item School District and BOCES Agenda Items - <i>Mr. Laurrie, Mrs. Glaser, Ms. Massaro</i>

The Board  
convened an  
executive  
session at

8:32 p.m. on a motion by Mr. Bass seconded by Dr. Barstys for the purpose of discussions relating to the Taylor Law concerning CSEA.

The Board exited Executive Session at 9:02 p.m. on a motion by Dr. Barstys seconded by Mr. Kudela.

**10. Adjournment** in memory of the following:

1. Wendell Bone, brother of Porter Terry Bone.
2. Patricia Nolan, retired School Secretary at G.J. Mann Elementary School, who was employed by the District for 30 years.
3. Kathie Kudela, aunt of Board member Paul Kudela.
4. Elaine Baia, former substitute teacher.
5. John Pero, father of special education teachers Jack Pero and Jaime Pero.
6. Robert Davis Fr., son of Gaskill lunch associate Maggie Davis.
7. Alfretta Walker, former employee through Evenstart.

Motion by Ronald J Barstys, second by Earl F Bass.

Final Resolution: Motion Carries

Yes: Ronald J Barstys, Earl F Bass, Vincent Cancemi, Anthony F Paretto, Russell Petrozzi, Nicholas Vilardo, Paul Kudela, Rob Bilson, Clara Dunn

Respectfully submitted,

Judith Glaser

District Clerk