



YONKERS
PUBLIC SCHOOLS

Yonkers Board of Education Policy Committee Meeting

May 12, 2022

One Larkin Center, Board Room, 4th Floor

Yonkers, New York 10701

5:45 p.m.

Meeting Agenda

- I. Welcome & Updates**
Committee Chair, Gail Burns

- II. Final Draft Policies for Review:**

Section	Policy
4511	Textbook Selection and Adoption
2110.2	Responsibilities for Review and Approval of Collective Bargaining Agreements
9260	Conditional Appointment Student Safety Policy

- III. Draft Policies for Review:**

Section	Policy
4311.1	Display of the Flag
4311.1 R	Display of the Flag - Regulation
9170	Meals and Refreshments

- IV. Other Business**

- V. Adjournment**

TEXTBOOK SELECTION AND ADOPTION

The Board of Education is responsible for the selection and designation of all textbooks to be used in the District. The Superintendent of Schools, in cooperation with the Assistant Superintendents for Instruction, shall recommend suitable lists of textbooks to be used in the schools for the Board's consideration.

A textbook is any book, or a book substitute, including hard-covered or paperback books, workbooks, or manuals, as well as any courseware or other content-based instructional materials in an electronic format, which students are required to use as a text, or a text-substitute, in a particular class or program in the school they legally attend.

Texts, once approved by the Board, shall not be superseded for a period of five years, except by a three-fourth's vote of the Board.

The Superintendent shall establish procedures for the selection and recommendation of textbooks and a method for selecting staff members who shall serve in the selection and recommendation process.

The following criteria are to be considered in the selection of textbooks:

1. textbook or material should have been copyrighted within the past five years, except for literary works;
2. qualifications of the author(s) on the subject;
3. adaptability to existing instructional program;
4. accuracy of the information presented;
5. sufficient scope to meet the requirements of the curriculum as developed locally and approved by the State Education Department;
6. objectivity and impartiality in treatment of subject matter and freedom from bias and prejudice;
7. high quality format in respect to typography, arrangement of materials or pages, cover design, size and margins;
8. appropriateness to grade level as to vocabulary, sentence structure, and organization;
9. textbook series should meet grade-to-grade requirements. They should contain supplementary aids to learning, when desirable and necessary, such as a table of contents, introduction, study activities, exercises, questions, problems, selected references, bibliography, index glossary and appendices;
10. texts should include appropriate illustrative materials--pictures, maps, charts, graphs, diagrams, etc., which clarify the text and enrich the content;
11. materials should fairly represent the many ethnic and cultural groups and their contribution to American heritage and the fields of history, the arts, mathematics, and science, particularly those groups which have been historically marginalized; and
12. a reasonable balance of viewpoints regarding controversial issues should be presented.

The following criteria are to be considered in the selection of literary works for classroom use in teaching literature, as well as the assignment of such works to particular grade levels:

1. use of a compositional style which contributes to the reader's critical and appreciative understanding of the work;
2. sophisticated use of literary devices (i.e., metaphor, point of view, tone) to further student understanding of written concepts;
3. levels of student maturity and experience necessary for empathic reading of literature;
4. capacity of a work to capture student interest;
5. thematic treatment which promotes sound and healthy values for students;
6. intrinsic qualities that establish a work as a significant part of the literary heritage;
7. inclusion in the body of works as a whole, characters and settings which reflect the racial, ethnic, cultural and religious makeup of the student body and the country as a whole;
8. promotion of understanding and appreciation of culture, class, language, race, ethnicity, and other differences that contribute to the diversity of American culture; and
9. variety to avoid duplication of theme, plot, setting, etc., unless such duplication affords opportunities for comparison and contrast or serves to reinforce understanding.

Cross-ref: 0105, Equity, Inclusivity, and Diversity in Education
1420, Complaints about Curricula or Instructional Materials
4510, Instructional Materials

Ref: Education Law §§701 *et seq.*; 1711; 2508; 2566

Adoption date: May 8, 2007

Revised:

**RESPONSIBILITIES FOR REVIEW AND APPROVAL OF COLLECTIVE
BARGAINING AGREEMENTS**

The Board of Education is responsible to ensure that collective bargaining agreements, including memoranda of agreements, entered into with the bargaining units representing the District are in the best interests of the District.

The Superintendent of Schools shall keep the Board apprised of the status of labor negotiations. Collective bargaining agreements and memoranda of agreement having a precedential effect shall be subject to approval by the Board.

Adoption date:

CONDITIONAL APPOINTMENT STUDENT SAFETY POLICY

The Board of Education recognizes that there may be instances in which it is necessary, upon recommendation of the Superintendent of Schools, for the Board to conditionally appoint or to make an emergency conditional appointment of a prospective employee. To provide for the safety of students who have contact with an employee holding a conditional appointment or an emergency conditional appointment, the Board adopts the following policy.

Upon the recommendation of the Superintendent of Schools, the Board may conditionally appoint a prospective employee. A request for conditional clearance shall be forwarded to the Commissioner of Education along with the prospective employee's fingerprints. Such appointment shall not commence until notification by the Commissioner that the prospective employee has been conditionally cleared for employment and shall terminate forty-five (45) days after such notification of conditional clearance or when the prospective employer is notified of a determination by the Commissioner to grant or deny clearance, whichever occurs earlier, and may not be extended or renewed unless the Commissioner issues a new conditional clearance after finding that there was good cause for failing to obtain clearance within such period. Prior to commencement of such conditional appointment, the Board shall obtain a signed statement for conditional appointment from the prospective employee, indicating whether, to the best of his or her knowledge, he or she has a pending criminal charge or criminal conviction in any jurisdiction outside the state.

Upon the recommendation of the Superintendent of Schools, the Board may make an emergency conditional appointment when an unforeseen emergency vacancy has occurred. When such appointment is made, the process for conditional appointment pursuant to the above paragraph must be initiated. Emergency conditional appointment may commence prior to notification from the Commissioner on conditional clearance, but shall terminate twenty (20) business days from the date such appointment commences or when the Board is notified by the Commissioner regarding conditional clearance, whichever occurs earlier. Prior to the commencement of such appointment, the Board must obtain a signed statement for emergency conditional appointment from the prospective employee, indicating whether, to the best of his or her knowledge, he or she has a pending criminal charge or criminal conviction in any jurisdiction.

For purposes of this policy, the terms "conditionally appointed" and "emergency conditional appointment" shall refer to any employee holding conditional or emergency conditional appointment, as defined in Section 1709 of the Education Law.

An unforeseen emergency vacancy shall be defined as:

- i. a vacancy that occurred less than ten (10) business days before the start of any school session, including summer school, or during any school session, including summer school, without sufficient notice to allow for clearance or conditional clearance;
- ii. when no other qualified person is available to fill the vacancy temporarily; and
- iii. when emergency conditional appointment is necessary to maintain services which the District is legally required to provide or services necessary to protect the health, education or safety of students or staff.

Further, the District will conduct credential and reference checking of such employees in the same manner and to the same extent such checking is conducted of all prospective employees, whether to be employed on a conditional, emergency conditional or regular appointment basis.

School administrators shall take deliberate steps to advise conditional appointees and/or emergency conditional appointees regarding appropriate conduct and monitor their activities to ensure the safety of students in the District. At the building level, administrators at each site shall ensure that conditional and emergency conditional appointees:

- i. consistent with the nature of employment, limit one-on-one contact with students to the extent practical;
- ii. must adhere to the regular schedule and shall not be given before or after-school assignments with students on an individual basis;
- iii. may not transport students in their private vehicles or be in contact with students in their professional capacity off school property.

In addition to the above, no District employee who holds a conditional or emergency conditional appointment shall be in contact with students other than to provide instruction and/or other required services.

No District employee who holds a conditional or emergency conditional appointment shall teach a class or provide services to students with his/her/their classroom or office door closed unless the Building Principal has provided express prior permission to do otherwise.

The Building Principal or designee shall, at least twice a week, provide heightened administrative supervision of such employees while on school District property during the period of their conditional or emergency conditional appointment including, for example, unannounced visits to classrooms, walking the hallways, and/or any other activities the principal determines to be appropriate.

In addition, the District will ensure that all conditional and emergency conditional appointed employees are aware of and receive training regarding the prohibition against child abuse in an educational setting and of their responsibility for reporting any such abuse. All conditionally appointed and emergency conditionally appointed employees shall receive this training at the time of their initial contingency appointment.

Cross-Ref: 9620, Child Abuse in an Educational Setting

Ref: Education Law §§1125 – 1133; 1709; 2554
8 NYCRR §§87.1 – 87.10; 100.2(hh)

Adoption date: May 8, 2007

Revised:

DISPLAY OF THE FLAG

The Board of Education believes that the flag of the United States is a symbol of the values of our nation, the ideals embedded in our Constitution, and the spirit that should animate our District.

The District shall purchase a United States flag, flagstaff, and the necessary appliances for its display upon or near every school building. There shall be a flag on display in every assembly room of every school as prescribed by the commissioner of education.

The flag shall be flown at full- or half-staff pursuant to law. In addition, the flag may be flown at half-staff to commemorate the death of a present or former Board member, present employee, teacher, student, clerk, or custodian.

Consistent with federal and state law and regulations and this policy, the Superintendent of Schools and/or designee shall develop rules and regulations for the proper custody, care, and display of the flag.

Ref: 4 USC §§5 – 9
Education Law §§418 – 420
Executive Law §§400 – 403
8 NYCRR Part 108
Lapolla v. Dullaghann, 63 Misc 2d 157 (1970)

Adoption date: May 8, 2007

Revised:

DISPLAY OF THE FLAG REGULATION

Flags Displayed Out-of-Doors and on Movable Hoists Indoors

The District shall display a United States flag in, on, or near every school building in the District during school hours every day that school is in session, weather permitting, and at such other times as the Superintendent of Schools shall direct. Unless otherwise stated, the flags shall be flown at full-staff. The flag will not be displayed on days when the weather is inclement. During inclement weather, the flag shall be placed conspicuously in the main room of the school building.

Weather permitting, the flag will be displayed on or near the main administration building of the District whenever the building is open to the public, and on the following days: New Year's Day, Martin Luther King, Jr. Day, Lincoln's Birthday, Washington's Birthday, Memorial Day, Flag Day, the Fourth of July (Independence Day), Labor Day, September 11th Remembrance Day, POW/MIA Recognition Day, Columbus Day, Veterans Day, Thanksgiving Day, Pearl Harbor Day, and Christmas Day. If any of these days (except Flag Day) falls on a Sunday, the flag shall be displayed on the next day. In addition, the flag shall be displayed on each general election day and each day appointed by the President of the United States or by the Governor of New York as a day of general thanksgiving or for displaying the flag.

Flags shall also be displayed in or near every polling place on election days.

Flags shall be flown at full staff at all times except it shall be flown at half-staff on Pearl Harbor Day, September 11th Remembrance Day, days commemorating the death of a personage of great importance, and days designated by the President or the Governor.

The Superintendent, in consultation with the Board, may arrange for flags on individual buildings or throughout the District to be flown at half-staff to commemorate the death of a present or former Board member, present employee or student.

Hoisting of the Flag

The flag shall be hoisted briskly and lowered ceremoniously.

In half staffing the flag, it first should be hoisted to the peak for an instant and then lowered to the half-staff position. The flag shall be again raised to the peak before it is lowered for the day. The flag shall be raised to the half-staff position in the morning only, never in the middle of the day.

Indoor Flags and Those Not on Movable Hoists

There shall be a United States flag in each assembly room of every school in the District. It is the duty of the teacher or other person in charge of each assembly room to ensure that the flag in the room is displayed from a staff standing at the audience's right as they face the stage. If the flag is placed on the platform, it should stand at the right of the speaker as he/she faces the audience and at the audience's left as they face the stage.

Adoption date:

MEALS AND REFRESHMENTS

In general, the District shall not provide meals and/or refreshments at District meetings or events. However, on occasion, it may be appropriate to provide meals and/or refreshments at District meetings or events which have a District business or educational purpose. Meal and/or refreshment requests may be approved when:

- officers, employees, and/or volunteers of the District will be prevented from taking time off for a meal and/or refreshment due to the urgency of the business at hand; or,
- the District is faced with business of an immediate and urgent nature and the meeting or event requires attendance by employees during a regular meal period.

For example, it would be a legitimate expense to provide meals and/or refreshment to staff assigned to participate in assessment day grading of standardized tests.

The appropriate administrator, via a Requisition, must approve any expenditure for such meals and/or refreshments in the District's accounting system in advance of the meeting or event. Requisitions via the District's accounting system should include:

- the date and purpose of the meeting, and
- the meeting agenda.

Payment shall only be made for those Requisitions that have been approved through the District's accounting system and promoted to a Purchase Order.

After the meeting or event, requests for payment submitted to the Finance Department through the District's accounting system must reference the assigned Purchase Order and include all appropriate documentation including, but not limited to:

- the date of the meeting,
- the purpose of the meeting and meeting agenda,
- a list of the attendees, and
- itemized invoices.

Ref: NY Constitution, Art. VIII, §1
Education Law §2118
Ops. St. Compt. Nos. 77-667; 79-522; 82-66; 82-213 82-298; 83-57; 98-2

Adoption date: May 8, 2007

Revised: