

**UNATEGO CENTRAL SCHOOL DISTRICT**  
**BOARD OF EDUCATION AGENDA**  
**MONDAY, MARCH 9, 2020**  
**EXEMPT SESSION**  
**TO DISCUSS CSE RECOMMENDATIONS**  
**6:30 P.M.**  
**BOARD OF EDUCATION MEETING**  
**CALLED TO ORDER**  
**7:00 P.M.**  
**UNATEGO MS/SR HIGH SCHOOL**  
**ROOM #93**

**1. ROUTINE MATTERS**

- 1.1 Call to order
- 1.2 Roll Call
- 1.3 Exempt Session
- 1.4 Open Session
- 1.5 Roll Call
- 1.6 Pledge
- 1.7 Approve regular board meeting minutes of February 24, 2020
- 1.8 Adopt Agenda

**2. PUBLIC COMMENT**

**3. PRESENTATIONS**

- 3.1 Superintendent's Report – Dr. David S. Richards
- 3.2 Committee Reports

**ADMINISTRATIVE ACTION**

- 4.1 Approve CSE Recommendations (3.9.20 G1)
- 4.2 Approve the 2020-2021 Unatego Instructional Calendar (3.9.20 G2)
- 4.3 Approve OMNI 403(b) Retirement Plan Amendment (3.9.20 G3)
- 4.4 Approve Nicole Davis as a substitute aide/LTA/food service worker for the 2019-2020 school year (3.9.20 UC1)
- 4.5 Approve Michael Young as a substitute cleaner for the 2019-2020 school year (3.9.20 UC2)
- 4.6 Accept Daniel Nages resignation for the purpose to retire as a cleaner (3.9.20 UC3)

5. PUBLIC COMMENT

6. ROUND TABLE DISCUSSION/QUESTIONS

7. EXECUTIVE SESSION (IF NECESSARY)

*Upon a majority vote of its total membership, taken in open meeting*

pursuant to a motion identifying the general area of the subject or subjects to be considered, a public body may conduct an executive session for the below enumerated purposes only, provided, however, that no action by formal vote shall be taken to appropriate public moneys:

- A. matters which may imperil the public safety if disclosed;
- B. any matter which may disclose the identity of a law enforcement agent or informer;
- C. information relating to current or future investigation or prosecution of a criminal offense which would imperil effective law enforcement if disclosed;
- D. discussions regarding proposed, pending or current litigation;
- E. collective negotiations pursuant to article fourteen of the civil service law;
- F. the medical, financial, credit or employment history of a particular person or corporation, or matters leading to the appointment, employment, promotion, demotion, discipline, suspension, dismissal or removal of a particular person or corporation;
- G. the preparation, grading or administration of examination; and
- H. the proposed acquisition, sale or lease of real property or the proposed acquisition of securities, or sale or exchange of securities held by such public body, but only when publicity would substantially affect the value thereof;
- I. any matter made confidential by federal or state law.

8. ADJOURN

**Board Agenda 3.9.20**

**PG: 3**

**4.1**

**3.9.20 G1**

**RESOLVED: Upon the recommendation of the Superintendent of Schools that this Board does hereby approve CSE Recommendations as presented.**

**4.2**

**3.9.20 G2**

**RESOLVED: Upon the recommendation of the Superintendent of Schools that this Board does hereby approve the 2020-2021 Unatego Instructional Calendar as presented.**

**4.3**

**3.9.20 G3**

**RESOLVED: Upon the recommendation of the Superintendent of Schools that this Board does hereby approve an amendment to the Districts OMNI 403(b) Retirement Plan to account for new IRS regulations regarding Hardship Withdrawals from the plan as presented.**

**4.4**

**3.9.20 UC1**

**RESOLVED: Upon the recommendation of the Superintendent of Schools that this Board does hereby approve Nicole Davis as a substitute aide/LTA/food service worker for the 2019-2020 school year as presented.**

**4.5**

**3.9.20 UC2**

**RESOLVED: Upon the recommendation of the Superintendent of Schools that this Board does hereby appoint Michael Young as a substitute cleaner for the 2019-20 school year as presented.**

**4.6**

**3.9.20 UC3**

**RESOLVED: Upon the recommendation of the Superintendent of Schools that this Board does hereby accept Daniel Nages resignation for the purpose to retire as a cleaner, effective April 1, 2020 as presented.**



# UNATEGO CENTRAL SCHOOL DISTRICT 2020-2021 Instructional Calendar

## JULY 2020

S	M	T	W	TH	F	S
			1	2	3	4
5	6	7	8	9	10	11
12	13	14	15	16	17	18
19	20	21	22	23	24	25
26	27	28	29	30	31	

## AUGUST 2020

S	M	T	W	TH	F	S
						1
2	3	4	5	6	7	8
9	10	11	12	13	14	15
16	17	18	19	20	21	22
23	24	25	26	27	28	29
30	31					

## SEPTEMBER 2020

(15+2)

S	M	T	W	TH	F	S
		1	2	3	4	5
6	7	8	9	10	11	12
13	14	15	16	17	18	19
20	21	22	23	24	25	26
27	28	29	30			

## OCTOBER 2020

(20+1)

S	M	T	W	TH	F	S
				1	2	3
4	5	6	7	8	9	10
11	12	13	14	15	16	17
18	19	20	21	22	23	24
25	26	27	28	29	30	31

## NOVEMBER 2020

(17)

S	M	T	W	TH	F	S
1	2	3	4	5	6	7
8	9	10	11	12	13	14
15	16	17	18	19	20	21
22	23	24	25	26	27	28
29	30					

## DECEMBER 2020

(16)

S	M	T	W	TH	F	S
		1	2	3	4	5
6	7	8	9	10	11	12
13	14	15	16	17	18	19
20	21	22	23	24	25	26
27	28	29	30	31		

## KEY

- No School—Vacation Day
- Offices Closed
- Staff Development Day
- Regents & State Exams

## JULY 2020

- 3 4th of July Recess, Offices Closed

## AUGUST 2020

- 13-14 Regents Exams

## SEPTEMBER 2020

- 7 Labor Day—No School, Offices Closed
- 8-9 Staff Development Day—No School
- 10 First Day for Students

## OCTOBER 2020

- 9 Staff Development Day—No School
- 12 Columbus Day—No School, Offices Closed

## NOVEMBER 2020

- 11 Veterans Day—No School, Offices Closed
- 25-27 Thanksgiving Recess—No School
- 26-27 Offices Closed

## DECEMBER 2020

- 23-31 Christmas Recess—No School
- 24-28 Offices Closed
- 31 Offices Closed

## JANUARY 2021

- 1 New Year's Day—Offices Closed
- 18 Martin Luther King, Jr. Day—No School, Offices Closed
- 26-29 Regents Exams (tentative)

## FEBRUARY 2021

- 12 Winter Break—No School
- 15 Presidents' Day Recess—No School

## MARCH 2021

- 5 Staff Development Day—No School

## APRIL 2021

- 2 Good Friday—No School, Offices Closed
- 5-9 Spring Recess—No School
- 19-29 ELA Testing, Grades 3-8

## MAY 2021

- 3-14 ELA Testing, Grades 3-8
- 26-28 Science Performance Test, Grades 4 & 8
- 31 Memorial Day—No School, Offices Closed

## JUNE 2021

- 1-4 Science Performance Test, Grades 4 & 8
- 7 Science Written Test, Grades 4 & 8
- 16-24 Regents Exams
- 25 Rating Day, No Regents
- 25 Graduation

## JANUARY 2021

(19)

S	M	T	W	TH	F	S
					1	2
3	4	5	6	7	8	9
10	11	12	13	14	15	16
17	18	19	20	21	22	23
24	25	26	27	28	29	30
31						

## FEBRUARY 2021

(18)

S	M	T	W	TH	F	S
	1	2	3	4	5	6
7	8	9	10	11	12	13
14	15	16	17	18	19	20
21	22	23	24	25	26	27
28						

## MARCH 2021

(22+1)

S	M	T	W	TH	F	S
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7	8	9	10	11	12	13
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## APRIL 2021

(16)

S	M	T	W	TH	F	S
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18	19	20	21	22	23	24
25	26	27	28	29	30	

## MAY 2021

(20)

S	M	T	W	TH	F	S
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16	17	18	19	20	21	22
23	24	25	26	27	28	29
30	31					

## JUNE 2021

(19)

S	M	T	W	TH	F	S
		1	2	3	4	5
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20	21	22	23	24	25	26
27	28	29	30			

# MEMO

To: Dr. Richards

From: Patti Loker, Business Manager *PAL*

Date: March 4, 2020

Re: OMNI Plan Amendment

Attached is an amendment to our OMNI 403(b) Retirement Plan to account for new IRS regulations regarding Hardship Withdrawals from the plan.

I recommend that the Board of Education approve this amendment to our plan.

Thank you.

HARDSHIP AND ELIGIBILITY AMENDMENTS TO  
THE Unatego CSD  
403(b) RETIREMENT PLAN

WHEREAS, the Unatego CSD ("Plan Sponsor") maintains the Unatego CSD 403(b) Retirement Plan ("Plan"); and

WHEREAS, pursuant to Rev. Procs. 2013-22 and 2019-39, and IRS Notice 2018-95, the Plan Sponsor amends the plan documents in a good faith effort to meet the requirements of law, regulations or other issuances regarding eligibility requirements and hardship distributions; and

WHEREAS, this amendment is intended as a good faith effort to comply with the requirements of eligibility to participate in the Plan and hardship distribution final regulations and is to be construed in accordance with the same. Both the Amendment and the eligibility and hardship distribution final regulations will supersede any inconsistent Plan provisions;

NOW, THEREFORE, BE IT RESOLVED that the "Note" provisions set forth in the Adoption Agreement, "Employee Eligibility" is hereby restated and amended to read as follows:

*[Note: An Employee normally works fewer than 20 hours per week if, for the 12-month period beginning on the date the Employee's employment commenced, the Employer reasonably expects the Employee to work fewer than 1,000 hours of service (as defined under section 410(a)(3)(C) of the Code) in such period, and, for each Plan Year ending after the close of that 12-month period, the Employee has worked fewer than 1,000 hours of service in the preceding 12-month period. Under this provision, an Employee who works 1,000 or more hours of service in the 12-month period beginning on the date the Employee's employment commenced or in a Plan Year ending after the close of that 12-month period shall then be eligible to participate in the Plan. Once an Employee becomes eligible to have Elective Deferrals made on his or her behalf under the Plan under this standard, the Employee cannot be excluded from eligibility to have Elective Deferrals made on his or her behalf in any later year under this standard. Careful attention must be paid to compliance with the 20-hour rule by the District as it is necessary to the tax-qualification of the Plan.]*

*[Note: Persons occupying an elected or appointive public office are not eligible for the Plan unless such office is one to which the individual is elected or appointed only if the individual has received training, or is experienced, in the field of education.]*

BE IT FURTHER RESOLVED that the "Note" provision set forth in the Adoption Agreement, "Hardship Distributions" is hereby restated and amended to read as follows:

*[Note: if hardship distributions under the Plan are allowed, the Plan and Vendors will apply the IRS "safe harbor" rules for such distributions. Effective 1/1/2020, the plan will no longer suspend elective contributions following a hardship withdrawal. See section 5.5 of the Plan for more information.]*

BE IT FURTHER RESOLVED that section 5.5 of the Basic Plan Document, "Hardship Withdrawals" is hereby restated and amended to read as follows:

**5.5 Hardship Withdrawals**

(a) Hardship withdrawals shall be permitted under the Plan to the extent permitted by the Individual Agreements controlling the Account assets to be withdrawn to satisfy the hardship.

(b) The Individual Agreements shall provide for the exchange of information among the Employer or Employer's agent and the Service Provider(s) to the extent necessary to implement the Individual Agreements, including, in the case of a hardship withdrawal that is automatically deemed to be necessary to satisfy the Participant's financial need (pursuant to Section 1.401(k)-1(d)(3)(iv)(E) of the Income Tax Regulations). In addition, in the case of a hardship withdrawal that is not automatically deemed to be

necessary to satisfy the financial need (pursuant to Section 1.401(k)-1(d)(3)(iii)(B) of the Income Tax Regulations), the Service Provider shall obtain information from the Employer or other Service Provider(s) to determine the amount of any plan loans and rollover accounts that are available to the Participant under the Plan to satisfy the financial need.

(c) Safe Harbor Contributions/QNECs/QMACs. Effective 1/1/2020, hardship distributions are permitted from Qualified Non-Elective Contributions, Qualified Matching Contributions or contributions used to satisfy the safe harbor requirements of Code sections 401(k)(12) or 401(k)(13), or 401(m)(11) or 401(m)(12), if available under the Plan and not held in a Custodial Account.

(d) Amount Necessary to Satisfy Need Requirement. Effective 1/1/2020, a distribution will be determined to satisfy an immediate and heavy financial need only if the three criteria listed below are met:

i. The distribution is not in excess of the amount required to satisfy the financial need (including any amounts necessary to pay any federal, state or local income taxes or penalties reasonably anticipated to result from the distribution);

ii. The Participant has obtained all other currently available distributions, other than hardship distributions, under any deferred compensation plan, whether qualified or nonqualified, maintained by the Employer; and

iii. The Participant has represented (in writing or by an electronic medium) that he has insufficient cash or other liquid assets to satisfy the financial need.

(e) Six-Month Suspension. Effective 1/1/2020, the Plan will not initiate a six-month suspension period on Elective Deferrals (and after-tax contributions) following a hardship distribution.

(f) Loan Requirement. Effective 1/1/2020, Participants are not required to take all available nontaxable loans before applying for a hardship distribution.

(g) Modification of Repair Expense. Between 1/1/18 and 2/17/19, the plan modified the safe harbor immediate and heavy financial need expense relating to damage to a principal residence (i.e., §1.401(k)-1(d)(3)(iii)(B)(6) and Basic Plan Document 5.5(g)) to include expenses for the repair of damage to the Employee's principal residence that would qualify for the casualty deduction under Code section 165. Effective 2/19/19, the plan modified the safe harbor immediate and heavy financial need expense relating to damage to a principal residence (i.e., §1.401(k)-1(d)(3)(iii)(B)(6)) to include expenses for the repair of damage to the Employee's principal residence that would qualify for the casualty deduction under Code section 165 (determined without regard to section 165(h)(5) and whether the loss exceeds 10% of adjusted gross income).

(h) New Safe Harbor Financial Need Provision. Effective 1/1/2020, the following immediate and heavy financial need will be considered as a safe harbor criteria for hardship distributions in addition to the safe harbor financial need provisions outlined in 5.5(g) of the Basic Plan Document and §1.401(k)-1(d)(3)(iii)(B):

i. Expenses and losses (including loss of income) incurred by the Employee on account of a disaster declared by the Federal Emergency Management Agency (FEMA) under the Robert T. Stafford Disaster Relief and Emergency Assistance Act, provided that the Employee's principal residence or principal place of employment at the time of the disaster was located in an area designated by FEMA for individual assistance with respect to the disaster.

BE IT FURTHER RESOLVED that the Plan, as restated and amended is hereby approved and adopted.

IN WITNESS WHEREOF, the Plan Sponsor has caused this Resolution and Amendment to be adopted this \_\_\_ day of \_\_\_\_\_, 2020.

Unatego CSD

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

**UNATEGO CENTRAL SCHOOL  
NEW EMPLOYEE APPOINTMENT FORM**

NAME: NICOLE DAVIS

POSITION: SUBSTITUTE AIDE, LTA, Cafeteria

REPLACES: N/A

EFFECTIVE DATE: 3/9/2020

EDUCATION LEVEL: HS DIPLOMA

YEARS OF EXPERIENCE: 1

SALARY: STEP \_\_\_\_\_ LEVEL \_\_\_\_\_ \$ AS per sub rate

CERTIFICATION: N/A

COLLEGE: N/A

**REFERENCES CONTACTED:**

1. PREVIOUS F/T H.S. SECRETARY
2. \_\_\_\_\_

COMMENTS: DID A GOOD JOB DURING HER TIME  
HERE

DES Richard  
ADMINISTRATOR SIGNATURE

2/26/2020  
DATE



**UNATEGO CENTRAL SCHOOL  
NEW EMPLOYEE APPOINTMENT FORM**

NAME: Michael Young

POSITION: Sub-Cleaner

REPLACES: \_\_\_\_\_

EFFECTIVE DATE: 3/10/20

EDUCATION LEVEL: High School

YEARS OF EXPERIENCE: \_\_\_\_\_

SALARY: STEP \_\_\_\_\_ LEVEL \_\_\_\_\_ \$ \_\_\_\_\_

CERTIFICATION: \_\_\_\_\_

COLLEGE: \_\_\_\_\_

**REFERENCES CONTACTED:**

1. Elaine Lowe
2. Tom Renwick

COMMENTS: \_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_

Brian Trask  
ADMINISTRATOR SIGNATURE

3/5/20  
DATE



March 06, 2020

RECEIVED  
MAR 06 2020

BY: .....

Dr. Richards  
Superintendent  
Unatego Central School District  
Untatego Central School  
Otego, New York 13825

Dear Dr. Richards:

*Retire*  
I hereby ~~resign~~ from my position as Cleaner, effective April 01, 2020. I am leaving this employment because of the following:

- Unable to preform duties due to disability

Sincerely,

Daniel S. Nages

If there is Anything that you Need  
Please let me know.

*DSN*