

**GENERAL BROWN CENTRAL SCHOOL DISTRICT
BOARD OF EDUCATION
Regular Meeting
Preliminary Agenda
March 6, 2017
General Brown Room - Jr./Sr. High School**

5:15 p.m. Call to Order - Pledge of Allegiance

REGULAR MEETING

CONSENT AGENDA

A motion for approval of the following items as listed under the CONSENT AGENDA is made by _____, and seconded by _____ - Motion is approved ____-_____.

1. Approval of Minutes as listed:
 - February 6, 2017 - Regular Meeting

2. Approval of Buildings and Grounds requests as listed:
 - JSHS gymnasiums - February 11, 2017 from 7:00 a.m. to 3:30 p.m. - Youth Basketball Tournament
 - Dexter cafeteria - March 14 & 15, 2017 from 6:00 p.m. to 8:00 p.m. - Dexter Citizens' Committee Baseball / Softball sign-up
 - BGP baseball/softball fields - Monday-Saturday April 13, 2017 to July 31, 2017 - 5:30 p.m. to 9:00 p.m. weekdays and 10:00 a.m. to 4:00 p.m. Saturdays - Dexter Citizens' Committee 2017 Summer Baseball/Softball Program
 - DEX baseball/softball fields - Monday-Saturday April 13, 2017 to July 31, 2017 - 5:30 p.m. to 9:00 p.m. weekdays and 10:00 a.m. to 4:00 p.m. Saturdays - Dexter Citizens' Committee 2017 Summer Baseball/Softball Program
 - JSHS baseball field - Monday-Saturday May 25, 2017 to August 14, 2017 - 5:30 p.m. to 9:00 p.m. weekdays and 10:00 a.m. to 4:00 p.m. Saturdays - Dexter Citizens' Committee 2017 Babe Ruth Baseball season
 - BGP softball fields/restrooms - July 21-23, 2017 from 7:00 a.m. to 8:00 p.m. - CanAm Softball Shootout

3. Approval of Conferences and Workshops as listed:
 - Rebecca Dupee - Math Network - JLBOCES - February 28, 2017
 - Deanna Guyette - North Country Technology Coordinators Meeting - JLBOCES - March 2, 2017
 - Casey Nicol - Middle Level Counselors Meeting - JLBOCES - March 6, 2017
 - Nicole Donaldson - Lead Evaluator of Teacher Training / Recertification - JLBOCES - March 6, 2017
 - Michael Parobeck - Data Warehouse Meeting - JLBOCES - March 8, 2017
 - Nicole Donaldson - SLS Administrative Breakfast - Hilton Garden Inn, Watertown - March 10, 2017
 - Kim Foss - SLS Administrative Breakfast - Hilton Garden Inn, Watertown - March 10, 2017
 - Renee Powlin - SLS Administrative Breakfast - Hilton Garden Inn, Watertown - March 10, 2017
 - Stephanie Karandy - RAD Spanish Committee Meeting/Scoring Training - JLBOCES - March 14, 2017
 - Amy O'Riley - RAD Spanish Committee Meeting/Scoring Training - JLBOCES - March 14, 2017
 - Jannell Pickeral - RAD Spanish Committee Meeting/Scoring Training - JLBOCES - March 14, 2017
 - Nicole Donaldson - Mental Health Promotion and Youth Violence Prevention - Hilton Garden Inn, Watertown - March 22, 2017
 - Joseph O'Donnell - Section 3 AD Meeting - Canastota, NY - March 22, 2017
 - Lisa K. Smith - JLSBA Workshop: "Sharing Services - It's Not Only a BOCES Co-Ser" - JLBOCES - March 22, 2017
 - Cammy J. Morrison - JLSBA Workshop: "Sharing Services - It's Not Only a BOCES Co-Ser" - JLBOCES - March 22, 2017
 - Joseph O'Donnell - Frontier League Meeting - JLBOCES - March 29, 2017
 - Joseph O'Donnell - Frontier League Meeting - JLBOCES - May 16, 2017

4. Approval of Financial Reports as listed: January 2017
 - Appropriation Report – All Funds
 - Revenue Report – All Funds
 - Treasurer's Cash Reports
 - Claims Auditor Monthly Reports
 - Approval of General Fund Warrant "A"
 - Approval of Federal Fund Warrant "B"
 - Approval of Food Service Warrant "C"
 - Approval of Trust & Agency Warrant "T"
 - Approval of Extra-Curricular Activity Fund

REGULAR AGENDA

Other Discussion and Action

1. Public Comment Requests - Kelly Hamlin

2. Ongoing Agenda Items:
 - Academic Presentation(s):
 - ❖ Student Presentation: Class of 2018 Senior Trip - Class Advisors / Students
 - ❖ Administrative Presentation: _____
 - Policy Review:
 - ❖ Board Information - 1st Reading: *Policy #5270 (new) Tax Exempt Bonds-Post Issuance Compliance*
3. Board Information - The results of the **Capital Project Vote** held February 13, 2017 are as follows:
 - YES Votes-86 NO Votes-7 Proposition 1 - PASSED
4. Board Information - There is a **Budget Advisory Meeting** tentatively scheduled for Wednesday, April 5th to begin at 6:00 p.m. in the cafeteria of the Jr.-Sr. High School
5. Board Information - Invitation from Jefferson-Lewis School Boards Association for a Dessert Workshop / Executive Committee Meeting: *“Sharing Services - It’s Not Only a BOCES Co-Ser”*, to begin at 6:00 p.m. on March 22, 2017 (Please RSVP prior to March 13, 2017)
6. Board Information - Invitation from Jefferson-Lewis School Boards Association for the National Honor Society Recognition Program, to begin at 6:00 p.m. on March 29, 2017 at Watertown High School (Please RSVP prior to March 15, 2017)
7. Board Information - Invitation from the Jefferson-Lewis School Boards Association for the **Jefferson-Lewis BOCES Annual Meeting / Dinner / Budget Presentation** to be held at the Central Administration Building, Watertown, NY on Wednesday, April 12, 2017 (Please RSVP prior to April 5, 2017)
8. Board Information - Term expiration for members of the General Brown Central School District Board of Education are as listed. Petitions are available, and will be accepted in the Office of the District Clerk until 5:00 p.m. on Monday, April 17, 2017.
 - 2017 - Cathy Pitkin
 - 2017 - Michael Ward
 - 2018 - Jeffrey West
 - 2018 - Daniel Dupee II
 - 2018 - Jamie Lee
 - 2019 - Brien Spooner
 - 2019 - Sandra Young Klindt
9. Board Information - As per the GBTA Contract: *“If the District has three or more unused snow days as of April 10th, one day will be added to the April vacation as long as there is a minimum of one snow day remaining...”* **The day to be added is April __, 2017.**
10. Board Information - PIVOT Student Assistance Program 1st Semester Report
11. Board Information / Discussion - 2nd Quarter Marking Period Data for review
12. Board Discussion / Action - **BE IT RESOLVED**, that upon the recommendation of the Superintendent of Schools, the General Brown Central School District Board of Education takes action to approve the following resolution: **Because six months or more have passed without challenge to the most recent election and budget vote**, held May 17, 2016, that the ballot box be opened and the ballots contained therein, together with any unused ballots be destroyed. Motion for adoption by _____, seconded by _____, with motion approved ____-____.
13. Board Discussion / Action -

BOND RESOLUTION DATED MARCH 6, 2017

A RESOLUTION AUTHORIZING CAPITAL IMPROVEMENTS CONSISTING OF THE RENOVATION AND RECONSTRUCTION OF SCHOOL DISTRICT BUILDINGS BY THE GENERAL BROWN CENTRAL SCHOOL DISTRICT, JEFFERSON COUNTY, NEW YORK, AT A MAXIMUM ESTIMATED COST OF \$9,400,000, AND AUTHORIZING THE ISSUANCE OF \$7,900,000 SERIAL BONDS TO PAY THE COSTS THEREOF.

BE IT RESOLVED that the General Brown Central School District Board of Education takes action to approve the following Bond Resolution herein and will be put to a vote on roll call as follows:

Jeffrey West, President	Voting _____
Daniel Dupee II, Vice President	Voting _____
Sandra Young Klindt	Voting _____

Brien Spooner	Voting _____
Jamie Lee	Voting _____
Cathy Pitkin	Voting _____
Michael Ward	Voting _____

The resolution was declared _____ . (Adopted / Not Adopted)

WHEREAS, at a special district meeting of the General Brown Central School District, Jefferson County, New York (the "School District"), duly called, held and conducted on February 13, 2017, the duly qualified voters of the School District approved a proposition authorizing (a) the reconstruction and renovations to the school buildings and grounds including reconstruction of deteriorated paving, resurfacing of remaining paving, replacement of deteriorated roofing, replacement of two vehicle lifts in the bus garage and renovations to the educational spaces at a maximum cost of \$9,400,000, including architectural, legal and bonding fees, (b) the application of \$1,500,000 from the Capital Reserve Fund toward the cost of the project, and (c) to raise the remainder of the cost of the project by the levy of a tax to be collected in annual installments for such purposes; and

WHEREAS, all conditions precedent to the financing of the capital projects described above, including compliance with the provisions of the State Environmental Quality Review Act, have been performed; and

WHEREAS, it is now desired to provide for the financing of such capital projects;
NOW, THEREFORE, BE IT RESOLVED by the Board of Education of the General Brown Central School District, Jefferson County, New York, as follows:

Section 1. The reconstruction and renovations of the School District’s school buildings and grounds, including reconstruction of deteriorated paving, resurfacing of remaining paving, replacement of deteriorated roofing, replacement of two vehicle lifts in the bus garage and renovations to the educational spaces at a maximum cost of \$9,400,000, including architectural, legal and bonding fees is hereby authorized at a total estimated maximum cost not to exceed \$9,400,000. The plan for financing of such maximum estimated cost shall consist of (a) the issuance of up to \$7,900,000 serial bonds of the School District (the “Bonds”), which are hereby authorized, pursuant to the provisions of the Local Finance Law and (b) the appropriation and expenditure of \$1,500,000 from the School District’s Capital Reserve Fund which is hereby authorized.

Section 2. It is hereby determined that the period of probable usefulness of the aforesaid objects or purposes is thirty (30) years pursuant to subdivision 97 of paragraph (a) of Section 11.00 of the Local Finance Law.

Section 3. Subject to the provisions of this resolution and of the Local Finance Law, and pursuant to the provisions of Sections 21.00, 30.00, 50.00 and 56.00 to 63.00, inclusive, of the Local Finance Law, the power to authorize the issuance of and to sell bond anticipation notes in anticipation of the issuance and sale of the Bonds herein authorized, including renewals of such notes, and the power to prescribe the terms, form and contents of the Bonds, and any bond anticipation notes, and the power to sell and deliver the bonds and any bond anticipation notes issued in anticipation of the Bonds, and the power to issue Bonds providing for substantially level or declining annual debt service, is hereby delegated to the President of the Board of Education, the chief fiscal officer of the School District.

Section 4. The temporary use of available funds of the School District, not immediately required for the purpose or purposes for which the same were borrowed, raised or otherwise created, is hereby authorized pursuant to Section 165.10 of the Local Finance Law, for the capital purposes described in Section 1 of this resolution.

Section 5. The reasonably expected source of funds to be used to initially pay for the expenditures authorized by Section 1 of this resolution shall be from the School District’s General Fund. It is intended that the School District shall then reimburse expenditures from the General Fund with the proceeds of the Bonds and bond anticipation notes authorized by this resolution and that the interest payable on the Bonds and any bond anticipation notes issued in anticipation of the Bonds shall be excludable from gross income for federal income tax purposes. This resolution is intended to constitute the declaration of the School District’s "official intent" within the meaning of Treasury Regulation Section 1.150-2 to reimburse the expenditures authorized by this resolution with the proceeds of the Bonds and bond anticipation notes authorized herein. Other than as specified in this resolution, no monies are reasonably expected to be, received, allocated on a long-term basis, or otherwise set aside with respect to the permanent funding of the objects or purposes described herein.

Section 6. The faith and credit of the School District are hereby irrevocably pledged to the punctual payment of the principal of and interest on the Bonds, and any bond anticipation notes issued in anticipation of the Bonds, and provision shall be made annually in the budget of the School District by appropriation for (a) the amortization and redemption of the Bonds and bond anticipation notes to mature in such year, and (b) the payment of interest to be due and payable in such year.

14. Board Action - Approval of Madison-Oneida BOCES Services Request Form and Contract 2017-2018:
BE IT RESOLVED, that the General Brown Central School District Board of Education approves participation for the 2017-2018 school year in the programs / services marked positively on the **2017-2018 Madison Oneida BOCES Services Commitment Form / Contract**.
Motion for approval by _____, seconded by _____, with motion approved ____-____.
15. Board Action - Adoption of the **2017-2018 Jefferson-Lewis BOCES Component School Districts Calendar**
Motion for adoption by _____, seconded by _____, with motion approved ____-____.
16. Board Action - **BE IT RESOLVED**, that upon the recommendation of the Superintendent of Schools, the General Brown Central School District Board of Education hereby takes action to approve the **Inter-Municipal Cooperation Agreement for Legal Services** through Jefferson-Lewis BOCES, in the amount of \$19,000 for the period of July 1, 2017 to June 30, 2018, to be billed in two installments, July 2017 and February 2018, and authorizes the Superintendent of Schools to execute the contract.
Motion for approval by _____, seconded by _____, with motion approved ____-____.
17. Board Action - **BE IT RESOLVED**, that upon the recommendation of the Superintendent of Schools, the General Brown Central School District Board of Education hereby takes action to approve **Hearing Officer Services** through the Office of Inter-Municipal Legal Services at Jefferson-Lewis BOCES in the amount of \$3,600 for the period of July 1, 2017 to June 30, 2018, to be billed through an approved CoSer subject to State aide reimbursement rates, and authorizes the Superintendent of Schools to execute the contract.
Motion for approval by _____, seconded by _____, with motion approved ____-____.
18. Board Action - Approval of **Committee on Special Education Reports**.
Motion for approval by _____, seconded by _____, with motion approved ____-____.
19. Board Information / Discussion - 2017-2018 Budget / Spending Plan
Motion for approval by _____, seconded by _____, with motion approved ____-____.

ADMINISTRATIVE REPORTS

20. Operations Report
21. Brownville-Glen Park and Dexter Principal Report
22. Jr.-Sr. High School Principal Report
23. Athletic Director / Discipline Report
24. Curriculum Coordinator Report
25. Office of Student Services Report
26. School Business Official Report
27. Superintendent Report

CORRESPONDENCE AND COMMUNICATIONS

28. Correspondence Log

RECOMMENDATIONS AND ACTION

29. Board Action - Personnel Changes as listed:
A motion for approval of the following PERSONNEL CHANGES, with *effective dates* as listed:
RECOMMENDATION and ACTION is made by _____, and seconded by _____. Motion is approved ___/___.

(A) Retirements:

Name	Position	Effective Date
None at this time		

(B) Resignations as listed:

Name	Position	Effective Date
Darrin S. Pitkin	2017 Varsity Softball Coach	February 16, 2017
Justin Corbett	5-Hour Bus Driver	March 1, 2017
Helen M. Timerman	0.5 Instrumental Music Teacher	June 30, 2017

(C) Appointments as listed:

Name	Position	Annual Salary / Rate of Pay	Probationary Tenure Track Appointment (if applicable)	Effective Date
Tara N. Cole	School Social Worker	\$44,390 annually (prorated to October 4, 2016), Step 1	4-Year Tenure Track Appointment	3/7/2017
Cheryl Byerly	4-Hour Food Service Helper	\$6503 annually, Step 1	n/a	3/7/2017

Melissa E. Gibson Weekes	Substitute Food Service Helper	\$9.87 per hour	n/a	3/7/2017
David D. Corey	Substitute Teacher / Substitute Aide	\$80 per day / \$9.76 per hour	n/a	3/7/2017
Joseph P. Miner	Substitutte Teacher	\$80 per day	n/a	3/7/2017
Nicholas J. Nortz	Substitute Teacher	\$70 per day	n/a	3/7/2017
Jeffrey A. Reynolds	Substitute Teacher / Substitute Aide	\$80 per day / \$9.76 per hour	n/a	3/7/2017
Wayne Livingston	Substitute Bus Driver	\$14.61	n/a	3/7/2017

(D) PAID Coaching Appointments as listed:

Name	Spring 2017 Sports	Coaching Certification	Effective Date
Lindsay Pitkin*	Girls Varsity Softball (*amended from JV Softball 2/6/17)	Teacher-Coach*	3/7/2017
James Blunden	Boys JV Lacrosse	Teacher-Coach*	3/7/2017
Lindsay Labiendo	Girls JV Softball	Teacher-Coach*	3/7/2017

(E) UNPAID Coaching Appointments as listed:

Name	Spring 2017 Sports	Coaching Certification	Effective Date
Stacy Bauter	Girls Lacrosse	Professional Coaching License****	3/7/2017
Andrew R. Derouin	Boys Lacrosse	Temporary Coaching License	3/7/2017
Robert Pickeral	Boys Lacrosse	Temporary Coaching License****	3/7/2017

Coaches possess the following [as mandated by NYSED]:

- Teaching Certificate: Child Abuse / School Violence / DASA / First Aid / CPR / Concussion Workshop / Fingerprint Clearance *
- Temporary or Professional Coaching License and/or 2nd-4th Renewal as required: Child Abuse / School Violence / DASA / First Aid / CPR / Concussion Workshop / Philosophies & Principals / Theories and Techniques [sport specific] / Health Sciences / Fingerprint Clearance ****

30. Board Action - Upon the recommendation of the Superintendent of Schools – WHEREAS, on behalf of the General Brown Central School District, two sets of the following prospective employees’ fingerprints for employment have been submitted to SED, along with the signed Consent Form, and a request for conditional clearance. The following employees have received **FINAL CLEARANCE** from SED:

- **Melissa E. Gibson Weekes** - Substitute Food Service Helper
- **David D. Corey** - Substitute Teacher
- **Joseph P. Miner** - Substitute Teacher
- **Nicholas J. Nortz** - Substitute Teacher
- **Jeffrey A. Reynolds** - Substitute Teacher
- **Cheryl Byerly** - Food Service Helper
- **Stacy Bauter** - Coach
- **Andrew R. Derouin** - Coach
- **Robert Pickeral** - Coach

Motion for approval by _____, seconded by _____, with motion approved ____-____.

ITEMS FOR NEXT MEETING - Monday, April 10, 2017

31. _____

EXECUTIVE SESSION

32. **A motion is requested to enter executive session** for the discussion of _____.
 Motion for approval by _____, seconded by _____, with motion approved ____-____. Time entered: ____:____ p.m.

RETURN TO OPEN SESSION

33. **A motion is requested to adjourn the executive session and reconvene the regular meeting.**
 Motion for approval by _____, seconded by _____, with motion approved ____-____. Time: ____:____ p.m.

MOTION FOR ADJOURNMENT

34. **There being no further business or discussion,** a motion is requested adjourn the regular meeting.
 Motion for approval by _____, seconded by _____, with motion approved ____-____. Time adjourned: ____:____ p.m.

Enclosure(s):

* Items added after preliminary agenda was sent to Board of Education

TAX EXEMPT BONDS – POST ISSUANCE COMPLIANCE

I. Statement of Policy

From time to time, the District finances its capital projects or operation by issuing tax-exempt Bonds, as defined more fully in Section II of this Policy. It is the Policy of the District to comply fully with the legal requirements for maintaining the tax-exempt status of the bonds and the interest paid on Bond proceeds after the issuance of the Bonds. The purpose of this Policy is to establish standards of conduct that maximize the likelihood that District-issued Bonds will retain their tax-exempt or tax-advantaged status under the applicable federal law and rules, including the Internal Revenue Code of 1986 and applicable regulations.

II. Definitions

“Applicable Federal Law” means the Code and related Treasury Regulations.

“Arbitrage” means earnings from the investment of Bond proceeds in excess of the amount that would have been earned had the funds been invested at the Bond yield, adjusted for certain expenses.

“Bond” or “Bonds” means all bonds, notes, installment purchase agreements, and other tax-exempt or tax-advantaged debt obligations that are issued by or on behalf of the District.

“Code” means the Internal Revenue Code of 1986.

“Issuer” means the District.

“Private Business Use” has the meaning given in the Code, including but not limited to the use of Bond-financed assets by third parties pursuant to leases, management or service agreements that do not meet compliance requirements, any “naming rights” agreement, any “public-private partnership” arrangement, and any other arrangement that allows a third party to use or otherwise benefit from Bond-financed property.

“Tax Certificate” means the arbitrage and tax compliance certificate signed by the District at the closing of a Bond issuance in which the District makes representations, warranties, and covenants relating to the expected use of Bond proceeds and the tax eligibility of the financed projects.

“Treasury Regulations” means the regulations applicable to tax-exempt bonds promulgated by the Internal Revenue Service pursuant to the Code.

TAX EXEMPT BONDS – POST ISSUANCE COMPLIANCE**III. Assignment of Responsibility**

- A. The Board has the final responsibility for monitoring whether the District is in compliance with post-issuance requirements for the District's tax-exempt Bonds. However, the District's School Business Official, under the supervision of the Superintendent, ("the Bond Compliance Monitor") shall have the primary operating responsibility to monitor the District's compliance with those requirements and to recommend to the Board actions necessary to comply with this Policy and applicable laws and regulations.
- B. The Bond Compliance Monitor shall insure that this Policy is communicated to all District officers and staff with responsibility or control over any aspect of the issuance by the District of tax-exempt Bonds, the investment or expenditure of Bond proceeds, or the use of Bond-financed assets, including those who manage, direct, or influence the following:
1. the pre-issuance process and decision-making, including identification of eligible projects;
 2. the expenditure of Bond proceeds and District funds for project costs;
 3. the investment of Bond proceeds and other District funds;
 4. the use of all facilities and other assets financed or refinanced by Bonds, including use by the District or third parties pursuant to leases, management agreements, service agreements, fee-for-use, or other arrangements;
 5. the sale or other disposition of any facilities or other assets financed or refinanced by Bonds;
 6. the creation and retention of documentation relating to expenditure of Bond proceeds, the use and disposition of Bond-financed assets, Arbitrage and tax return filings; and
 7. the recording and reporting of financial transactions related to Bonds.

TAX EXEMPT BONDS – POST ISSUANCE COMPLIANCE

- C. The Bond Compliance Monitor and other responsible staff of the District should receive education and training regarding the tax compliance requirements relating to tax-exempt Bonds and are authorized to attend relevant educational seminars or programs, with the prior approval of the Superintendent. A record shall be kept of all such education or training received by the Bond Compliance Monitor and other responsible District staff, and this information shall be reported to the Board at least annually.

IV. Expenditure and Use of Bond Proceeds**A. Expenditure of Bond Proceeds**

1. Bond proceeds, including investment earnings thereon, shall be disbursed only for project costs, capitalized interest (i.e., interest payments during project construction), Bond issuance costs and other purposes expressly allowed under the Bond documents and authorizing bond ordinances. All Bond-financed property must be owned by the District.
2. If the District intends to reimburse itself from Bond proceeds for project costs paid prior to issuance of the Bonds, the District shall adopt a declaration of official intent to reimburse project costs that meets the requirements of Applicable Federal Law after consultation with nationally recognized bond counsel.

B. Final Allocation of Bond Proceeds

Promptly after the final expenditure of Bond proceeds, the Bond Compliance Monitor shall prepare a written report documenting the allocation of Bond proceeds (including interest earnings thereon) and other District funds to project expenditures (the "Final Allocation"). In all cases, the Final Allocation shall be completed within 18 months after the later of the date Bond proceeds are expended or the date the project is placed in service, but not later than 5 years after the Bonds were issued. The Bond Compliance Monitor is authorized to consult with nationally recognized bond counsel in connection with the Final Allocation of Bond proceeds.

C. Private Business Use of Bond-Financed Property

1. No more than ten percent (10%) of Bond proceeds may be used for Private Business Use and such use may occur only in accordance with the Tax Certificate and Applicable Federal Law.

TAX EXEMPT BONDS – POST ISSUANCE COMPLIANCE

2. Prior approval of the Bond Compliance Monitor is required for the following uses of Bond-financed property: use by third parties for trade or business activities, including leases, licenses, fee-for-use permits under Policy No. 3280 – Community Use of School Facilities, Materials and Equipment, or other arrangements; management or service contracts under which the compensation of the manager or service provider is based on income from operation of the facility; and any other use that could potentially be considered Private Business Use under Applicable Federal Law.
3. The Bond Compliance Monitor shall annually review all uses of Bond financed property and determine the percentage of Private Business Use of Bond-financed property, and shall report this percentage to the Board.
4. The Bond Compliance Monitor shall maintain a record of all Bond financed property, including the amount of Bond proceeds allocated to each asset, which shall be based on the Final Allocation of Bond proceeds described above. The Bond Compliance Monitor shall maintain records of all Private Business Use, if any, of Bond-financed property, including copies of the pertinent leases, contracts or other documentation, and the related determination that any Private Business Use is within permissible limits under Applicable Federal Law.

D. Change of Use of Bond-Financed Property

Any significant change in the use of Bond-financed property must be reported to the Bond Compliance Monitor prior to implementation. The Bond Compliance Monitor shall determine whether the proposed new use may constitute Private Business Use. If the use may be Private Business Use, the Bond Compliance Monitor shall consult with counsel for tax advice on whether that use or arrangement, if put into effect, will be consistent with the restrictions on Private Business Use and, if not, whether any "remedial action" permitted under the Code may be taken by the District as a means of enabling that use.

E. Sale or Disposition of Bond-Financed Property

Any sale or other disposition of Bond-financed property must be reported to the Bond Compliance Monitor prior to execution of any agreement of sale or other agreement of disposition. The Bond Compliance Monitor shall determine whether the Bond-financed property has any remaining useful life

TAX EXEMPT BONDS – POST ISSUANCE COMPLIANCE

in accordance with the Tax Certificate and Applicable Federal Law, and if so, consult with nationally recognized bond counsel as to the requirements of Applicable Federal Law applicable to the sale or other disposition and the appropriate "remedial action" permitted by the Code that must be undertaken by the District as a result of the potential sale or other disposition of the Bond-financed property.

V. Investment, Arbitrage and Rebate**A. Investment**

Prior to expenditure for project costs, Bond proceeds shall be invested in compliance with the Local Finance Law, Applicable Federal Law and the Tax Certificate, and the District's Investment Policy (Policy No. 5220). The District will invest Bond proceeds at a yield in excess of the Bond yield only during the applicable "temporary period" (as defined in the Code and the Treasury Regulations), and shall provide for yield restriction on the investment of such proceeds after the applicable temporary period. The District shall ensure that investments acquired with proceeds of an issue are purchased at "fair market value," as defined in Treasury Regulations.

B. Arbitrage and Rebate

The Bond Compliance Monitor shall determine whether the Bonds are eligible for an Arbitrage rebate exception. If the Bonds are not exempt from Arbitrage rebate, the Bond Compliance Monitor shall compute the amount of Arbitrage earnings, and make all required rebate payments to the IRS, on each computation date required by Applicable Federal Law. The Bond Compliance Monitor is authorized to retain an arbitrage rebate service provider to prepare arbitrage rebate calculations.

VI. Reissuance

Before modifying any Bond terms, the District shall consult with nationally recognized bond counsel to determine whether the proposed modification could potentially be treated as a "reissuance" of those Bonds for federal income tax purposes.

VII. Continuing Disclosure

If the District is subject to one or more Continuing Disclosure Undertakings as set forth in a bond resolution or separate continuing disclosure agreement, in order to comply with Rule 15c2-12 of the Securities and Exchange Commission, the Bond

TAX EXEMPT BONDS – POST ISSUANCE COMPLIANCE

Compliance Monitor shall maintain records that includes a copy of each such Continuing Disclosure Undertaking and shall ensure that the information required to be disclosed is disclosed in a timely fashion.

VIII. Filing of Returns

The District will work with nationally recognized bond counsel to prepare and file any returns with the IRS relating to Arbitrage rebate in a timely manner. The District will confirm with bond counsel that the information report required to be filed upon issuance of Bonds (e.g., Form 8038) was filed with the IRS on a timely basis.

IX. Corrective Actions

Upon discovering any violation of Applicable Federal Law including, but not limited to, excess Private Business Use, violation of Arbitrage restrictions or sale of Bond-financed assets, the Bond Compliance Monitor shall promptly consult with legal counsel to determine appropriate remedial action to correct such violation. If remedial action is not available, the District will undertake to remedy the violation through the IRS Voluntary Closing Agreement Program (VCAP).

X. Record Retention

The Bond Compliance Monitor is responsible for insuring that written records (which may be in electronic form) are maintained with respect to each Bond issue for as long as those Bonds (and any Bonds issued to refinance those Bonds) remain outstanding, plus three years. The records maintained shall include:

- basic records relating to the Bond issuance including the official transcript of proceedings;
- documentation evidencing expenditure of Bond proceeds including, but not limited to, purchase contracts, construction contracts, progress payment requests, invoices, cancelled checks, payment of Bond issuance costs, and records of "allocations" of Bond proceeds to reimburse the District for project expenditures made before the Bonds were actually issued;
- records showing the specific assets financed with Bond proceeds (including assets to which Bond proceeds are allocated pursuant to the Final Allocation described above);
- information, records and calculations showing that, with respect to each Bond issue, the District was eligible for one of the Arbitrage rebate spending exceptions or, if not, that the Arbitrage rebate amount, if any, was calculated and timely paid to the IRS;
- documentation evidencing use of Bond-financed property by public and private entities (including copies of leases and management contracts);

TAX EXEMPT BONDS – POST ISSUANCE COMPLIANCE

- records showing that special use arrangements, if any, affecting Bond-financed property made by the District with third parties, if any, are consistent with applicable restrictions on Private Business Use of property financed with proceeds of tax-exempt Bonds;
- records of any sale or disposition of Bond-financed property, including terms of sale, and documentation of any "remedial action" undertaken as a result of the sale or other disposition; and
- documentation pertaining to any investment of proceeds of the issue, including the purchase and sale of securities, calculations for each class of investments and actual investment income received and Arbitrage rebate calculations.

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General Brown Central School District
Adopted: _____