Byram Hills School District
Armonk, NY

New York State Supreme Court Appellate Division Decision Update: District Information as of June 1, 2010

Current Information:
The Appellate Division of the New York State Supreme Court affirmed the judgment of the Supreme Court, Westchester County, dated January 2, 2009, which dismissed the Byram Hills School District's petition to set aside the School District's disciplinary charges against Mr. Gregory Carlson. The School District's application was made after the conclusion of a New York State Education Law Section 3020-a proceeding, which is the mechanism required by law when a school district seeks the discipline, including dismissal, of a tenured employee. The charges may not be disclosed under the Freedom of Information Law.

Employment Status:
Mr. Carlson has been employed as Assistant Superintendent for Business and Management Services in Byram Hills for 12 years and received tenure in 2001. In April 2006, the School District commenced proceedings pursuant to Education Law Section 3020-a to terminate Mr. Carlson's employment. During these proceedings, Mr. Carlson had been on a leave of absence and, as the law requires, was entitled to continuing salary and benefits. The legal provisions governing salary continuation are binding on school districts, and were a matter as to which the district had no choice. The reasons for the proceedings are of a personnel nature and none of the issues involved misappropriation of district funds. On June 1, 2010, Mr. Carlson returned to active service based on the Appellate Division's decision.

District Management:
Since April 2006, the operations of the business office, transportation, facilities, food services and management have been led by Mr. Richard Lasselle, a well respected business official in New York State. During this time, the District has received four external audits and a comprehensive State audit, and the School District budget and finances continue to be in excellent condition. Our annual audit reports have been deemed "unqualified", which is the standard for excellent accounting, payroll and business office management. Byram Hills has earned an Aaa Moody's rating and is among the best-rated public school districts in the state.

Current Status:
Byram Hills School District was required, under the law, to return Mr. Carlson to active service in his current position. During this year, Mr. Richard Lasselle will continue to serve as the Byram Hills Assistant to the Superintendent, District Clerk and Records Access Officer. Since 2006, the district business office and facilities have undergone significant improvement. Also, in March 2006, the New York State Comptroller's Office was charged with the oversight of a 5-Point Plan to improve fiscal oversight of school districts. The procedures required by the 5-Point Plan have been successfully implemented by the Byram Hills School District.

During the 2010-2011 school year, transition plans are in place to appropriately divide the responsibility between Mr. Carlson and Mr. Lasselle of the following district responsibilities:

- finance management,
- budget development and program implementation,
- transportation services,
- food service program,
- facilities and maintenance program,
- security services,
- auditing oversight,
- contract management, and
- business office procedures regarding payroll, purchasing and accounts payable.

Comment and Commitment:
The Byram Hills Board of Education and the District's administration are committed to assuring a high level of accountability from District employees and excellent service to our students and school community. The Board of Education will continue to make decisions that place our students' needs as the highest priority while continuing to set a standard of excellence.

Tenure Reform:
The Byram Hills Board of Education and Superintendent have advocated for tenure reform.

The Byram Hills School District Board of Education has submitted a Board resolution advocating for 3020-a tenure reform to the New York State School Boards Association. The district strongly believes that the New York State Commissioner's regulations that define the procedures for 3020-a disciplinary hearings are against the best interest of our taxpayers due to unreasonable and excessive costs. The district supports the elimination of procedural delays and advocates for fair and reasonable due process protections.

School Superintendent, Dr. Jacquelyn Taylor, has expressed concern regarding the need for tenure reform in meetings with State Education representatives and is currently working with a sub-committee of Superintendents to develop a position paper on tenure reform for presentation to legislators and State Education Department officials once approved by the Chief School Administrators of Southern Westchester.

Questions should be directed to Dr. Jacquelyn Taylor, Superintendent of Schools.