

SCHALMONT CENTRAL SCHOOL DISTRICT

MINUTES

Meeting of the Schalmont Board of Education Monday, September 9, 2024; 7:00 PM; Middle School LGI

CALL TO ORDER & ROLL CALL - The meeting was called to order at 7:08 PM

Members Present

Mr. Angelo Santabarbara, President
Mr. David Lawrence, Vice President
Ms. Miranda Eldridge
Mrs. Jean Hanson
Mr. William Mau
Mr. Kevin Thompson

Members Absent

Ms. Patricia Dowse

Others Present

Dr. Thomas Reardon, Superintendent of Schools
Mrs. Brenda Leitt, School Business Administrator
Mr. Kyle Larabee, Student Representative

PLEDGE OF ALLEGIANCE

APPROVAL OF AGENDA – Motion made by Mr. Mau, seconded by Mrs. Hanson, that the agenda for the September 9, 2024 meeting of the Schalmont Board of Education be approved.

Motion carried 6-0. Ms. Dowse absent.

STUDENT REPRESENTATIVE REPORT

Mr. Larabee reported at the High School, Freshman & New HS Student Orientation took place August 29. Varsity and JV sport seasons have gone off to a great start. Club activities are kicking off. Preparations have (loosely) begun for spirit week, October 7th-11th including powderpuff on the 9th, and pep rally and homecoming on the 11th. At the Middle School, Club activities are kicking off. Modified and JV sport seasons have begun. At Jefferson Elementary, JES Tour for New Grades 1-4 Families took place August 30. First full day today for Kindergarten went off with minimal children crying for their parents! First PTO meeting scheduled for 9/17 at 6:30.

SUPERINTENDENT'S REPORT

CONSENT AGENDA – Motion made by Mrs. Hanson, seconded by Mr. Lawrence, that the consent agenda consisting of the following items be approved:

- ✓ Board of Education Meeting Minutes: August 19, 2024
- ✓ CSE/CPSE Recommendation
- ✓ Personnel Matters

• **Instructional Personnel Matters**

Full-Time Probationary Appointment

Name: Sandra Schoenecker
Position: Teaching Assistant/HS; 1.0 FTE
Effective: September 1, 2024
Tenure Area: Teaching Assistant
Probation: 4 years; September 1, 2024 through August 31, 2028
Step: 4 (*per STA Agreement*)

Part-Time Appointment

Name: Melanie Lawrence
Position: Earth Science/HS
FTE: 1.0 FTE
Effective: September 1, 2025 through June 30, 2025
Step: 8-MA (*per STA Agreement*)

Resignation

Emily Holodak, Earth Science, HS; effective September 20, 2024

James Battaglia 10:45am – 12:45pm 2.00 HS/Cafeteria

Bus Attendant Appointments -2024-2025

<u>Name</u>	<u>AM Hours</u>	<u>Mid-Day Hours</u>	<u>PM Hours</u>	<u>Hours</u>
Cheryl Myers	--	--	1.50	1.50
Michelle Barrett	2.75	--	2.50	5.25
Lisa Croce	2.25	--	1.00	3.25
Jaqueline Doyle	2.50	--	2.50	5.00
Michelle Bernardo	2.50	--	2.50	5.00
Elizabeth Parks	1.75	--	2.00	3.75
Carol Thompson	1.50	--	--	1.50
Theresa Bacchi	2.00	1.25	1.75	5.00
James Battaglia	1.25	--	1.75	3.00
Lou-Ann Tubb	1.00	--	--	1.00
Dori Kaszubski	2.00	--	1.75	3.75
Kristen Fratus	---	--	1.00	1.00

Bus Driver Appointments -2024-2025

<u>Name</u>	<u>AM Hours</u>	<u>Mid-Day Hours</u>	<u>PM Hours</u>	<u>Late Run Hours</u>	<u>Hours</u>
Tom Verrigni	3.25	1.75	3.00	--	8.00
John Sangiovanni	3.00	--	3.00	--	6.00
David Connell	3.00	1.75	3.25	--	8.00
Ray LaFreniere	2.75	2.75	2.50	--	8.00
Luigi Mastroianni	3.25	1.75	3.00	--	8.00
Anthony Farina	3.25	1.50	2.00	2.00	6.75/2.00x1
Pam Tetlak	2.75	2.00	2.50	--	7.25
Joe Mastrianni	3.25	--	2.00	--	5.25/2.00x5
Ken Lancto	3.25	--	2.00	2.00	5.25/2.00x4
Chris Chandler	3.25	--	2.00	2.00	5.25/2.00x2
Mena Greisler	2.75	--	2.50	--	5.25
Theresa Rorick	3.00	--	3.75	--	6.75
Jim Woods	3.25	--	2.00	2.00	5.25/2.00x6
Henry DeSantis	3.25	--	2.50	--	5.75
Bob Burgess	3.25	--	2.75	--	6.00
Gary Campoli	2.50	--	2.25	--	4.75
Jennifer Whitney	3.25	--	2.50	--	5.75

Bus Driver Appointments -2024-2025 (con't)

<u>Name</u>	<u>AM Hours</u>	<u>Mid-Day Hours</u>	<u>PM Hours</u>	<u>Late Run Hours</u>	<u>Hours</u>
Mario Palleschi	2.75	--	2.50	--	5.25
Anthony Ditoro	2.75	--	2.50	--	5.25
Mike Townsend	3.00	--	2.50	--	5.50
Mike Denny	3.00	--	2.50	--	5.50
Wesley Blessing	2.75	--	2.50	--	5.25
Oswald Martucci	2.00	--	2.75	--	4.75
Daniel DeFillips	2.75	--	2.75	--	5.50
Lori Koslik-Olsen	3.00	--	3.00	--	6.00
Radine Labar-Thomas Christine	2.75	--	2.50	--	5.25
Labar-VanBuren	2.75	--	2.75	--	5.50
Francis Severnio	--	--	2.25	2.00	2.50/2.00x3
Gary Olsen	3.25	--	2.75	--	6.00
Holly Hulbert	3.00	--	2.75	--	5.75
Angela Perkins	3.00	--	2.75	--	5.75
Yvonne DeCocco	3.00	--	2.75	--	5.75
Lorrie Adams	2.25	--	2.75	--	5.00

Kimberly Bryant	2.75	--	2.50	--	5.25
Bradford McCormack	3.00	--	2.50	--	5.50
Danielle Nedell	2.75	--	2.50	--	5.25
Jessica Hanna	2.75	--	2.50	--	5.25
Rebecca Herrle	2.75	--	2.50	--	5.25
Michael Ricciardi	2.75	--	2.50	--	5.25
Tammy Borkowski	2.75	--	2.50	--	5.25
Gino Koreman	2.75	--	2.50	--	5.25

Motion carried 4-0. Ms. Dowse absent. Mr. Thompson and Mr. Lawrence abstained.

NEW BUSINESS

First Read/Board Policies: Motion made by Mrs. Hanson, seconded by Ms. Eldridge, that the Board of Education approve the first read of the following School Board policies.

- 0100 Non-Discrimination and Equal Opportunity
- 0110.2 Sexual Harassment in the Workplace
- 0110.2-E Sexual Harassment in the Workplace Exhibit
- 0111 Sex Discrimination and Sex-Based Harassment Under Title IX
- 0115 Student Harassment and Bullying Prevention and Intervention

Motion carried 6-0. Ms. Dowse absent.

BOARD ITEMS

- Mr. Santabarbara – Welcome back all students and staff. Have a successful year!
- Mr. Mau – Thank you to all staff. Schools look great! Thanks PTO.
- Mr. Lawrence – Welcome back.

ADJOURNMENT – Motion made by Mr. Thompson, seconded by Mr. Mau, that the September 9, 2024 meeting of the Board of Education be adjourned to at 7:20 PM.

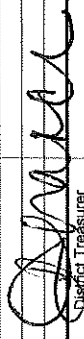
Motion carried 6-0. Ms. Dowse absent.

Respectfully submitted,

Brenda Leitt
Clerk of the Board

TREASURER
REPORT
AUGUST
2024

Submitted by:
Rachael France

MONTHLY FINANCE						
August 31, 2024						
	Capital Fund Checking 4086	Federal Checking 4093	General Checking 4089	General Tax Account 5864	School Lunch Checking 4077	Payroll Account 4107
Available Cash Balance as Reported at the End of Preceding Month	H200	F200	A200	A200TAX	C200	A209
Add:	230,764.62	535.42	11,888,559.61	14.04	912,730.66	-
Receipts By Source:						
Real Property Taxes/PILOTS						
Cafeteria Sales			541,922.43		130.00	
State & Federal Aid						
Transfers In	640.74	116,968.24	38,178.11		3,139.19	353,817.15
Interest Earnings			1,600.00			
Non Resident Tuition			15,566.04			
Miscellaneous						
Continuing Education						
Insurance (Cobra, Amsure)			160,031.33			
Total Receipts	640.74	116,968.24	757,297.91	-	3,269.19	353,817.15
Less:						
Disbursements:						
Debt Payments						
Check	153,241.65	26,503.81	2,367,400.07		250.35	353,817.15
Wire transfers - Payroll/Other		84,355.72	140,047.52		600.00	
Wire transfer - Anthem/Sales Tx			62,486.16			
Total Disbursements	153,241.65	110,859.53	2,569,933.75		850.35	353,817.15
Available Cash Balance At EoM	78,163.71	6,634.13	10,075,923.77	14.04	915,149.50	-
Bank Reconciliation						
Bank Balance	78,163.71	1,134.13	10,227,892.66	14.04	915,242.50	5,348.61
Deposits in Transit		5,500.00	(5,770.00)			
Outstanding Checks			(148,198.89)		(93.00)	(5,348.61)
Adjustments						
Book Balance	78,163.71	6,634.13	10,073,923.77	14.04	915,149.50	-
Other Investment Accounts:						
General Fund						
Savings Accounts						
Opening balance		14,503,703.68	401.73		5,728,021.64	
Add:						
Transfers In		49,888.77	1.65		25,089.29	
Interest Earnings		49,888.77	1.65		25,089.29	
Total Receipts						
Less:						
Transfers Out						
Available Cash Balance At End of Month		14,553,592.45	403.38		5,753,110.93	
Account Code:		A203F	A203I	(NY CLASS) A203		
I certify that the above balances are in agreement with the bank statements, as reconciled.						
						9/13/2024
					District Treasurer	Date

SCHALMONT CSD

Trial Balance Report From 7/1/2024 - 8/31/2025



Account	Description	Debits	Credits
A 200	CASH IN CHECKING	7,762,934.46	0.00
A 200-DB	General Fund Debit Card Account	7,802.39	0.00
A 200TAX	CASH TAX ACCOUNT	751,582.71	0.00
A 203	NYCLASS ACCOUNT	5,753,110.93	0.00
A 203F	NBT MMA	14,553,592.45	0.00
A 203I	NBT - ICS Promontory	403.38	0.00
A 210	PETTY CASH	115.24	0.00
A 380-AR	ACCOUNTS RECEIVABLE-BILLING	3,730,234.07	0.00
A 391	DUE FROM OTHER FUNDS	3,042,547.22	0.00
A 410	STATE & FEDERAL AID RECEIVABLE	69,589.00	0.00
A 440	DUE FROM OTHER GOVERNMENTS	655,478.87	0.00
A 510	ESTIMATED REVENUE	57,880,777.00	0.00
A 511	APPROPRIATED RESERVE	5,000,050.00	0.00
A 521	ENCUMBRANCES	44,702,978.77	0.00
A 522	EXPENDITURES	6,631,860.20	0.00
A 599	APPROPRIATED FUND BALANCE	197,412.77	0.00
A 600	ACCOUNTS PAYABLE	0.00	58,630.05
A 630	DUE TO OTHER FUNDS	0.00	2,027,379.04
A 632	DUE TO TEACHERS RET. SYSTEM	0.00	2,009,313.97
A 637	DUE TO EMPLOYEES RETIREMENT SYSTEM	0.00	196,269.00
A 718ERS	ERS RETIREMENT	0.00	3,600.10
A 720D	DENTAL INSURANCE	0.01	0.00
A 720H	HEALTH INSURANCE	0.72	0.00
A 721	NYS INCOME TAX	145.81	0.00
A 722	FEDERAL INCOME TAX	296.54	0.00
A 724I	ASSOCIATION AND UNION DUES - INSTRUCTIONAL	0.00	9,113.49
A 724NI	ASSOCIATION & UNION DUES - NON INSTRUCTIONAL	0.00	18.96
A 727E	ERS LOAN	0.00	319.00
A 727T	TRS LOAN	0.00	3,977.00
A 815	RESERVE FOR UNEMPLOYMENT INSURANCE	0.00	300,000.00
A 821	RESERVE FOR ENCUMBRANCES	0.00	44,703,028.50
A 827	RESERVE FOR RETIREMENT CONTRIBUTIONS	0.00	2,571,391.32
A 828	RESERVE FOR TEACHERS RETIREMENT	0.00	1,042,667.00
A 85UF	UNITED FUND	0.00	4.66
A 85VC	VOTE COPE	0.00	446.75
A 864	RESERVE FOR TAX CERTIORARI	0.00	843,572.37
A 867	RESERVE FOR EE BENEFITS & ACCRUED LIAB	0.00	1,562,233.68
A 909	FUND BALANCE, UNRESERVED	0.00	27,654,700.53
A 914	ASSIGNED APPROPRIATED FUND BALANCE	0.00	4,800,689.00
A 960	APPROPRIATIONS	0.00	58,078,189.10
A 980	REVENUES	0.00	4,875,369.02
A Fund Totals:		150,740,912.54	150,740,912.54
C 200	CASH IN CHECKING	897,731.15	0.00
C 210	PETTY CASH	50.00	0.00
C 211	CASH ON HAND - CHANGE	130.00	0.00
C 391	DUE FROM OTHER FUNDS	0.00	270.00

SCHALMONT CSD

Trial Balance Report From 7/1/2024 - 8/31/2025



Account	Description	Debits	Credits
C 445	INVENTORY OF MAT'L & SUPPLIES	2,512.20	0.00
C 446	FOOD INVENTORY	27,498.33	0.00
C 510	ESTIMATED REVENUE	1,060,000.00	0.00
C 521	ENCUMBRANCES	627,140.70	0.00
C 522	EXPENDITURES	18,041.00	0.00
C 630	DUE TO OTHER FUNDS	0.00	524,991.41
C 631	DUE TO OTHER GOVTS-SALES TAX	0.00	242.13
C 806	NONSPENDABLE FUND BALANCE	0.00	30,010.53
C 821	RESERVE FOR ENCUMBRANCES	0.00	627,140.70
C 909	FUND BALANCE, UNRESERVED	0.00	384,053.08
C 960	APPROPRIATIONS	0.00	1,060,000.00
C 980	REVENUES	0.00	6,395.53
C Fund Totals:		2,633,103.38	2,633,103.38
F 200	CASH IN CHECKING	11,634.13	0.00
F 391	DUE FROM OTHER FUNDS	2,065,022.09	0.00
F 410	STATE & FEDERAL AID RECEIVABLE	4,230.21	0.00
F 510	ESTIMATED REVENUE	838,506.00	0.00
F 521	ENCUMBRANCES	1,490,394.65	0.00
F 522	EXPENDITURES	175,378.99	0.00
F 630	DUE TO OTHER FUNDS	0.00	2,138,045.88
F 821	RESERVE FOR ENCUMBRANCES	0.00	1,490,394.65
F 909	FUND BALANCE, UNRESERVED	0.59	0.00
F 915	ASSIGNED UNAPPROPRIATED FUND BALANCE	0.00	10,095.13
F 960	APPROPRIATIONS	0.00	838,506.00
F 980	REVENUES	0.00	108,125.00
F Fund Totals:		4,585,166.66	4,585,166.66
H 200	CASH IN CHECKING	78,163.71	0.00
H 391	DUE FROM OTHER FUNDS	0.00	87,412.05
H 410	STATE & FEDERAL AID RECEIVABLE	338,720.00	0.00
H 522	EXPENDITURES	240,653.70	0.00
H 599	APPROPRIATED FUND BALANCE	393,262.46	0.00
H 630	DUE TO OTHER FUNDS	0.00	329,471.01
H 909	FUND BALANCE, UNRESERVED	0.00	240,654.35
H 960	APPROPRIATIONS	0.00	393,262.46
H Fund Totals:		1,050,799.87	1,050,799.87
K 101	LAND	953,400.00	0.00
K 102	BUILDINGS	56,748,394.30	0.00
K 103	IMPROVEMENTS OTHER THAN BUILDINGS	1,335,530.56	0.00
K 104	EQUIPMENT	5,137,181.91	0.00
K 105	CONSTRUCTION WORK IN PROGRESS	0.00	0.21
K 107	OTHER CAPITAL ASSETS-VEHICLES	4,779,011.46	0.00
K 108	NET PENSION ASSET-PROPORTIONATE SHARE	0.00	2,547,778.00
K 112	ACCUM DEPRECIATION-BLDGS	0.00	17,712,356.53
K 113	ACCUM DEPRECIATION-OTHER THAN BLDG	0.00	1,193,745.82
K 114	ACCUM DEPRECIATION-EQUIPMENT	0.00	3,234,978.95
K 117	ACCUM DEPRECIATION-OTHER ASSETS	0.00	2,925,652.52

SCHALMONT CSD

Trial Balance Report From 7/1/2024 - 8/31/2025



Account	Description	Debits	Credits
K 151	NET CAPITAL ASSETS	0.00	97,121,245.20
K 496	DEFERRED OUTFLOWS OF RESOURCES-PENSION	55,782,239.00	0.00
K Fund Totals:		124,735,757.23	124,735,757.23
TE 200	CASH IN CHECKING	19,553.57	0.00
TE 909.12	CLASS 62'	0.00	3,139.73
TE 909.14	JANICE DOLHY MEMORIAL SCHOLARSHIP	0.00	744.09
TE 909.16	ROTTERDAM KIWANIS SCHOLARSHIP	0.00	3,757.25
TE 909.2	BRUCE BOUCK SCHOLARSHIP	0.00	3,143.09
TE 909.3	PAULA SELKIS SCHOLARSHIP	0.00	6,345.08
TE 909.9	SANDRA STRYJEK SCHOLARSHIP	0.00	2,424.33
TE Fund Totals:		19,553.57	19,553.57
W 125	AMTS TO BE MADE IN FUTURE BUDGET	232,713,213.07	0.00
W 628	BONDS PAYABLE	0.00	802,500.00
W 683	OTHER POST EMPLOYMET BENEFIT	0.00	145,715,913.00
W 686	JUDGEMENTS AND CLAIMS	0.00	683,923.87
W 687	COMPENSATED ABSENCES	0.00	1,646,837.20
W 697	DEFERRED INFLOWS OF RESOURCES-PENSION	0.00	83,864,039.00
W Fund Totals:		232,713,213.07	232,713,213.07
Grand Totals:		516,478,506.32	516,478,506.32

Required
 Local
 Notice

NON-DISCRIMINATION AND EQUAL OPPORTUNITY

The Board of Education, its officers and employees, shall not discriminate in its programs and activities on the basis of legally protected classes, such as, but not limited to: race, color, national origin, creed, religion, marital status, sex (including pregnancy, childbirth, or related medical condition), age, sexual orientation, disability (physical or mental), predisposing genetic characteristic, military work or status, domestic violence victim status, or use of a guide dog, hearing dog, or service dog, as applicable. The district will provide notice of this policy in accordance with federal and state law and regulation.

This policy of nondiscrimination includes access by students to educational programs, counseling services for students, course offerings, and student activities, as well as recruitment and appointment of employees and employment pay, benefits, advancement and/or terminations.

The Board of Education, its officers and employees shall not discriminate against students on the basis of actual or perceived race, color, body type, national origin, ethnic group, religion, religious practice, disability, sex; sexual orientation, or gender, gender identity and expression.

A finding that an individual has engaged in conduct in violation of this policy may result in disciplinary action and/or filing of a report with third parties in the manner prescribed by the district code of conduct, the law or applicable contract.

Nothing in this policy shall be construed to prohibit a denial of admission into, or exclusion from, a course of instruction or activity based on a person's gender that would be permissible under the law, or to prohibit, as discrimination based on disability, actions that would be permissible under the law.

Annual Notification

At the beginning of each school year, the district shall publish a notice of the established grievance procedures for resolving complaints of discrimination to parents/guardians, employees, students and the community. The public notice shall:

1. inform parents/guardian, employees, students and the community that education programs, including but not limited to vocational programs, are offered without regard to actual or perceived race, color, body type, national origin, ethnic group, religion, religious practice, disability, sex; sexual orientation, or gender (including gender identity and expression);
2. provide the name, address and telephone number of the person designated to coordinate activities concerning discrimination; and
3. be included in announcements, bulletins, catalogues, and applications made available by the district.

The Director of Instructional Support Services and/or the School Business Administrator have been designated to handle inquiries regarding the district's non-discrimination policies. Contact information for the Equal Opportunity Coordinator is available on the district's website. Complaints of sexual harassment or discrimination are covered by policy 0110.

All complainants and those who participate in the investigation of a complaint in conformity with state law and district policies, who have acted reasonably and in good faith, have the right to be free from retaliation of any kind.

The Board authorizes the Superintendent of Schools to establish such rules, regulations and procedures necessary to implement and maintain this policy.

Cross-ref: 0110, Sexual Harassment
9140.1, Staff Complaints and Grievances

Ref: Age Discrimination in Employment Act of 1967 29 U.S.C. §§621 *et seq.*
Americans with Disabilities Act, 42 U.S.C. §§12101 *et seq.*
Title VI, Civil Rights Act of 1964, 42 U.S.C. §§2000d *et seq.* (nondiscrimination based on race, color, and national origin in federally assisted programs).
Title VII, Civil Rights Act of 1964, 42 U.S.C. §§2000e *et seq.* (nondiscrimination based on race, color, and national origin in employment)
Title IX, Education Amendments of 1972, 20 U.S.C. §§1681 *et seq.* (nondiscrimination based on sex)
§504, Rehabilitation Act of 1973, 29 U.S.C. §794
Individuals with Disabilities Education Law, 20 U.S.C. §§1400 *et seq.*
Genetic Information Nondiscrimination Act of 2008 P.L. 110-233
34 C.F.R. §§ 100.6; 104.8; 106.9; 110.25
Executive Law §§290 *et seq.* (New York State Human Rights Law)
Education Law §§10-18 (The Dignity for All Students Act)
Education Law §§313(3); 3201; 3201-a
ADA Best Practices Tool Kit for State and Local Governments, Website Accessibility Under Title II of the ADA (see Chapter 5 and Chapter 5 Addendum checklist),
www.ada.gov/pcatoolkit/toolkitmain.htm

Adoption date:

Required
 Local
 Notice

SEXUAL HARASSMENT IN THE WORKPLACE

The Board of Education recognizes that harassment in the workplace (including all staff, applicants for employment, both paid and unpaid interns, exempt and non-exempt status, part-time, seasonal, and temporary workers, regardless of immigration status) and certain non-employees (which includes contractors, subcontractors, vendors, consultant and other persons providing services pursuant to a contract, or their employees) on the basis of sex, sexual orientation, and/or gender identity and expression is abusive and illegal behavior that harms targets and negatively impacts the school culture by creating an environment of fear, distrust, intimidation and intolerance. The Board further recognizes that preventing and remedying such harassment in the workplace is essential to ensure a healthy, nondiscriminatory environment in which employees and non-employees can work productively.

Sexual harassment is a form of sex discrimination and is unlawful under federal, state, and (where applicable) local law. For purposes of this policy, sexual harassment includes harassment on the basis of perceived or self-identified sex, sexual orientation, gender identity and expression, and transgender status.

Sexual harassment is unlawful when it subjects an individual to inferior terms, conditions or privileges of employment. Such harassment need not be severe or pervasive to be unlawful, and can be any harassing conduct that consists of more than petty slights or trivial inconveniences.

Sexual harassment includes unwelcome conduct which is either of a sexual nature, or which is directed at an individual because of that individual's sex, sexual orientation, gender identity and expression, and transgender status, when:

- a. submission to that conduct is made either explicitly or implicitly a term or condition of an individual's employment;
- b. submission to or rejection of such conduct is used as the basis for decisions affecting an individual's employment; or
- c. the conduct has the purpose or effect of unreasonably interfering with an employee's or "non-employee's" work or creating an intimidating, hostile or offensive work environment, even if the complaining individual is not the intended target of the sexual harassment.

Sexual harassment can include unwelcome sexual advances, requests for sexual favors, and other verbal, nonverbal, or physical conduct of a sexual nature, or verbal, nonverbal or physical aggression, intimidation or hostility that is based on actual or perceived gender and sexual stereotypes.

The Board is committed to providing a working environment that promotes respect, dignity and equality and that is free from all forms of sexual harassment. To this end, the Board condemns and strictly prohibits all forms of sexual harassment on school grounds, school buses and at all school-sponsored activities, programs and events, including those that take place at locations outside the district, or outside the work setting if the harassment impacts the individual's employment in a way that violates their legal rights, including when employees and non-employees travel on district business, or when harassment is done by electronic means (including on social media). For employees, sexual harassment is considered a form of employee misconduct. Sanctions will be enforced against all those who engage in sexual harassment or retaliation, and against supervisory and managerial personnel who knowingly allow such behavior to continue.

Sexual harassment may subject the district to liability for harm done to targets. Harassers may also be individually subject to civil liability if sued in a court of law or criminal liability if prosecuted.

Under various state and federal laws, students, employees and non-employees have legal protections against sexual harassment in the school environment as described above. Those laws are listed in the references section. Additionally, local laws (e.g., county, city, town, village) may apply to the district. The district's Code of Conduct also addresses appropriate behavior in the school environment. Sexual harassment can occur between persons of all ages and genders.

In order for the Board to effectively enforce this policy and to take prompt corrective measures, it is essential that all targets of sexual harassment and persons with knowledge of sexual harassment report the harassment immediately. The district will promptly investigate all complaints of sexual harassment, either formal or informal, verbal or written. To the extent possible, all complaints will be treated in a confidential manner. Limited disclosure may be necessary to complete a thorough investigation. If the complainant reports that they feel unsafe at work due to the nature of the complaint, the district will determine if accommodations need to be made until the issue is resolved.

If, after appropriate investigation, the district finds that a person has violated this policy, prompt corrective action will be taken in accordance with the applicable collective bargaining agreement, contract, district policy and state law. Individual nondisclosure agreements may only be used as permitted by law, described in the accompanying regulation.

All complainants and those who participate in sexual harassment complaints or the investigation of a complaint of sexual harassment have the right to be free from retaliation of any kind, when they do so with a good faith belief that sexual harassment has occurred. Such prohibited retaliation can include, but is not limited to, discipline, discrimination, demotion, denial of privileges, or any action that would keep a person from coming forward to make or support a sexual harassment claim. Such actions need not be job-related, or occur in the workplace, to constitute unlawful retaliation.

The Superintendent of Schools is directed to develop and implement regulations for reporting, investigating and remedying allegations of sexual harassment. In addition, the Board directs that training be established for students, and annually for employees, to raise awareness of the issues surrounding sexual harassment and to implement preventative measures to help reduce incidents of sexual harassment. Age-appropriate instructional materials will be incorporated into the curriculum to educate students so that they can recognize and reduce the incidence of sexual harassment.

This policy, or a simplified version, will be posted in prominent places.

Ref: Education Amendments of 1972, Title IX, 20 U.S.C. §1681 *et seq.*; 34 CFR 106 *et seq.*
Title VII of Civil Rights Act (1964), 42 U.S.C. §2000-e; 34 CFR §100 *et seq.*
Executive Law §296-d (prohibition of sexual harassment of employees and non-employees)
Labor Law §201-g (required workplace sexual harassment policy and training)
Civil Practice Law and Rules §§5003-b (nondisclosure agreements optional); 7515 (mandatory arbitration prohibited)
General Obligations Law §5-336 (nondisclosure agreements optional)
Faragher v. City of Boca Raton, 524 U.S. 775 (1998)
Burlington Industries v. Ellerth, 524 U.S. 742 (1998)
Oncale v. Sundowner Offshore Services, Inc., 523 U.S. 75 (1998)
Meritor Savings Bank, FSB v. Vinson, 477 U.S. 57 (1986)

Adoption date:

SEXUAL HARASSMENT IN THE WORKPLACE EXHIBIT

Complaint Form for Reporting Sexual Harassment

New York State Labor Law requires all employers to adopt a sexual harassment prevention policy that includes a complaint form for targets to report alleged incidents of sexual harassment.

If you believe that you have been subjected to sexual harassment, you are encouraged to complete this form to the best of your ability and submit it to the Director of Pupil Personnel Services or the School Business Administrator. You will not be retaliated against for filing a complaint.

If you are more comfortable reporting verbally or in another manner, the district should complete this form, provide you with a copy and follow its sexual harassment prevention policy by investigating the claims as outlined at the end of this form. For additional resources, visit: <http://www.ny.gov/programs/combating-sexual-harassment-workplace>

YOUR INFORMATION (for all persons making a complaint)

Your Name:

Home Address:

Home or Cell Phone:

Email:

Work Address:

Work Phone:

Job Title:

Preferred Communication Method (please select one): phone, email, mail, in person

SUPERVISOR INFORMATION

Immediate Supervisor's Name:

Title:

Work Phone:

Work Address:

Required
 Local
 Notice

SEX DISCRIMINATION AND SEX-BASED HARASSMENT UNDER TITLE IX

The District does not discriminate on the basis of sex, and prohibits sex discrimination in all of its education programs and activities, as required by Title IX and its regulations. Such discrimination includes sex-based harassment. This policy and related procedures apply to all students, employees, and applicants for employment.

Discrimination on the basis of sex includes discrimination on the basis of sex stereotypes, sex characteristics, pregnancy or related conditions, sexual orientation, and gender identity.

Title IX Coordinator

The District will designate at least one employee as Title IX Coordinator to receive complaints of sex-based discrimination and harassment, and coordinate the district's efforts to comply with Title IX and its regulations. The Superintendent is in charge with ensuring the Title IX Coordinator is fully trained and prepared to execute all elements of Title IX legislation.

Grievance Procedures

The District will adopt, publish, and implement grievance procedures, consistent with the requirements of Title IX regulations, that provide for the prompt and equitable resolution of complaints made by students, employees, or other individuals who are participating or are attempting to participate in the district's programs or activities, or by the Title IX Coordinator, alleging any action that would be prohibited by Title IX or its regulations.

Notice

The District will provide notice of nondiscrimination, this policy, and its grievance procedures, to district students, the parents/guardians/other legal representatives of students, employees, applicants for employment, and collective bargaining units. The notice will include:

1. A statement of nondiscrimination;
2. A prohibition of discrimination;
3. That questions about Title IX can be referred to the Title IX Coordinator, the U.S. Office of Civil Rights, or both;
4. The name and contact information of the Title IX coordinator(s);
5. How to locate this policy;
6. The district's Title IX grievance procedure;
7. How to report information about conduct that may be sex discrimination under Title IX; and
8. How to make a complaint of sex discrimination under Title IX and its regulations.

The District's notice of nondiscrimination will be posted on its website and in each handbook, catalog, announcement, bulletin, and application form which are available to people who are entitled to notice, or otherwise used in connection with the recruitment of employees. However, due to the size or format of those publications, the district may instead include a statement that the district prohibits sex discrimination in its education programs and activities, that individuals may report concerns or questions to the Title IX Coordinator, and the location of the full notice on the district's website.

Employee Requirements

All employees (except those designated as “confidential” under Title IX and those who have been personally subjected to conduct which may constitute sex discrimination under Title IX) are required to notify the Title IX Coordinator if they have information about conduct that reasonably may constitute sex discrimination under Title IX and its regulations.

Supportive Measures

The District will offer supportive measures to complainants or respondents in cases alleging sex discrimination and sex-based harassment, as required by Title IX’s regulations. Supportive measures may include, but are not limited to:

1. Counseling;
2. Extensions of deadlines and other course-related adjustments;
3. Escorts while on school grounds or activities;
4. Increased security and monitoring of certain areas of the district;
5. Restrictions on contact applied to one or more parties;
6. Leaves of absence;
7. Changes in class, work, or extracurricular or any other activity, regardless of whether there is or is not a comparable alternative; and
8. Training and education programs related to sex-based harassment.

Emergency Removals and Administrative Leave

The District may remove a respondent from the district’s education program or activity on an emergency basis. To do so, the district must perform an individualized safety and risk analysis, determine that an imminent and serious threat to the health or safety of a complainant or any student, employee, or other person justifies removal, and provide the respondent with notice and opportunity to challenge the decision immediately following the removal. Any such removal will be in accordance with the district’s responsibilities under the Individuals with Disabilities Education Act, Section 504 of the Rehabilitation Act, the Americans with Disabilities Act, and state Education Law section 3214.

The District may also place an employee respondent on administrative leave while the Title IX grievance process is pending. Any such leave will be in accordance with the district’s responsibilities under the Individuals with Disabilities Education Act, Section 504 of the Rehabilitation Act, the Americans with Disabilities Act, state Education Law section 3020-a, and state Civil Service Law Section 75.

Pregnancy and Related Conditions

Under Title IX regulations, “pregnancy or related conditions” means:

1. Pregnancy, childbirth, termination of pregnancy, or lactation;
2. Medical conditions related to pregnancy, childbirth, termination of pregnancy, or lactation; or
3. Recovery from pregnancy, childbirth, termination of pregnancy, lactation, or related medical conditions.

The District will not discriminate against students, employees, or applicants for employment based on their current, potential, or past pregnancy or related conditions.

Under the Title IX regulations, the district has specific responsibilities regarding students who are pregnant or have related conditions:

1. Providing the student with the contact information of the Title IX Coordinator (required of all employees who are informed by the student or their legal representative of their pregnancy or related condition);
2. Informing the student (and, if applicable, their legal representative who informed the Title IX Coordinator of the pregnancy or related conditions) of their rights under the Title IX regulations and the district's nondiscrimination notice;
3. Making reasonable modifications, based on the student's needs and in consultation with the student, as long as they do not fundamentally alter the district's education program or activity (including but not limited to: health or lactation breaks, absences, online/homebound instruction, time extensions, sitting/standing, access to water, counseling, physical space or supply changes, elevator access, or changes to policies, practices or procedures);
4. Allowing the student to voluntarily access separate programs and activities which are comparable to those offered to students who are not pregnant or have related conditions;
5. Allowing the student, if they are over the compulsory education age, to voluntarily take a leave of absence and to be reinstated to their academic and extracurricular (if possible) status when they return.
6. Providing access to a lactation space (other than a bathroom, which is clean, shielded from view, and free from intrusion from others) to express breast milk or breastfeed (if students are permitted to bring their children to the district's program or activity);
7. Only requiring supporting documentation that is necessary and reasonable for the district to determine the reasonable modifications to make;
8. Providing medical services comparable to what the district would provide for other temporary medical conditions; and
9. Only requiring certification from a healthcare provider that the student is physically able to participate in the district's education program or activity if: (a) a certain level of physical ability or health is necessary for participation; (b) all students participating in the class, program or activity are required to provide such certification; and (c) the information is not used as a basis for prohibited discrimination.

The Title IX regulations require the district to provide reasonable break time and access to a lactation space for employees to express breast milk or breastfeed (if employees are permitted to bring their children to the district's program or activity) as needed. Employees have specific rights to express breast milk under federal and state laws. See policy district policy 9520.6, Policy on the Rights of Employees to Express Breast Milk in the Workplace, for more information.

Training

The District will ensure that all employees receive training related to their duties under Title IX promptly upon hiring or change of position, and annually thereafter. Such training will include the district's obligation to address sex discrimination, the scope of conduct that constitutes sex discrimination and sex-based harassment, and employee notification requirements under Title IX.

Personnel in positions with additional responsibilities under Title IX will receive training specific to those responsibilities. Those positions include investigators, decisionmakers, persons who implement the district's grievance procedures or can modify or terminate supportive measures, informal resolution facilitators (if the district offers informal resolution), and Title IX Coordinator(s) and designees.

Students with Disabilities

For students with disabilities who are either a complainant or respondent for a Title IX complaint, the Title IX Coordinator will consult with members of a student's IEP or placement team to determine how to comply with the Individuals with Disabilities Education Act and/or Section 504 of the Rehabilitation Act of 1973.

Recordkeeping

The district will maintain for at least seven years:

1. All records documenting the information resolution or grievance procedures for all complaints of sex discrimination, and the resulting outcome;
2. All records documenting the actions the district took in response to notifications received by the Title IX Coordinator about conduct that reasonably may constitute sex discrimination; and
3. All materials used to provide training under Title IX, which must be made available to members of the public upon request.

Related Laws and Policies

Sex discrimination and sex-based harassment are also prohibited under other district policies cross-referenced below. Complaints of sex-based discrimination and harassment should be first reported to the Title IX Coordinator. If reported to another employee, that employee is required to notify the Title IX Coordinator. If the alleged conduct, even if it were true, would not meet the definition or standard of sex-based discrimination or harassment under Title IX, the district will proceed under other applicable policies. Any information gained during a Title IX investigation can be used in the investigation of violations of other policies and subsequent imposition of discipline. The Title IX Coordinator will facilitate the transfer of information to employees designated to address violations of other policies.

Additionally, if the Title IX coordinator has a reasonable suspicion that the alleged harassment involves criminal activity, they must immediately notify the Superintendent, who will then contact appropriate law enforcement authorities.

Cross-ref: 0100, Non-Discrimination and Equal Opportunity
0110.2, Sexual Harassment in the Workplace
0115, Student Harassment and Bullying Prevention and Intervention
5300, Code of Conduct
9520.6, Policy on the Rights of Employees to Express Breast Milk in the Workplace

Ref: 20 USC §§1681 et seq.
34 CFR Part 106

Adoption date:

Required
 Local
 Notice

STUDENT HARASSMENT AND BULLYING PREVENTION AND INTERVENTION

The Board of Education is committed to providing an educational and working environment that promotes respect, dignity and equality. The Board recognizes that discrimination, such as harassment, hazing and bullying, are detrimental to student learning and achievement. These behaviors interfere with the mission of the district to educate its students and disrupt the operation of the schools. Such behavior affects not only the students who are its targets but also those individuals who participate and witness such acts.

To this end, the Board condemns and strictly prohibits all forms of discrimination, such as harassment, hazing and bullying on school grounds, school buses and at all school-sponsored activities, programs and events. Discrimination, harassment, hazing or bullying that takes place at locations outside of school grounds, such as cyberbullying, which creates or can be reasonably expected to create a material and substantial interference with the requirements of appropriate discipline in the operation of the school or impinge on the rights of other students are prohibited, and may be subject to disciplinary consequences.

Definitions

Bullying - Bullying, under the amended Dignity for All Students Act, has the same meaning as harassment (see below). The accompanying regulation provides more guidance regarding the definition and characteristics of bullying to help the school community recognize the behavior.

Cyberbullying - Cyberbullying is defined as harassment (see below) through any form of electronic communication.

Discrimination - Discrimination is the act of denying rights, benefits, justice, equitable treatment or access to facilities available to all others, to an individual or group of people because of the group, class or category to which that person belongs (as enumerated in the *Definitions* section, under Harassment, below).

Hazing - Hazing is an induction, initiation or membership process involving harassment which produces public humiliation, physical or emotional discomfort, bodily injury or public ridicule or creates a situation where public humiliation, physical or emotional discomfort, bodily injury or public ridicule is likely to occur.

Harassment - Harassment has been defined in various ways in federal and state law and regulation. The Board recognizes that these definitions are important standards, but the Board's goal is to prevent misbehavior from escalating in order to promote a positive school environment and to limit liability. The Dignity for All Students Act (§§10-18 of Education Law) defines harassment as the creation of a hostile environment by conduct or by threats, intimidation or abuse, including cyberbullying, that (a) has or would have the effect of unreasonably and substantially interfering with a student's educational performance, opportunities or benefits, or mental, emotional or physical well-being; (b) reasonably causes or would reasonably be expected to cause a student to fear for his or her physical safety; (c) reasonably causes or would reasonably be expected to cause physical injury or emotional harm to a student; or (d) occurs off school property and creates or would foreseeably create a risk of substantial disruption within the school environment, where it is foreseeable that the conduct, threats, intimidation or abuse might reach school property. The harassing behavior may be based on any characteristic, including but not limited to a person's actual or perceived:

environment, where it is foreseeable that the conduct, threats, intimidation or abuse might reach school property. The harassing behavior may be based on any characteristic, including but not limited to a person's actual or perceived:

- race,
- color,
- body type
- national origin,
- ethnic group,
- religion,
- religious practice,
- disability,
- sex,
- sexual orientation, or
- gender, gender identity and expression

For the purpose of this definition the term "threats, intimidation or abuse" shall include verbal, non-verbal and/or virtual expression actions.

In some instances, bullying or harassment may constitute a violation of an individual's civil rights. The district is mindful of its responsibilities under the law and in accordance with district policy regarding civil rights protections.

In order to streamline the wording of this policy and regulation the term "bullying" will be used throughout to encompass harassment, intimidation, cyberbullying and hazing behaviors.

Prevention

The school setting provides an opportunity to teach children, and emphasize among staff, that cooperation with and respect for others is a key district value. A program geared to prevention is designed to not only decrease incidents of bullying but to help students build more supportive relationships with one another by integrating the bullying prevention program into classroom instruction. Staff members and students will be sensitized, through district-wide professional development and instruction, to the warning signs of bullying, as well as to their responsibility to become actively involved in the prevention of bullying before overt acts occur.

Curricular material that raises awareness and sensitivity to discrimination or harassment and civility in the relationships of people of different races, body types, national origins, ethnic groups, religions, religious practices, mental or physical abilities, sexual orientations, sexes or gender expression or identities will be included in the instructional program K-12.

In order to implement this program the Board will vote on the Superintendent's designation of Dignity Act Coordinators (DACs) for each school in the district. The role of each DAC is to oversee and enforce this policy in the school to which they are assigned.

Provisions for students who do not feel safe at school

The Board acknowledges that, notwithstanding actions taken by district staff, intervention may require a specific coordinated approach if the child does not feel safe at school. Students who do not feel safe at school are limited in their capacity to learn and reach their academic potential. Staff, when aware of bullying, should determine if accommodations are needed in order to help ensure the safety of the student and bring this to the attention of a member of the building administrative team. The building principal, other appropriate staff, the student and the student's family member will work together to define and implement any needed accommodations.

Provisions for students who do not feel safe at school

The Board acknowledges that, notwithstanding actions taken by district staff, intervention may require a specific coordinated approach if the child does not feel safe at school. Students who do not feel safe at school are limited in their capacity to learn and reach their academic potential. Staff, when aware of bullying, should determine if accommodations are needed in order to help ensure the safety of the student and bring this to the attention of a member of the building administrative team. The building principal, other appropriate staff, the student and the student's family member will work together to define and implement any needed accommodations.

The district recognizes that there is a need to balance accommodations which enhance student safety against the potential to further stigmatize the targeted student. Therefore, each case will be handled individually. The student, parent/guardian, and school administration will collaborate to establish safety provisions that best meet the needs of the targeted student. Follow-up discussion and/or meetings will be scheduled, as needed, to ensure that safety concerns have been adequately addressed and to determine when and if accommodations need to be changed or discontinued.

Incident Reporting and Investigation

Although it can be difficult to step forward, the district can't effectively address bullying if incidents are not reported. Students who have been bullied, parents/caregivers whose children have been bullied or other students who observe bullying behavior are encouraged and expected to make a verbal and/or written complaint to any school personnel in accordance with the training and guidelines provided. Staff who observe or learn of incident(s) of bullying are required, in accordance with State law, to make an oral report to Superintendent, building principal or their designee within one school day and to fill out the district reporting form within two school days. If a staff person is unsure of the reporting procedure, he/she is expected to inquire about how to proceed by speaking with his/her supervisor. A district employee may be deemed to have permitted unlawful discrimination or harassment if he/she fails to report an observed incident, whether or not the target complains.

At all times, complaints will be documented, tracked and handled in accordance with the regulations and procedures accompanying this policy, or, if applicable, [0100, Equal Opportunity and Nondiscrimination, or 0110, Sexual Harassment] and the district's Code of Conduct. The Principal will regularly report as designated by the Superintendent on the complaints filed, no less than four times per year.

An equitable and thorough investigation will be carried out by the Dignity Act Coordinator or the Building Principal in accordance with the accompanying regulation. In addition, the results of the investigation shall be reported back to both the target and the accused as specified in the accompanying regulation. If either of the parties disagrees with the results of the investigation, they can appeal the findings in accordance with the regulations that accompany this policy. Verified bullying incidents that meet the criteria established by the state will be included in the statewide reporting system when applicable, in accordance with law and regulation.

Disciplinary Consequences/Remediation

While the focus of this policy is on prevention, acts of bullying may still occur. In these cases, offenders will be given the clear message that their actions are wrong and the behavior must improve. Student offenders will receive in-school guidance in making positive choices in their relationships with others. If

appropriate, disciplinary action that is measured, balanced and age-appropriate will be taken by the administration in accordance with the district's Code of Conduct, as applicable. If the behavior rises to the level of criminal activity, law enforcement will be contacted.

Consequences for a student who commits an act of bullying shall be unique to the individual incident and will vary in method and severity according to the nature of the behavior, the developmental age of the student, and the student's history of problem behaviors, and must be consistent with the district's Code of Conduct.

Non-Retaliation

All complainants and those who participate in the investigation of a complaint in conformity with state law and district policies, who have acted reasonably and in good faith, have the right to be free from retaliation of any kind.

Training

The Board recognizes that in order to implement an effective bullying prevention and intervention program, professional development is needed.

Dissemination, Monitoring and Review

This policy, or a simplified version will be posted in prominent places. A bullying complaint form will be available on the district's website. The district will ensure that the process of reporting bullying is clearly explained to students, staff and families on an annual basis.

The district will ensure that reporting of information to the public in conjunction with this policy will be in a manner that complies with student privacy rights under the Family Educational Rights and Privacy Act (FERPA).

Cross-ref: 0100, Equal Opportunity and Nondiscrimination
0110, Sexual Harassment
4321, Programs for Students with Disabilities
9700, Staff Development

Ref: Dignity for All Students Act, Education Law, §10 – 18
Americans with Disabilities Act, 42 U.S.C. §12101 *et seq.*
Title VI, Civil Rights Act of 1964, 42 U.S.C. §2000d *et seq.*
Title VII, Civil Rights Act of 1964, 42 U.S.C. §2000e *et seq.*; 34 CFR §100 *et seq.*
Title IX, Education Amendments of 1972, 20 U.S.C. §1681 *et seq.*
§504, Rehabilitation Act of 1973, 29 U.S.C. §794
Individuals with Disabilities Education Law, 20 U.S.C §§1400 *et seq.*
Executive Law §290 *et seq.* (New York State Human Rights Law)
Education Law §§313(3), 3201, 3201-a
8 NYCRR 100.2(c), (l), (jj), (kk); 119.6
Tinker v. Des Moines Independent Community School Dist., 393 US 503, (1969)

Doninger v. Niehoff, 527 F.3d 41 (2d. Cir. 2008)
Pollnow v. Glennon, 594 F.Sup. 220, 224 aff'd 757 F.2d. 496
Zeno v. Pine Plains 702 F3rd 655 (2nd Cir. 2012)
Cuff v. Valley Central School District F3rd 109 (2nd Cir 2012)
Davis v. Monroe County Board of Education, 526 U.S. 629 (1999)
Gebser v. Lago Vista Independent School District, 524 U.S., 274 (1998)
Faragher v. City of Boca Raton, 524 U.S. 775 (1998)
Burlington Industries v. Ellerth, 524 U.S. 742 (1998)
Oncale v. Sundowner Offshore Services, Inc., 523 U.S. 75 (1998)
Franklin v. Gwinnett County Public Schools, 503 U.S. 60 (1992)
Meritor Savings Bank, FSB v. Vinson, 477 U.S. 57 (1986)
Appeal of K.S., 43 Ed. Dept. Rep. 492
Appeal of Ravick, 40 Ed. Dept. Rep. 262
Appeal of Orman, 39 Ed. Dept. Rep. 811

Adoption date: