

BOARD OF EDUCATION
BOICEVILLE, NEW YORK 12412

WORKSHOP MEETING

6:00 p.m.

MINUTES

ONTEORA CENTRAL SCHOOL DISTRICT **WEDNESDAY, APRIL 20, 2022**

MIDDLE/HIGH SCHOOL

1. Opening Items

1.01 Call to Order 6:00

1.02 Tobacco Policy Statement

1.03 Pledge of Allegiance

1.04 Appoint Clerk Pro Tem

Recommended Action: The Board of Education hereby appoint Amanda Gates as Clerk Pro Tem in the absence of the District Clerk

Motioned: Trustee Bishop

Seconded: Trustee Storey

Result: Unanimous

Yea: Trustee Salem, Trustee Sherry, Trustee Bishop, Trustee Storey, Trustee DeJesus

Not Present: Trustee Osmond

1.05 Roll Call: Trustee Salem, Trustee Sherry, Trustee Storey, Trustee Bishop

Not Present: Trustee Osmond,

Now Present

Trustee DeJesus arrived at 6:05

2. Acceptance of Minutes

2.01 Acceptance of Minutes

Recommended Action: The Board of Education hereby accepts minutes of the April 5, 2022 and April 12, 2022 meetings

Motioned: Trustee Sherry

Seconded: Trustee Storey

Result: Unanimous

Yea: Trustee Salem, Trustee Sherry, Trustee Bishop, Trustee Storey, Trustee DeJesus

Not Present: Trustee Osmond

3. Welcome

3.01 High School Principal, Lance Edelman will welcome the Board

- Report cards went out 4/19/22 – currently now in fourth quarter
- Students preparing for final exams- stressful for students, most students have not completed regents' exams before
- May- Mental Health Awareness month
- Resources and schedule on the HS website – Website up to date – after school and regents prep available as well
 - Working with counselors to help with test anxiety. Making all

staff/parents aware of student stress

- Next week Student Biliteracy presentations
- AP exams May 2nd to May 11th 84 students, 134 exams
- Regents exams in June (starts June 1)- spread out exams
- Events (also on website)
 - Senior Prom – 5/6/22
 - Spirt Day – 5/14/22
 - Spring concert's – HS concert 5/23/22
- Waiting a little longer to announce what June ceremonies will look like to make sure they are consistent with safe environment
- Mr. Edelman will present again in June and bring the valedictorian, salutatorian and recipient of principal's award
- Acknowledged the hard work of the musical director Mrs. Constant, Musical Coordinator Mrs. Carroll, and all of the students
- Mrs. Carroll and Mrs. Constant discussed upcoming concerts and hardworking students (7th – 12th grade participates)
- Musical – Little Mermaid- shows are April 28, 29, 30, Saturday 2 shows- night shows are at 7pm and Saturday show at 1pm
 - 150 people allowed at each performance
 - Tickets available at www.ticketststage.com – also available at the door
 - Cast of little Mermaid preformed “Kissed the girl” at the 4/20/22 board meeting

4. Tree Law Information

4.01 Woodstock Town Board member, Bennet Ratcliff will update the Board about a new Tree Law -Trustee Salem reported on behalf

- Town board of Woodstock is considering changing the Tree Law
 - Appointed Mr. Ratcliff as a task force leader
- One issue pertaining to School District is that the current tree law regulates the cutting of trees along route 375
 - Any changes may affect Woodstock School, school property
- After reaching out to community a tree force task force will be created with 7-9 members.
 - Beginning in May, they will set goals, gathering information in a 4-6-month process
- Asked if anyone of the Board would be interested in joining task force or participating- contact Mr. Ratcliff with questions – do not need to be a resident of Woodstock if on the Board of Education

5. Superintendent News

5.01 The Superintendent will report on District News

- Workshops for parents titled Introduction to the various components of Social Emotional Learning and why the work is so important to students and school community” to begin
 - 4/21/22 workshop 6pm secondary parents held MS/HS library- fair number of people already registered
 - 5/10/22 workshop 6pm Elementary parents held at Bennett
 - Workshops will be facilitated by staff members from Morningside

- COVID updated- closing monitoring- slightly risen from returning from spring break. Passed out home tests to staff and students before spring break
 - Discussion at cabinet meeting 4/19/22 – leaving existing strategies in place, if seeing a downward trend will ramp down the strategies
- 22-23 calendar- drafts send to various bargaining groups- to be adopted at 5/3/22 meeting
- Primary students have been involved in a recycling challenge
 - Came in 2nd place- North East region competition
 - Collected 4,101lbs of plastic – received 2 trek benches so each primary building can receive one
- Bennett School- planning orientation events for incoming students/ parents- 5/12/22- 3rd grade students will spend the day at Bennett to become familiar with layout/culture
 - Meet with Music Dept., eat lunch in the cafeteria, and walk the nature trail (weather pending)
 - 5/17/22 at 7pm is Parent orientation
- Budget presentation 22-23 4/21/22 6pm Trustee Salem and Trustee Bishop will present to the Woodstock PTA

Discussion:

- Congratulated Stephanie Laffin and Marystephanie Corsones- engaging young people

6. Board District News

6.01 The Board will report District News (proposed 6:20)

- Trustee Bishop complemented work on the Talon
- Trustee Storey reported going to Ulster County School Board Association last week-
 - Student dinner at Career and Tech Center. Students cooked food for the members while they watched budget presentation
- Trustee Salem reported Thursday evenings at 7pm- Woodstock Community Center- civics teach-in continues, would like students to be aware of these presentations

7. Student Representative Report

7.01 The student Representative on the Board, Noelle Crandell, will give a report
Student Rep not present

8. Acknowledge Public Be Heard Comments

8.01 The Board will acknowledge the public be heard comments from the last meeting
Denise Warren, Ariel Futerfas, Brittany Burgher

9. Public and Student Comment

9.01 Public and Students may comment on any agenda or non-agenda item (proposed 6:35)

Lindsay Shands spoke- asked how the community is supposed to trust the Board with a \$60 million budget; concerned that board makes decisions first and asks questions later. Feels as though the hiring process for the Superintendent was done in secret. Concerned the process was a waste of money and mentioned that she will be voting “No” on the budget and will encourage others to do the same.

10. Discussion and Possible Action

10.01 Vote on Ulster BOCES Budget – reason why meeting was held on Wed. instead of Tuesday

Recommended Action: The Ontario Central School District Board of Education hereby approves the 2022-2023 Ulster County Board of Cooperative Educational Services Administrative Budget in the amount of 6,650,577.00

Motioned: Trustee Bishop

Seconded: Trustee Storey

Result: Unanimous

Yea: Trustee Salem, Trustee Sherry, Trustee Bishop, Trustee Storey, Trustee DeJesus

Not Present: Trustee Osmond

10.02 Vote on Ulster BOCES Board Members

Recommended Action: The Board of Education hereby casts its ballot for the following 3 candidates in uncontested seats for 3 year terms:

Seat #1 David Thompson - New Paltz

Seat #2 Brian Martin - Rondout Valley

Seat #3 Barbara Carroll - At Large

Motioned: Trustee Bishop

Seconded: Trustee Sherry

Result: Unanimous

Yea: Trustee Salem, Trustee Sherry, Trustee Bishop, Trustee Storey, Trustee DeJesus

Not Present: Trustee Osmond

10.03 Accept Donation from Trex

Recommended Action: The Board of Education hereby accepts 2 Trex Benches won by the K-3 students for their environmental competition.

Motioned: Trustee DeJesus

Seconded: Trustee Bishop

Result: Unanimous

Yea: Trustee Salem, Trustee Sherry, Trustee Bishop, Trustee Storey, Trustee DeJesus

Not Present: Trustee Osmond

10.04 Approve Contract for the Superintendent of Schools

Recommended Action: RESOLVED that the Victoria McLaren be appointed to serve as the Superintendent of Schools for the period of June 6, 2022 through June 30, 2026 in accordance with the terms of the Employment Agreement between the District and Ms. McLaren.

BE IT FURTHER RESOLVED that the Board President is hereby authorized to execute the Employment Agreement on the District's behalf.

Motioned: Trustee Storey

Seconded: Trustee Sherry

Result: 4 yea, 0 nay, 1 abstain

Yea: Trustee Salem, Trustee Sherry, Trustee Storey, Trustee Bishop

Abstain: Trustee DeJesus

Not Present: Trustee Osmond

11. Policies (proposed 6:55)**11.01 Second Reading and Adoption of Policy 3410 Code of Conduct**

Recommended Action: The Board of Education hereby adopts Policy 3140 as written

Motioned: Trustee Bishop

Seconded: Trustee Storey

Result: Unanimous

Yea: Trustee Salem, Trustee Sherry, Trustee Bishop, Trustee Storey, Trustee DeJesus

Not Present: Trustee Osmond

Edits are from our attorney & last meeting comments

2002–2022 3410 Community Relations CODE OF CONDUCT ON SCHOOL PROPERTY

The District has developed and will amend, as appropriate, a written Code of Conduct for the Maintenance of Order on School Property, including school functions, which shall govern the conduct of students, teachers and other school personnel, as well as visitors. The Board of Education shall further provide for the enforcement of such Code of Conduct.

For purposes of this policy, and the implemented Code of Conduct, school property means in or within any building, structure, athletic playing field, playground, parking lot or land contained within the real property boundary line of the District's elementary or secondary schools, or in or on a school bus; and a school function shall mean a school-sponsored extracurricular event or activity.

The District Code of Conduct has been developed in collaboration with student, teacher, administrator, and parent organizations, school safety personnel and other school personnel.

The Code of Conduct has been adopted by the Board of Education only after at least one (1) public hearing that provided for the participation of school personnel, parents/persons in parental relation, students, and any other interested parties. Copies of the Code of Conduct shall be disseminated pursuant to law and Commissioner's Regulations.

The District's Code of Conduct shall be reviewed and approved on an annual basis, and updated as necessary in accordance with law. The School Board shall reapprove any updated Code of Conduct or adopt revisions only after at least one (1) public hearing that provides for the participation of school personnel, parents/persons in parental relation, students, and any other interested parties.

The District shall file a copy of its Code of Conduct and all amendments to the Code with the Commissioner of Education no later than thirty (30) days after their respective adoptions.

Privacy Rights

As part of any investigation, the District has the right to search all school property and equipment including District computers. Rooms, desks, cabinets, lockers, computers, etc. are provided by the District for the use of staff and students, but the users do not have exclusive use of these locations or equipment and should not expect that materials stored therein will be private.

The Code of Conduct shall include, at a minimum, the following:

- a. Provisions regarding conduct, dress and language deemed appropriate and acceptable on school property and at school functions, and conduct, dress and language deemed unacceptable and inappropriate on school property; provisions regarding acceptable civil and respectful treatment of teachers, school administrators, other school personnel, students and visitors on school property and at school functions; the appropriate range of disciplinary measures which may be imposed for violation of such Code; and the roles of teachers, administrators, other school personnel, the Board of Education and parents/persons in parental relation to the student;
- b. Standards and procedures to assure security and safety of students and school personnel;
- c. Provisions for the removal from the classroom and from school property, including a school function, of students and other persons who violate the Code;
- d. Provisions prescribing the period for which a disruptive student may be removed from the classroom for each incident, provided that no such student shall return to the classroom until the Principal (or their designated School District administrator) makes a final

- determination pursuant to Education Law Section 3214(3-a)(c) or the period of removal expires, whichever is less;
- e. Disciplinary measures to be taken for incidents involving the possession or use of illegal substances or weapons, the use of physical force, vandalism, violation of another student's civil rights, harassment and threats of violence;
 - f. Provisions for detention, suspension and removal from the classroom of students, consistent with Education Law Section 3214 and other applicable federal, state and local laws, including provisions for school authorities to establish procedures to ensure the provision of continued educational programming and activities for students removed from the classroom, placed in detention, or suspended from school, which shall include alternative educational programs appropriate to individual student needs;
 - g. Procedures by which violations are reported and determined, and the disciplinary measures imposed and carried out;
 - h. Provisions ensuring the Code of Conduct and its enforcement are in compliance with state and federal laws relating to students with disabilities;
 - i. Provisions setting forth the procedures by which local law enforcement agencies shall be notified of Code violations which constitute a crime;
 - j. Provisions setting forth the circumstances under and procedures by which parents/persons in parental relation to the student shall be notified of Code violations;
 - k. Provisions setting forth the circumstances under and procedures by which a complaint in criminal court, a juvenile delinquency petition or person in need of supervision ("PINS") petition will be filed;
 - l. Circumstances under and procedures by which referral to appropriate human service agencies shall be made;
 - m. A minimum suspension period for students who repeatedly are substantially disruptive of the educational process or substantially interfere with the teacher's authority over the classroom, provided that the suspending authority may reduce such period on a case-by-case basis to be consistent with any other state and federal law. For purposes of this requirement, as defined in Commissioner's Regulations, "repeatedly is substantially disruptive of the educational process or substantially interferes with the teacher's authority over the classroom" shall mean engaging in conduct which results in the removal of the student from the classroom by teacher(s) pursuant to the provisions of Education Law Section 3214(3-a) and the provisions set forth in the Code of Conduct on four (4) or more occasions during a semester, or three (3) or more occasions during a trimester, as applicable;
 - n. A minimum suspension period for acts that would qualify the student to be defined as a violent student pursuant to Education Law Section 3214(2-a)(a). However, the suspending authority may reduce the suspension period on a case-by-case basis consistent with any other state and federal law;
 - o. A Bill of Rights and Responsibilities of Students which focuses upon positive student behavior, and which shall be publicized and explained to all students on an annual basis;
 - p. Guidelines and programs for in-service education programs for all District staff members to ensure effective implementation of school policy on school conduct and discipline.

~~The Code of Conduct has been adopted by the Board of Education only after at least one (1) public hearing that provided for the participation of school personnel, parents/persons in parental relation, students, and any other interested parties. Copies of the Code of Conduct shall be disseminated pursuant to law and Commissioner's Regulations.~~

~~The District's Code of Conduct shall be reviewed on an annual basis, and updated as necessary in accordance with law. The School Board shall reapprove any updated Code of Conduct or adopt revisions only after at least one (1) public hearing that provides for the participation of school personnel, parents/persons in parental relation, students, and any other interested parties. The District shall file a copy of its Code of Conduct and all amendments to the Code with the Commissioner of Education no later than thirty (30) days after their respective adoptions. Privacy Rights As part of any investigation, the District has the right to search all school property and equipment including District computers. Rooms, desks, cabinets, lockers, computers, etc. are provided by the District for the use of staff and students, but the users do not have exclusive use of these locations or equipment and should not expect that materials stored therein will be pri~~ Education Law

Sections 2801 and 3214 Family Court Act Articles 3 and 7 Vehicle and Traffic Law Section 142; 8
New York Code of Rules and Regulations (NYCRR) Section 100.2(l)(2)
NOTE: Refer also to Policy #7310 -- School Conduct and Discipline; [Policy 7380 DASA](#)

11.02 Second Reading and Adoption of Policy 3420 Anti-Harassment in the School District

Recommended Action: The Board of Education hereby adopts Policy 3420 as written

Motioned: Trustee Bishop

Seconded: Trustee Storey

Result: Unanimous

Yea: Trustee Salem, Trustee Sherry, Trustee Bishop, Trustee Storey, Trustee

DeJesus

Not Present: Trustee Osmond

Edits are from our attorney [20142022](#) 3420 Community Relations **ANTI-HARASSMENT IN THE SCHOOL DISTRICT**

The Board of Education affirms its commitment to nondiscrimination and recognizes its responsibility to provide an environment that is free of harassment and intimidation. Harassment stands in direct opposition to District policy.

The Board prohibits all forms of discrimination and harassment on the basis of the protected classes described below by all employees, school volunteers, students, and non-employees such as contractors and vendors as well as any third parties who are participating in, observing, or otherwise engaging in activities subject to the supervision and control of the District.

The Board prohibits all forms of discrimination and harassment against employees on the basis of the following protected classes: race, color, creed, religion, national origin, political affiliation, sex, age, marital, military, veteran status, predisposing genetic characteristic, disability, or use of a recognized guide dog, hearing dog or service dog or any other legally protected category.

The Board prohibits all forms of discrimination and harassment against students on any basis, including but not limited to protect classed and others such as:~~based on the following protected classes:~~ race, color, weight, national origin, ethnic group, religion, religious practice, disability, sexual orientation, gender and sex. Allegations of violations of Policy 7380, Dignity for All Students Act shall be investigated pursuant to the 7380 Regulation.

The Board also prohibits retaliation based on an individual's opposition to discrimination or participation in a related investigation or complaint proceeding. This policy of nondiscrimination and anti-harassment will be enforced on School District premises and in school buildings; and at all school-sponsored events, programs and activities, including those that take place at locations off school premises.

The intent is to provide an environment of mutual respect for all individuals to be free of harassment and intimidation.

For purposes of this policy, harassment shall mean communication (verbal, written or graphic) and/or physical conduct based on an individual's actual or perceived protected trait which:

- a. Has the purpose or effect of substantially or unreasonably interfering with an employee's work performance or is used as a basis for employment decisions (including terms and conditions of employment) affecting such individual; and/or creates an intimidating, hostile or offensive work environment; or
- b. Has the purpose or effect of substantially or unreasonably interfering with a student's academic performance or participation in an educational or extracurricular activity, or creates an intimidating, hostile or offensive learning environment; and/or effectively bars the student's access to an educational opportunity or benefit;
- c. Any student or employee in the School District who wishes to file a complaint regarding discrimination ~~(including, but not limited to, sexual harassment)~~ or report discriminatory conduct is encouraged to make such a complaint/report in writing on forms available in any of the school offices. Allegations of Sexual Harassment shall be made under Policy 3421 for Students and Policy 3422 for Employees. Such forms must be forwarded to the District's Title IX Compliance Officers and/or Section 504 Compliance Officer. However, nothing herein shall prevent an individual from making a verbal complaint/report of discrimination.

Such communication should be made as soon as possible after the incident in order to enable the District to effectively investigate and resolve the complaint.

When a student or employee has a complaint of discrimination they should refer to and use the Grievance Procedure (found in District Regulation [1400P3420P](#)). However, complaints may be made verbally. In order to assist the investigation, victims should document the discrimination as soon as it occurs and with as much detail as possible including: the nature of the discriminatory behavior, dates, times, places, name of person responsible for the conduct, witnesses, and victim's response to the discriminatory behavior.

In accordance with Regulation [1400P3420P](#), the District will act to promptly investigate all complaints, either verbal or written, formal or informal, of allegations of harassment based on any of the characteristics described above; and will promptly take appropriate action to protect individuals from further harassment.

Upon receipt of an informal/formal complaint (even an anonymous complaint), the District will conduct a thorough investigation of the charges. However, even in the absence of an informal/formal complaint, if the District has knowledge of any occurrence of harassment, the District will investigate such conduct promptly and thoroughly. The confidentiality of investigations cannot be guaranteed, but a good faith effort shall be made to maintain confidentiality.

Both the complainant and the accused are entitled to fair treatment in the handling of the complaint. Based upon the results of this investigation, if the District determines that an employee and/or student has violated the terms of this policy and/or accompanying regulations, corrective action will be taken as warranted. Should the offending individual be a student, appropriate disciplinary measures will be applied, up to and including suspension, in accordance with applicable laws and/or regulations, District policy and regulation, and the District Code of Conduct. Should the offending individual be a school employee, appropriate disciplinary measures will be applied, up to and including termination of the offender's employment, in accordance with legal guidelines, District policy and regulation, and the applicable collective bargaining agreement(s). Third parties (such as school volunteers, vendors, etc.) who are found to have violated this policy and/or accompanying regulations and/or the Code of Conduct, will be subject to appropriate sanctions as warranted and in compliance with law. The application of such disciplinary measures by the District does not preclude the filing of civil and/or criminal charges as may be warranted.

Prohibition of Retaliatory Behavior

The Board prohibits any retaliatory behavior directed against complainants, victims, witnesses, and/or any other individuals who participated in the investigation of a complaint of harassment. Follow-up inquiries shall be made to ensure that harassment has not resumed and that all those involved in the investigation of the harassment complaint have not suffered retaliation.

Finding That Harassment Did Not Occur

Even if a determination is made that harassment did not occur, the Superintendent/designee reserves the right to initiate staff awareness and training, as applicable, to help ensure that the school community is not conducive to fostering harassment in the workplace.

Knowingly Makes False Accusations

Employees and/or students who *knowingly* make false accusations against another individual as to allegations of harassment may also face appropriate disciplinary action.

Privacy Rights

As part of any investigation, the District has the right to search all school property and equipment including District computers. Rooms, desks, cabinets, lockers, computers, etc. are provided by the District for the use of staff and students, but the users do not have exclusive use of these locations or equipment and should not expect that materials stored therein will be private.

Training and Dissemination of Administrative Regulations

The Superintendent/designee(s) will affirmatively discuss the topic of harassment with all employees and students, express the District's condemnation of such conduct, and explain the sanctions for such harassment. Appropriate training and/or "awareness" programs will be established for staff and students to help ensure knowledge of and familiarity with the issues pertaining to harassment in the schools, and to disseminate preventative measures to help reduce such incidents of prohibited conduct. Furthermore, special training will be provided for designated supervisors and managerial employees, as may be necessary, for the investigation of harassment complaints.

A copy of this policy and its accompanying regulations will be available upon request and may be posted at various locations in each school building. The District's policy and regulations on anti-harassment will be published in appropriate school publications such as teacher/employee handbooks, student handbooks, and/or school calendars.

Complaints to Agencies

The District acknowledges that while it would like employees to raise issues of discrimination pursuant to this Policy so that they can be addressed by it, any student or employee has the legal

right to immediately make a complaint to the appropriate governmental entity: An employee may file a complaint with the following agencies:

Equal Employment Opportunity Commission (EEOC) at the New York District Office, 33 Whitehall Street, 5th Floor, New York, New York 10004; and the New York State Division of Human Rights at 99 Washington Avenue Albany, New York 12210.

A student may file a complaint with the following agencies:

Federal Office for Civil Rights 26 Federal Plaza New York, New York 10278 ; and the New York State Division of Human Rights at 99 Washington Avenue Albany, New York 12210.

Please take notice that the failure to file a complaint with these agencies within the statutory period may result in the loss of your legal rights.

Age Discrimination in Employment Act, 29 United States Code (USC) Section 621

Americans With Disabilities Act, 42 United States Code (USC) Section 12101 et seq.

Prohibits discrimination on the basis of disability.

Section 504 of the Rehabilitation Act of 1973, 29 United States Code (USC) Section 794 et seq.

Prohibits discrimination on the basis of disability.

Title VI of the Civil Rights Act of 1964, 42 United States Code (USC) Section 2000d et seq.

Prohibits discrimination on the basis of race, color or national origin.

Title VII of the Civil Rights Act of 1964, 42 United States Code (USC) Section 2000e et seq.

Prohibits discrimination on the basis of race, color, religion, sex or national origin.

Title IX of the Education Amendments of 1972, 20 United States Code (USC) Section 1681 et seq.

[Prohibits discrimination on the basis of sex. Civil Rights Law Section 40-c.](#)

~~[Prohibits discrimination on the basis of sex. Civil Rights Law Section 40-e](#)~~

Education Law Section 2801(1); Executive Law Section 290 et seq. Military Law Sections 242 and

243 NOTE: Refer also to Policies: #3421 -- Sexual Harassment of Students: #3422 --Sexual

Harassment of Employees; #7550 --Complaints and Grievances by Employees; #7550 --Complaints and Grievances by Students; #7380 --Dignity For All Students

11.03 Second Reading and Adoption of Policy 3421 Sexual Harassment of Students

Recommended Action: The Board of Education hereby adopts Policy 3421 as written

Motioned: Trustee Storey

Seconded: Trustee Bishop

Result: Unanimous

Yea: Trustee Salem, Trustee Sherry, Trustee Bishop, Trustee Storey, Trustee DeJesus

Not Present: Trustee Osmond

Edits are from our attorney

2022 3421 Community Relations SEXUAL HARASSMENT OF STUDENTS

The Board of Education recognizes that harassment of students on the basis of actual or perceived sex, sexual orientation, and/or gender identity and expression is unacceptable 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 schools is essential to ensure a healthy, nondiscriminatory environment in which students can learn.

Sexual harassment is a form of sex discrimination and is unlawful under federal and state law. For purposes of this policy, sexual harassment includes harassment on the basis of actual or perceived sex, sexual orientation, and/or gender identity and expression. Sexual harassment of a student can deny or limit the student's ability to participate in or to receive benefits, services, or opportunities from the school's program.

The District shall appoint one or more Title IX Coordinators each year and provide the Title IX Coordinator's contact information in the regulation that accompanies this policy (3421-R).

Sexual harassment is covered by a number of laws including Title IX and New York State Law and the Dignity for All Students Act. Accordingly, each incident will be evaluated by the Title IX Coordinator. The Complainant shall have the right to determine how they want to proceed. Even if a Complainant chooses not to pursue a Title IX complaint, the District has the right to pursue the matter through its Code of Conduct and Policies and Procedures.

Title IX applies to situations in which the district exercises substantial control over both the respondent (i.e. the person accused of sexual harassment) and the context (e.g. the school setting, a school field trip or an off-campus school event in the United States) in which the sexual harassment occurred.

Pursuant to Title IX sexual harassment is defined as:

- An employee of a district conditioning the provision of an aid, benefit or service on an individual's participation in unwelcome sexual conduct;
- Unwelcome conduct which a reasonable person would determine to be so severe, pervasive, and objectively offensive that it effectively denies a person equal access to the district's educational program or activity; or
- Sexual assault, dating violence, domestic violence, and stalking as defined under the Clery Act and the Violence Against Women Act.

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. Examples of sexual harassment can be found in the accompanying regulation (3421R).

The Board is committed to providing an educational 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 school setting if the harassment impacts the individual's education in a way that violates their legal rights, including when harassment is done by electronic means (including on social media). Sanctions will be enforced against all those who engage in sexual harassment or retaliation, and against district 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 have legal protections against sexual harassment in the school environment as described above. Those laws are listed in the references section. 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.

The District does not discriminate on the basis of sex in the educational programs or activities that it operates. In addition, pursuant to Title IX the District is required to not discriminate on the basis of sex.

In order for the Board to effectively enforce this policy and to take prompt both corrective and supportive measures, it is essential that all targets of sexual harassment and persons with knowledge of sexual harassment report the harassment immediately. The District shall have actual knowledge when any school employee: (1) witnesses sexual harassment first hand; (2) hears about an allegation of sexual harassment from any source; or (3) receives a complaint about sexual harassment by any means (e.g. written, verbal, electronic). The District's Title IX Coordinator shall be informed immediately.

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 school 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 laws.

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- or education-related, or occur in the workplace or educational environment, to constitute unlawful retaliation.

The Superintendent of Schools is directed to develop and implement regulations for reporting, investigating and remedying allegations of sexual harassment. These regulations are to be attached to this policy. If Title IX regulations change, the regulations will default to the requirements under the law. In addition, the Board directs that training programs 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 a prominent place in each district facility, on the district's website, and will also be published in other appropriate school publications.

Cross-ref: 7380 Dignity for All Students; Ref: Education Amendments of 1972, Title IX, 20 U.S.C. §1681 *et seq.*; 34 CFR 106 *et seq.* Education Law §§10-18 (The Dignity for All Students Act)
Davis v. Monroe County Board of Education, 526 U.S. 629, 652 (1999)
Gebser v. Lago Vista Independent School District, 524 U.S. 274 (1998)

Franklin v. Gwinnett County Public Schools, 503 U.S. 60 (1992) *Cannon v. University of Chicago*, 441 U.S. 677 (1979)
Office for Civil Rights *Revised Sexual Harassment Guidance (January 19, 2001)*
Office for Civil Rights, *Dear Colleague Letter: Bullying (October 26, 2010)*

- 11.04 Second Reading and Adoption of Policy 3422 Sexual Harassment of Employees
Recommended Action: The Board of Education hereby adopts Policy 3422 as written
Motioned: Trustee Bishop
Seconded: Trustee DeJesus
Result: Unanimous
Yea: Trustee Salem, Trustee Sherry, Trustee Bishop, Trustee Storey, Trustee DeJesus
Not Present: Trustee Osmond

Edits are from our attorney & Board ~~2021-2022~~ 3422 Community Relations SEXUAL HARASSMENT OF EMPLOYEES

The Board of Education recognizes that harassment of employees (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, as well as volunteers) on the basis of actual or perceived sex, sexual orientation, and/or gender identity and expression is unacceptable 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.

Definitions of Sexual Harassment

The District is obligated to follow federal, state, and (where applicable), local laws pertaining to sexual harassment, including Title VII, Title IX and the New York Human Rights Law. Each law has a different definition of sexual harassment. Accordingly, each claim of sexual harassment will be reviewed under each pertinent law to determine whether sexual harassment has occurred. 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 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;

However, under New York State Human Rights Law, sexual 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. Rather, sexual harassment is unlawful when it subjects an individual to inferior terms, conditions, or privileges of employment.

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. Examples of sexual harassment can be found in the accompanying regulation.

Title IX

[The District shall appoint one or more Title IX Coordinators each year and provide the Title IX Coordinator's contact information in the regulation that accompanies this policy \(3422-R\).](#)

Title IX applies to situations in which the district exercises substantial control over both the respondent (i.e. the person accused of sexual harassment) and the context (e.g. the school setting,

a school field trip or an off-campus school event in the United States) in which the sexual harassment occurred.

Pursuant to Title IX Sexual Harassment is defined as:

- An employee of a district conditioning the provision of an aid, benefit or service on an individual's participation in unwelcome sexual conduct;
- Unwelcome conduct which a reasonable person would determine to be so severe, pervasive, and objectively offensive that it effectively denies a person equal access to the district's educational program or activity; or
- Sexual assault, dating violence, domestic violence, and stalking as defined under the Clery Act and the Violence Against Women Act.

[The District does not discriminate on the basis of sex in the educational programs or activities that it operates. In addition, pursuant to Title IX the District is required to not discriminate on the basis of sex.](#)

Sexual Harassment Prohibited

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. Corrective action 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 laws. 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. These regulations are to be attached to this policy. In addition, the Board directs that training programs 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 a prominent place in each district facility, on the district's website, and shall also be published in employee handbooks, and other appropriate school publications.

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)

11.05 Second Reading and Adoption of Policy 6120 Non-Discrimination and Equal Opportunity

Recommended Action: The Board of Education hereby adopts Policy 6120 as written

Motioned: Trustee Bishop

Seconded: Trustee Sherry

Result: Unanimous

Yea: Trustee Salem, Trustee Sherry, Trustee Bishop, Trustee Storey, Trustee DeJesus

Not Present: Trustee Osmond

Edits are from our attorney ~~2021~~2022 6120 Personnel NON-DISCRIMINATION AND EQUAL OPPORTUNITY

The Board of Education, its officers and employees, will not discriminate in its programs and activities on the basis of legally protected classes, such as, but not limited to: race (including traits historically associated with race, such as hair texture and protective hairstyles like braids, locks, and twists), color, national origin, creed, religion (including religious practices), marital status, sex (including pregnancy, childbirth, or related medical condition), gender identity and expression (i.e., actual or perceived gender-related identity, appearance, behavior, expression, or other gender-related characteristic regardless of the sex assigned to that person at birth, including but not limited to the status of being transgender), 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.

Specific protections for students under the Dignity for All Students Act are addressed in policy 7380, Dignity for All Students Act [and Policy 3421 Sexual Harassment of Students](#)

Additionally, to promote the district website's accessibility to staff, students, and members of the community with disabilities, the district will maintain a website that is accessible (or contains accessible alternatives) on perceivability, operability and understandability principles. The district's Superintendent is responsible for considering the following when developing or updating the district website:

- Adding the text equivalent to every image;
- Posting documents in a text-based format such as HTML or RTF in addition to PDFs;
- Avoiding dictating colors and font settings;
- Including audio descriptions and captions to videos;
- Identifying other barriers to access; and
- Making other considerations when developing the district's website.

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 will 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 will publish a notice of the established grievance procedures for resolving complaints of discrimination to parents/guardians, employees, students and the community. The public notice will:

1. inform parents, 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, weight, national origin, ethnic group, religion, religious practice, disability, sex; sexual orientation, or gender (including gender identity and expression);
2. provide the name, email, 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 Superintendent has been designated to handle inquiries regarding the district’s non- discrimination policies. Contact information for the Superintendent is available on the district’s website. Complaints of sexual harassment or discrimination are covered by policies 3421 and 3422.

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: 3421 Sexual Harassment of Students; 3422 Sexual Harassment of Employees; 7380 Dignity for All Students Act; 7550 Complaints and Grievances by Students 3410 Code of Conduct; 6122 Complaints and Grievances by Employees

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

11.06 Second Reading and Adoption of Policy 6122 Complaints and Grievances by Employees

Recommended Action: The Board of Education hereby adopts Policy 6122 as written

Motioned: Trustee Bishop

Seconded: Trustee Sherry

Result: Unanimous

Yea: Trustee Salem, Trustee Sherry, Trustee Bishop, Trustee Storey, Trustee DeJesus

Not Present: Trustee Osmond

In accordance with the provisions of General Municipal Law and the collective bargaining agreements, all District personnel shall have the opportunity to present their complaints or grievances free from interference, coercion, restraint, discrimination or reprisal. The District shall provide at least two (2) procedural stages and an appellate stage for the settlement of any grievance.

Complaints or grievances not covered under employee contracts shall be handled and resolved, whenever possible, as close to their origin as possible. The Superintendent is responsible for implementing regulations for the redress of complaints or grievances through proper administrative channels.

Prohibition of Retaliatory Behavior

The Board prohibits any retaliatory behavior directed against complainants, victims, witnesses, and/or any other individuals who participated in the investigation of a complaint of discrimination. Follow-up inquiries shall be made to ensure that discrimination has not resumed and that all those involved in the investigation of the discrimination complaint have not suffered retaliation.

Complaints and Grievances Coordinator

Additionally, the Board shall ensure compliance with Title IX of the Educational Amendments of 1972, Section 504 of the Rehabilitation Act of 1973 and the Americans With Disabilities Act (ADA). The Superintendent shall ~~designate~~ ~~recommend and the Board shall appoint a~~ specific District employees to serve as the Title IX/~~Title VI/Title VII and /~~Section 504/ADA Coordinator; s and regulations and procedures shall be implemented to resolve complaints of discrimination and harassment based on sex or disability.

Prior to the beginning of each school year, the District shall issue an appropriate public announcement which advises students, parents/guardians, employees and the general public of the District's established grievance procedures for resolving complaints of discrimination and harassment based on sex or disability. Included in such announcement will be the name, address and telephone number of the Title IX/Section 504/ADA Coordinator.

The Title IX/Section 504/ADA Coordinator shall also be responsible for handling complaints and grievances regarding discrimination and harassment based on race, color, creed, religion, national origin, political affiliation, age, military status, veteran status, marital status, predisposing genetic characteristics, ~~or~~ use of a recognized guide dog, hearing dog, or service dog or other protected classes under federal or state law.

Complaints or grievances regarding discrimination and/or harassment, including sexual harassment, shall be handled in accordance with District Regulation 1400P.
Age Discrimination in Employment Act, 29 United States Code (USC)
Section 621 Americans With Disabilities Act, 42 United States Code (USC)
Section 12101 et seq. Prohibits discrimination on the basis of disability.
Section 504 of the Rehabilitation Act of 1973, 29 United States Code (USC) Section 794 et seq.
Title VI of the Civil Rights Act of 1964, 42 United States Code (USC) Section 2000d et seq. Prohibits discrimination on the basis of race, color or national origin.
Title VII of the Civil Rights Act of 1964, 42 United States Code (USC) Section 2000e et seq. Prohibits discrimination on the basis of race, color, religion, sex or national origin.
Title IX of the Education Amendments of 1972, 20 United States Code (USC) Section 1681 et seq. Prohibits discrimination on the basis of sex.
Civil Rights Law Section 40-c
Prohibits discrimination on the basis of race, creed, color, national origin, sex, marital status, sexual orientation or disability.
Executive Law Section 290 et seq. Prohibits discrimination on the basis of age, race, creed, color, national origin, sex, sexual orientation, disability, military status, predisposing genetic characteristics, marital status, or use of a recognized guide dog, hearing dog or service dog.
Military Law Sections 242 and 243

NOTE: Refer also to Policy #3420 -- Anti-Harassment in the School District and Regulation 1400P – Title IX and Section 504 of the Rehabilitation Act Of 1973 Discrimination Grievance Procedure

11.07 Second Reading and Adoption of Policy 7310 School Conduct and Discipline

Recommended Action: The Board of Education hereby adopts Policy 7310 as written

Motioned: Trustee DeJesus

Seconded: Trustee Bishop

Result: Unanimous

Yea: Trustee Salem, Trustee Sherry, Trustee Bishop, Trustee Storey, Trustee DeJesus

Not Present: Trustee Osmond

Edits are from our attorney ~~2002-2022~~ 7310 Students SCHOOL CONDUCT AND DISCIPLINE

The Board of Education acknowledges its responsibility to protect the educational climate of the District and to promote responsible student behavior. Accordingly, the Board delegates to the Superintendent the responsibility for assuring the implementation of a *Code of Conduct for the Maintenance of Order on School Property*, including school functions, which shall govern the conduct of students as well as teachers, other school personnel, and visitors. The Board shall further provide for the enforcement of such Code of Conduct. The District Code of Conduct shall be developed in collaboration with student, teacher, administrator, and parent organizations, school safety personnel and other personnel and shall incorporate, at a minimum, those components addressed in law and enumerated in Policy #3410 -- *Code of Conduct on School Property*. Specific components may vary as appropriate to student age, building levels, and educational needs.

In accordance with the *Code of Conduct on School Property*, areas addressing student conduct and behavior will further utilize the following strategies in promoting acceptable student behavior:

- a. A bill of rights and responsibilities of students that focuses upon positive student behavior, and is publicized and explained to all students on an annual basis;
- b. A Code of Conduct for student behavior setting forth prohibited student conduct and the range of penalties that may be imposed for violation of such Code, that is publicized and disseminated to all students and parents/guardians on an annual basis pursuant to law;
- c. Strategies and procedures for the maintenance and enforcement of public order on school property that shall govern the conduct of all persons on school premises, in accordance with Section 2801 of the Education Law and accepted principles of due process of law;
- d. Procedures within each building to involve student service personnel, administrators, teachers, parents/guardians and students in the early identification and resolution of discipline problems. For students identified as having disabilities, procedures are included for determining when a student's conduct shall constitute a reason for referral to the Committee on Special Education for review and modification, if appropriate, of the student's individualized education program;
- e. Alternative educational programs appropriate to individual student needs;
- f. Disciplinary measures for violation of the school policies developed in accordance with subparagraphs b) and c) of this paragraph. Such measures shall be appropriate to the seriousness of the offense and, where applicable, to the previous disciplinary record of the student. Any suspension from attendance upon instruction may be imposed only in accordance with Education Law Section 3214 ; and
- g. Guidelines and programs for in-service education for all District staff to ensure effective implementation of school policy on school conduct and discipline.

Education Law Sections 2801 and 3214 8 New York Code of Rules and Regulations (NYCRR) Section 100.2(l)(2) NOTE: Refer also to Policy #3410 -- Code of Conduct on School Property

11.08 Second Reading and Adoption of Policy 7380 Dignity for All Students Act

Recommended Action: The Board of Education hereby adopts Policy 7380 as written

Motioned: Trustee DeJesus

Seconded: Trustee Storey

Result: Unanimous

Yea: Trustee Salem, Trustee Sherry, Trustee Bishop, Trustee Storey, Trustee DeJesus

Not Present: Trustee Osmond

Edits are from our attorney ~~2014-2022~~ 7380 Students DIGNITY FOR ALL STUDENTS ACT (DASA)

The Board of Education recognizes that learning environments that are safe and supportive can increase student attendance and improve academic achievement. A student's ability to learn

and achieve high academic standards, and a school's ability to educate students, is compromised by incidents of discrimination or harassment, including but not limited to bullying, taunting and intimidation. Therefore, in accordance with the Dignity for All Students Act the District will strive to create an environment free of bullying, discrimination and/or harassment and will foster civility in the schools to prevent and prohibit conduct which is inconsistent with the District's educational mission.

For purposes of this policy, the term "bullying" among children is defined, in general, as: "a variety of negative acts carried out repeatedly over time. It involves a real or perceived imbalance of power, with a more powerful child or group attacking those who are less powerful." Bullying can take three forms:

- a. Physical (including, but not limited to, hitting, kicking, spitting, pushing, taking personal belongings);
- b. Verbal (including, but not limited to, taunting, malicious teasing, name calling, making threats); and
- c. Psychological (including, but not limited to, spreading rumors; manipulating social relationships; or engaging in social exclusion, extortion, or intimidation).

Cyberbullying Behavior

As with other forms of bullying, cyberbullying is an attempt to display power and control over someone perceived as weaker. Cyberbullying involving District students may occur both on campus and off school grounds and may involve student use of the District Internet system or student use of personal digital devices while at school, such as cell phones, digital cameras, and personal computers to engage in bullying. Since cyberbullying is a form of bullying, the term "bullying" as used in this policy will implicitly include cyberbullying even if it is not explicitly stated.

The District prohibits all forms of bullying, discrimination and/or harassment of students based on actual or perceived characteristic. This includes, but is not limited to race, color, weight, national origin, ethnic group, religion, religious practice, disability, sexual orientation, gender, or sex by school employees or students on school property and at school-sponsored activities and events that take place at locations off school property. In addition, any act of bullying, discrimination and/or harassment, outside of school sponsored events, which can reasonably be expected to materially and substantially disrupt the education process may be subject to discipline.

Dignity Act Coordinator

At least one (1) employee at every school shall be designated as the Dignity Act Coordinator(s). The Dignity Act Coordinators will be thoroughly trained to handle human relations in the areas of race, color, weight, national origin, ethnic group, religion, religious practice, disability, sexual orientation, gender (identity or expression) and sex. The Board of Education shall appoint Dignity Act Coordinators who are employed by the District and are licensed and/or certified as a classroom teacher, school counselor, psychologist, nurse, social worker, administrator/ supervisor or Superintendent of Schools. The District will share the name(s) and contact information of the Dignity Act Coordinators with all school personnel, students, and parents/persons in parental relation, which shall include, but is not limited to, providing the name, designated school and contact information by:

- a. Listing such information in the Code of Conduct and updates posted on the Internet website, if available;
- b. Posting such information in highly visible areas of school buildings;
- c. Making such information available at the district and school-level administrative offices; and
- d. Either: including such information in the plain language summary of the Code of Conduct in the student handbook provided to all persons in parental relation to students before the beginning of each school year; or
- e. Providing such information to parents and persons of parental relation in at least one district or school mailing or other method of distribution including, but not limited to, sending such information home with each student and, if such information changes, in at least one subsequent district or school mailing or other such method of distribution as soon as practicable thereafter.

If a Dignity Act Coordinator vacates their position, another school employee shall immediately be designated for an interim appointment as Coordinator, pending approval from the Board of Education, within thirty (30) days of the date the position was vacated. In the event a Coordinator is unable to perform the duties of the position for an extended period of time, another school employee shall immediately be designated for an interim appointment as Coordinator, pending return of the previous Coordinator to the position. The District must provide the change in information to parents or persons in parental relation as soon as practicable. The change in name and/or contact information of the Dignity Act Coordinator will not constitute a revision to the *Code of Conduct* so as to require a public hearing.

Training and Awareness

The District shall establish guidelines for training which shall be approved by the Board of Education. Training will be provided each school year for all District employees in conjunction with existing professional development training to raise staff awareness and sensitivity of bullying, discrimination and/or harassment directed at students that are committed by students or school employees on school property, at a school function, or off school property when the actions create or would foreseeably create a risk of substantial disruption within the school environment or where it is foreseeable that the conduct might reach school property.

Training will include ways to promote a supportive school environment that is free from bullying, discrimination and/or harassment. Training shall:

- a. Raise awareness and sensitivity;
- b. Address social patterns and the effects on students;
- c. Inform employees on the identification and mitigation of such acts;
- d. Provide strategies for effectively addressing problems of exclusion, bias and aggression;
- e. Include safe and supportive school climate concepts in curriculum and classroom management; and
- f. Ensure the effective implementation of school policy on conduct and discipline.

Instruction in grades Kindergarten through 12 shall include a component on civility, citizenship and character education. Such component shall instruct students on the principles of honesty, tolerance, personal responsibility, respect for others, observance of laws and rules, courtesy, dignity and other traits which will enhance the quality of their experiences in, and contributions to, the community. For the purposes of this policy, "tolerance," "respect for others" and "dignity" shall include awareness and sensitivity to bullying, discrimination and/or harassment and civility in the relations of people of different races, weights, national origins, ethnic groups, religions, religious practices, mental or physical abilities, sexual orientations, genders and sexes. Such component must also include instruction on the safe and responsible use of the Internet and electronic communications.

Rules against bullying, discrimination and/or harassment will be included in the *Code of Conduct*, publicized District-wide and disseminated to all staff and parents. Any amendments to the Code will be disseminated as soon as practicable following their adoption. New teachers shall be provided a complete copy of the current Code upon their employment. An age appropriate summary shall be distributed to all students at a school assembly at the beginning of each school year.

Reports and Investigations of Bullying, Discrimination and/or Harassment

The District will investigate all complaints of bullying, discrimination and/or harassment, either formal or informal, and take prompt corrective measures, as necessary. School employees who witness or receive a report (oral or written) of harassment, bullying and/or discrimination must orally notify the Superintendent, Principal, or their designee *no later than one (1) school day* after witnessing or receiving a report of such incident. The employee must then file a written report *within two (2) school days* after making the oral report. If, after an appropriate investigation, the District finds that this policy has been violated, corrective action will be taken in accordance with District policies and regulations, the *Code of Conduct*, and all appropriate federal or state laws. The Superintendent, Principal or their designee shall notify the appropriate local law enforcement agency when it is believed that any harassment, bullying and/or discrimination constitute criminal conduct.

The District will annually report material incidents of bullying, discrimination and/or harassment which occurred during the school year to the State Education Department. Such report shall be submitted in a manner prescribed by the Commissioner, on or before the basic educational data system (BEDS) reporting deadline or such other date as determined by the Commissioner. SED has developed a form for gathering data titled, "Reports of Incidents Concerning School Safety and the Educational Climate" which can be found on the NYSED website.

The Principal of each primary and secondary school shall provide a regular report (at least once during each school year) on data and trends related to harassment, bullying and/or discrimination to the Superintendent and in a manner prescribed by, as applicable, the district, BOCES or charter school. There is no need for schools or districts to submit this report to the State Education Department.

Prohibition of Retaliatory Behavior (Commonly Known as "Whistle-Blower" Protection)

Any person who has reasonable cause to suspect that a student has been subjected to bullying, discrimination and/or harassment by an employee or student, on school grounds or at a school function, who acts reasonably and in good faith and reports such information to school

officials or law enforcement authorities, shall have immunity from any civil liability that may arise from making such report. The Board prohibits any retaliatory behavior directed at complainants, victims, witnesses and/or any other individuals who participated in the investigation of a complaint of bullying, discrimination and/or harassment.
 Education Law Sections 10-18, 801-a, 2801 and 3214; 8 NYCRR Section 100.2

11.09 Second Reading and Adoption of Policy 7550 Complaints and Grievances by Students

Recommended Action: The Board of Education hereby adopts Policy 7550 as written
 Motioned: Trustee Bishop
 Seconded: Trustee Storey
 Result: Unanimous
 Yea: Trustee Salem, Trustee Sherry, Trustee Bishop, Trustee Storey, Trustee DeJesus
 Not Present: Trustee Osmond

Edits are from our attorney **2014-2022** 7550 Students **COMPLAINTS AND GRIEVANCES BY STUDENTS**

While students have the responsibility to abide by the policies and regulations of the District, they shall also be afforded opportunity to present complaints and grievances free from interference, coercion, restraint, discrimination or reprisal. Administration shall be responsible for:

- a. Establishing rules and regulations for the redress of complaints or grievances through proper administration channels;
- b. Developing an appeals process;
- c. Ensuring that students have full understanding and access to these regulations and procedure; and
- d. Providing prompt consideration and determination of student complaints and grievances.

Prohibition of Retaliatory Behavior

The Board prohibits any retaliatory behavior directed against complainants, victims, witnesses, and/or any other individuals who participated in the investigation of a complaint of discrimination. Follow-up inquiries shall be made to ensure that discrimination has not resumed and that all those involved in the investigation of the discrimination complaint have not suffered retaliation.

Complaints and Grievances Coordinator

In addition, students and parents/guardians will receive annual notification of the District's established grievance procedures for resolving complaints of discrimination and harassment based on sex or disability. This notice shall include the name, address and telephone number of the Title IX/Section 504/ADA Coordinator.

The Title IX/Section 504/ADA Coordinator shall also be responsible for handling complaints and grievances regarding discrimination and harassment based on race, color, creed, religion, national origin, political affiliation, sexual orientation, age, military status, marital status, ~~or~~ use of a recognized guide dog, hearing dog or service dog or other protected classes under federal or state law.

Complaints or grievances regarding discrimination and/or harassment, including sexual harassment, shall be handled in accordance with District Regulation 1400P. Age Discrimination in Employment Act, 29 United States Code; Section 621 Americans With Disabilities Act, 42 United States Code (USC) Section 12101 et seq.; Section 504 of the Rehabilitation Act of 1973, 29 United States Code (USC) Section 794 et seq. Title VI of the Civil Rights Act of 1964, 42 United States Code (USC) Section 2000d et seq.; Title VII of the Civil Rights Act of 1964, 42 United States Code (USC) Section 2000e et seq. ; Title IX of the Education Amendments of 1972, 20 United States Code (USC) Section 1681 et seq.
 Executive Law Section 290 et seq.

NOTE: Refer also to Policy #3420 -- Anti-Harassment in the School District and Regulation **1400P 3420R** – Title IX and Section 504 of the Rehabilitation Act Of 1973 Discrimination Grievance Procedure

12. Consent Agenda

12.01 Approve Consent Agenda (proposed 7:25)

Recommended Action: The Board hereby approves item numbers 12.02-12.09

Motioned: Trustee Storey

Seconded: Trustee Bishop

Result: Unanimous

Yea: Trustee Salem, Trustee Sherry, Trustee Bishop, Trustee Storey, Trustee DeJesus

Not Present: Trustee Osmond

12.02 Personnel Agenda

EXTRA DUTY STIPENDS:

NAME	POSITION	EFFECTIVE DATE	AMOUNT
Keenan, Bryan	Regents Prep (Chemistry)	04/19/22	\$2,054.00

The following named NON-INSTRUCTIONAL personnel have served a probationary status and are recommended to a PERMANENT STATUS consistent with the applicable laws and regulations of the State of New York:

NAME	POSITION	PROBATIONARY DATE	PERMANENT DATE
Hilty, Anna Lisa	Bus Attendant	05/03/21	05/03/22

RESIGNATION: NON-INSTRUCTIONAL

NAME	POSITION/SCHOOL	EFFECTIVE DATE	REMARKS
Taylor, Kristy	Substitute Nurse	04/05/22	Personal

LEAVE OF ABSENCES: INSTRUCTIONAL

EMPLOYEE NUMBER	EFFECTIVE DATE	REASON
1872*	04/19/22 – 06/30/22	Sick Paid-Leave
4027*	09/08/22 – 09/16/22	FMLA-paid
4027*	09/19/22 – 01/02/23	FMLA-unpaid

pending medical documentation

SUBSTITUTE

NAME	POSITION	AMOUNT
Gladding, Robert	Teacher (certified)	\$125.00/day

12.03 Schedule U-The Committee on Special Education (CSE) and Committee on Pre-School Special Education (CPSE) Recommendations

Recommended Action: The Board hereby approves the Instruction - Schedule U-The Committee on Special Education (CSE) and Committee on Pre-School Special Education (CPSE) Recommendations, Schedule U, #4/22, Confidential, as reviewed by Trustee Storey

12.04 Approve Cooperative Bidding with BOCES

Recommended Action: WHEREAS it is the desire of the participating school districts of the Board of Cooperative Educational Services, Ulster County, adopting this resolution to jointly request bids for certain commodities to be determined by the Superintendent of this school district from time to time for the 2022-23 school year, NOW, therefore, be it RESOLVED that the Onteora School District hereby agrees to participate with other school districts of the Board of Cooperative Educational Services, Ulster County, New York, in the joint bidding of commodities to be requested by the school district Purchasing Agent and approved by the Superintendent; and be it further RESOLVED that the specifications as prepared by a Committee of participating

school districts and presented to this Board of Education will be used and that this Board, if it desires to purchase these commodities agrees to purchase said commodities at the lowest bid price recommended by the Committee of the joint school districts; provided, however, that each participating Board of Education in exercising its legal responsibilities, has the right to reject and/or modify the recommendation of the Committee in the awarding of the bid; and be it further RESOLVED that the invitation to bid will be advertised by BOCES in the Kingston Daily Freeman, the Middletown Times Herald Record and the Poughkeepsie Journal in accordance with the provisions of Section 103 of the General Municipal Law.

12.05 Surplus Books

Recommended Action: BE IT HEREBY RESOLVED on recommendation by the Superintendent of Schools that the Board of Education of the Onteora Central School District declare the attached list of textbooks, teacher manuals, and library books at the Phoenicia Elementary School as surplus and authorizes the sale or disposal of the books.

12.06 Budget transfer for NYS Unemployment Insurance Billing

Recommended Action: The Superintendent recommends the transfer of funds from the Unemployment Reserve to the Unemployment Insurance budget code to pay for NYS Unemployment Insurance billing. This expense is not budgeted in the general fund due to the existence of the reserve funds designated for this purpose.
Transfer Amount From Reserve Description To Budget Code Description
\$3,313.03 A815 Unemployment Reserve A9050.800-10 Unemployment Insurance

12.07 Approve Revised Health & Wellness Contract for Rondout School District

Recommended Action: *REVISED* BE IT RESOLVED, that the Board of Education of the Rondout Valley Central School District establishes the corrected rate of \$1,554.06 per pupil for the school year 2021-2022 for Health Services provided for Onteora resident pupils attending nonpublic schools in the Rondout Valley Central School District.

BE IT FURTHER RESOLVED, that the Board President and Clerk of the Board of Education be authorized to sign contracts for health services for the 2021-2022 school year.

12.08 Approve Contract with Ulster County Board of Elections

Recommended Action: The Board of Education hereby approves the Polling Agreement with Ulster County Board of Elections for the 2022 Vote & Election.

12.09 Revised Resolution for Bennett HVAC Project

Recommended Action: The Board of Education of the Onteora Central School District approves the scope of the Bennett HVAC, which may include HVAC work in the building, replacing an in-ground fuel tank, and preparing a pad for a future generator. The Board further authorizes the use of American Rescue Plan *and the Coronavirus Response and Relief Supplemental Act* allocations to fund this project. [italics is the revision]

13. Committee Reports

13.01 Facilities Committee: Trustee Storey to Report

- Last required walk through at Phoenicia School building discussed “what they wanted to do” was hoping for this summer but will now be 2023

13.02 Communications Committee - Trustee Salem to report

- Trustee Bishop and Trustee Salem will begin creating surveys to survey people on their communication habits- looking to improve as a whole

14. Old Business

14.01 The Board will discuss Old Business
No Old Business was discussed

15. New Business

15.01 The Board will discuss New Business

- Trustee Storey discussed wanting to go to a conference- interested in going to the Rural School Conference- requested that that be voting on the next agenda
- Trustee Sherry asked a question about Spirit Day- concerned with transportation with spirit day being on Saturday
 - Would like to brain storm finding transportation on that day for students that are unable to have parents transport.
- Dr. Bill will contact all stakeholders to contribute to a list of priorities for the transition of superintendent- more to come

16. Request For Information

16.01 Board members will request information of the Superintendent

- Recess Policy to be discussed when Trustee Osmond is present at the future board meeting

17. Adjournment

17.01 Adjourn Meeting (proposed 7:40) Next meeting is May 3, 2022 at the Woodstock School for the Budget Hearing

Recommended Action:

Motion to adjourn at 6:50

Motioned: Trustee Storey

Seconded: Trustee DeJesus

Result: Unanimous

Yea: Trustee Salem, Trustee Sherry, Trustee Bishop, Trustee Storey, Trustee DeJesus

Not Present: Trustee Osmond

Minutes Recorded by Amanda Gates,
Clerk Pro Tem

Board of Education: Kevin Salem, Emily Sherry, Laurie Osmond, Valerie Storey, Dafne DeJesus, Trustee Bishop