

2023-2024 SENECA FALLS CENTRAL SCHOOL DISTRICT

Mission Statement

The mission of the Seneca Falls Central School District is to provide quality educational opportunities and experiences for all students in a safe and positive environment that promotes academic excellence.

Vision

Pride & Opportunity

SEPTEMBER 21, 2023 Board Meeting

6:00 PM

Public Meeting #6

Robert McKeveny Training Room

2 Butler Avenue

MEMBERS OF THE BOARD OF EDUCATION

Deborah Corsner

Anthony Ferrara

Cara Lajewski

Matthew Lando

Denise Lorenzetti

Joseph McNamara

Michael Mirras

Erica Sinicropi

Dr. Michelle Reed, Superintendent
James Bruni, Business Administrator

SENECA FALLS CENTRAL SCHOOL DISTRICT
Board of Education Meeting
September 21, 2023-6:00 PM
Robert McKeveny Board/Training Room

I. Meeting called to order

II. Quorum Check

III. Pledge of Allegiance

IV. Approval of Agenda

MOTION: to approve the agenda as listed.

V. Approve or Amend

A. Board of Education Minutes- August 31, 2023

MOTION: to approve the Board of Education minutes dated August 31, 2023

B. Treasurer's Report-None at this time

C. Extra-Curricular Treasurer's Report

1. July 2023

MOTION: to approve the Extra-Curricular Treasurer's Report for July 2023

2. August 2023

MOTION: to approve the Extra-Curricular Treasurer's Report for August 2023

VI. Recognitions, Celebrations and Presentations-None at this time

A. Tenure Recognition

Morgan D'Eredita-Elementary Education
Bethany Boyes-Special Education
Nathan Rarick-Physical Education
Katie Cedeno-Foreign Language
Ryan Major-Elementary Education
Stacey Bogart-School Social Worker

B. New Employees

Tarryn Gould-Hebert School Psychologist
Bailey Crook-Physical Therapist
Katie Spahn-Kindergarten
Sara Layton-Grade 2
Amberlynn Jones-Gr. 2 LTS
Lindsay Stelljes-Grade 5
Miranda Tyler-ENL
Maria Gaither-Grade 7 Science
Christine Petrocci-Math AIS
Amy Torruella-Social Studies
Michelle Bonanno-ENL-LTS
Megan Bentley-Music-LTS
Holly Stackus-Teaching Assistant

Amy Jennings-Teacher Aide
Nicole Luckinbill-Health Aide
Robert Terwilliger-Building Maintenance Mechanic
Timothy O'Connor-Building Maintenance Mechanic
Paul Moulton-Cleaner
Itasha William-Cleaner
Alateishia J. Johnson- Teacher Aide
Deborah Beeching- Teacher Aide
Virginia Brady -Teacher Aide
Ashley Granger- Teacher Aide
Sharon McBride- Teacher Aide
Sarah Salerno- Teacher Aide
Lora Bennett- Teacher Aide
Ashley Bergin-Teacher Aide
Stephen Tillinghast- Teacher Aide & Bus Monitor
Danielle Harko- Teacher Aide & Bus Monitor
Samantha Jesmer-Bus Monitor
Rachel Wagner-Killen- Cashier/FSH

C. Interns

Sarah Parish, Meg Bellone, Nicole Urban

D. Jamie Oberdorf- Panorama SEL Survey Presentation

E. Administrator Reports

VII. Public Comment

The Seneca Falls Board of Education welcomes public comment. Speakers may comment on matters related to agenda items specifically or district matters generally. No speaker will be permitted to speak for longer than three (3) minutes. Public comments will be limited to thirty (30) minutes. All speakers and observers are to conduct themselves in a civil manner. Obscene language, defamatory statements, threats of violence, statements advocating racial, religious, or other forms of prejudice will not be tolerated. In the unlikely event the meeting becomes unruly, the board will recess the meeting and return once order has been restored.

Persons addressing the Board of Education during public comment should not expect to engage in discussion with the Board. The Board will not permit any comments involving specific individual personnel or students.

Questions and comments from the public concerning matters which are not on the agenda will be referred to the Superintendent. Persons wishing to have matters included on the agenda shall contact the Superintendent in accordance with Policy 2342, Agenda Preparation.

VIII. Committee Reports

A. Facilities Committee

IX. Information

- A. Business Administrator
- B. Superintendent Report
- C. BOE President Report
- D. BOE Member Comments

X. Consent Agenda

A. Retirements/Resignations/Terminations

- 1. SFEA-None at this time

2. SFSSA-Resignation

Upon the recommendation of the Superintendent, the Board of Education accepts the following resignation.

- a. Name: Sylvia Morgan
Position: Teacher Aide
Effective: 09/07/2023

B. Appointments

1. Professional Appointments-None at this time

2. 2023-2024 Annual Appointments

Upon the recommendation of the Superintendent, the Board of Education approves following annual appointments for the 2023-2024 school year.

Position	Employee	Stipend
Junior Class Advisor	Heather Schantz	\$619.00
Performing Arts Business Advisor	Amanda Ashley	\$658.00

3. 2023-2024 Bus Driver/Monitor Bidding

Upon the recommendation of the Superintendent, the Board of Education does hereby approve the following bus driver and bus monitor hours for the 2022-2023 school year.

Bus Drivers	Hours
Mabel Roffe	5.25
Mary Ridley	5.0
Linda Bush	5.0
Jim Fairbanks	5.5
Judy Fairbanks	5.75
Mary True	7.5 (M-Th.) & 7.0 (Fri.)
Gerald Know	6.25
Jeff DeLong	5.5 (M-Th.) & 5.0 (Fri.)
Shawn Burns	5.5
Molly Burnham	6.0
James Marley	5.0
Pete Eisenberg	5.5
Robert Wood	5.0
Tonja Ticconi	5.0
James Clark	6.0 (M-Th.) & 5.25 (Fri.)
Carolyn Breese	6.75 (M-Th.) & 5.75 (Fri.)
Ron Donk	5.0
Bus Monitors	Hours
Sonya Jesmer	5.25
Deanna Monaghan	5.0
Kathy Arsenault	5.25
Jeaneth Dellefave	5.25
Dustin Bennett	4.5
Jada Buck	4.5
Samantha Jesmer	4.5
Stephen Tillinghast	2.0
Danielle Harko	2.0

4. Civil Service Appointments

Upon the recommendation of the Superintendent, the Board of Education approves the following civil service position(s) (All appointments are conditional until paperwork is completed and fingerprints are cleared).

- a. Name: Anna Ireland
Civil Service Position: Teacher Aide
Effective: 09/08/2023
Probationary Period: 09/08/2023 through 09/07/2024
Hours/day: 6.0
Hourly Rate: \$16.00

5. Substitute Appointments

Upon the recommendation of the Superintendent, the Board of Education approve the following substitute position(s) (All appointments are conditional until paperwork is completed and fingerprints are cleared):

- a. Name: Lily Redding
Position: Substitute Teacher (Grades Pre-K-12)
NYSED: Uncertified
Effective: 09/22/2023
- b. Name: Caitlyn Korzeniewski
Position: Substitute Teacher (Grades Pre-K-12)
NYSED: Uncertified
Effective: 09/22/2023
- c. Name: Ananda Dumas
Position: Substitute Teaching Assistant
Substitute Teacher Aide
NYSED: Uncertified
Effective: 09/22/2023

6. Probationary to Permanent-None at this time.

C. CSE Minutes

Upon the recommendation of the Superintendent, the Board of Education approves the following CSE minutes:

08/17/2023, 08/22/2023 (2), 08/22/2023 (3). 08/22/2023, 08/24/2023 (1), 08/24/2023 (2), 08/24/2023 (3), 08/28/2023 (1), 08/28/2023 (2). 08/29/2023 (2), 08/29/2023 (3), 08/29/2023 (4), 08/29/2023, 08/30/2023 (2), 08/30/2023, 08/31/2023, 09/05/2023 (1), 09/06/2023 (1), 09/07/2023 (2), 09/07/2023, 09/08/2023

D. Gifts and Donations-None at this time.

E. Transportation Requests

Upon the recommendation of the Superintendent, the Board of Education approves the following transportation request(s):

Student	Transportation Request
	Finger Lakes Christian School, 2291 Route 89, Seneca Falls, NY

F. Establish Bank Account for the Class of 2030

Upon the recommendation of the Superintendent, the Board of Education approves establishing a bank account for the Class of 2030.

MOTION: To approve the consent agenda as listed.

XI. Old Business-None at this time.

XII. New Business

A. Community School Coordinator

MOTION: to appoint Stephanie Betts to the position of Community School Coordinator, effective October 1, 2023 through September 30, 2025.

B. SFEA MOA Revision

MOTION: upon the recommendation of the Superintendent, the Board of Education approves the following revised SFEA Memorandum of Agreement as presented.

SFEA MOA- 2023-24 CSE Chair TOSA

C. Surplus-Technology Department

MOTION: To dispose of following surplus items as listed through sale, donation, disposal or auction according to Board Policy #6900:

KB 300 Keyboard Amplification System (2)

D. Class Trip

1. 2024 Senior Class Trip

MOTION: to approve the 2024 Senior Class trip (April 19, 2024-April 21, 2024) as presented pending compliance with Board of Education Policy #8460.

2. 2024 Drama Club Trip

MOTION: to approve the 2024 Drama Club trip (Jan. 5, 2023-2024-Jan. 7, 2024) as presented pending compliance with Board of Education Policy #8460.

E. Policy-1st Reading

MOTION: upon the recommendation of the Superintendent, the board of Education approves the 1st reading of the following policies:

Policy 0100- NON-DISCRIMINATION AND EQUAL OPPORTUNITY

Policy 0110.2- SEXUAL HARASSMENT IN THE WORKPLACE

Policy 4321 PROGRAMS FOR STUDENTS WITH DISABILITIES UNDER THE IDEA AND NEW YORK'S
EDUCATION LAW ARTICLE 89

Policy 4772- GRADUATION CEREMONIES

Policy 8414.5- ALCOHOL AND DRUG TESTING OF DRIVERS

XIII. Executive Session-2023-2024 Seneca Falls CSD Confidential District Emergency Response Plan (Contingent upon adoption of a motion during the public portion of the meeting in accordance with Section 105 of the Public Officers Law).

XIV. Adjourn

MOTION: to adjourn the meeting.

SENECA FALLS CENTRAL SCHOOL DISTRICT
Board of Education Meeting
August 31, 2023-6:00 PM
Robert McKeveny Board/Training Room

BOE Present

Deborah Corsner, Cara Lajewski, Matthew Lando, Denise Lorenzetti, Joseph McNamara, Erica Sinicropi
BOE Absent

Anthony Ferrara, Michael Mirras

Others Present

Dr. Michelle Reed, James Bruni

Joseph McNamara called the Special Meeting to order at 6:00 pm. A quorum of the Board of Education was present; the Pledge of Allegiance was said.

Public Hearings

2023-2024 Seneca Falls Central School District Code of Conduct

The Code of Conduct policy is to be reviewed annually by the Board of Education. Student handbooks and employee handbooks address the code of conduct and DASA. The handbooks explain the procedure. A message was sent in ParentSquare on August 25, 2023.

2023-2024 Seneca Falls Central School District Safety Plan

The District Safety Plan (public) must be updated, if necessary, and reviewed annually by the Board of Education. The District Safety Plan was reviewed by the leadership team before being brought to the Board. The district follows a NYSED template for the plan. General edits have been made to the plan (e.g.: names updated due to resignations, retirements, etc.). The plan has been on the school website for the required thirty days.

Melissa Brand Brown was present to address the Board of Education. Some of Melissa's concerns and suggestions were as follows:

- Allowing for mental health absences
- Personnel must report student suicide risk
- Annual training for personnel to recognize suicide risk
- Policies and programming regarding suicide risk
- Student education
- Banning mobile devices during the day.
- Would like to see suicide line on the back of students ID badges.

Approval of Agenda

Joseph McNamara asked for a motion to approve the agenda with the addendums as listed.

Add under XI. Consent Agenda

A. Retirements/Resignations/Terminations

1. SFEA Resignation

- c. Name: Kimberly Stevers
Position: School Counselor
Effective: the end of the day on September 26, 2023

3. Civil Service Appointments

- b. Name: Ashley Bergin
Civil Service Position: Teacher Aide
Effective: 08/30/2023
Probationary Period: 08/30/2023 through 08/29/2024
Hours/day: 6.0
Hourly Rate: \$16.00

4. Substitute Appointments

- d. Name: Joseph Ponzi
Position: Per Diem Building Substitute Teacher (SFMS)
NYS Certification: Uncertified

E. Transportation Request(s)

Correction to Hourly Rate under XI. Consent Agenda:

3. Civil Service Appointments

m. Name: Itasha Williams-Hourly Rate-\$15.50 (not \$15.25)

Add under XIII. New Business

A. MOA

SFEA MOA- Additional Instructional Assignments Gr. 6-12

I. Section V. Combined Athletics-Geneva-Cheerleading

Denise Lorenzetti made the motion, seconded by Matthew Lando.

Yes 6 No 0 Abstain 0 Motion carried

Approve or Amend
Board of Education Minutes
August 3, 2023

Joseph McNamara asked for a motion to approve the Board of Education minutes dated August 3, 2023.

Cara Lajewski made the motion, seconded by Matthew Lando.

Yes 6 No 0 Abstain 0 Motion carried

August 17, 2023 Special Meeting

Joseph McNamara asked for a motion to approve the Board of Education Special Meeting minutes dated

Matthew Lando made the motion, seconded by Cara Lajewski.

Yes 6 No 0 Abstain 0 Motion carried

Treasurer's Report
None at this time

Extra-Curricular Treasurer's Report
None at this time

Recognitions, Celebrations and Presentations

Public Comment

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Committee Reports
Policy Committee

Information
Warrants

05/01/2023 – 06/31/2023

Warrant #1(CM) \$ 900.00

06/01/2023 – 06/30/2023

Warrant #97 (A) \$ 18635.41

Warrant #98 (A) \$583,753.77

Warrant #101(A) \$ 27,651.48

Warrant #102(A) \$ 19,533.41

Warrant #103(A) \$ 545,430.79

Warrant #106(A)	\$ 60,444.12
Warrant #39 (C)	\$ 15.72
Warrant #40 (C)	\$ 20,340.14
Warrant #41 (C)	\$ 5,560.22
Warrant #42 (C)	\$ 8,710.71
Warrant #43 (C)	\$ 2,837.88
Warrant #43 (C)	\$ 33.30
Warrant #36 (F)	\$ 11,818.04
Warrant #37 (F)	\$ 1,599.22
Warrant #38 (F)	\$ 1,460.83
Warrant #39 (F)	\$ 6,790.00
Warrant #40 (F)	\$ 85,464.61
Warrant #41 (F)	\$ 4,850.00
Warrant #2(CM)	\$ 8,475.00
Warrant #3(CM)	\$ 100.00

Business Administrator

James Bruni reviewed the federal and grant usage for the 2022-2023 school year.

Superintendent Report

Dr. Reed informed the Board that opening day was a success. Four members came to the opening. Dr. Reed received a positive response from 65% of the faculty and staff. Faculty and staff took part in DEI and Restorative Practice training.

BOE President Report

Joseph McNamara discussed the process of appointing someone to the vacant BOE seat. The Board President also asked for input in appointing the seat. The Board President also discussed with the Board if anyone was interested in voting on behalf of the district for the NYSSBA proposed resolutions for the annual convention.

BOE Member Comments

Erica Sinicropi inquired about how often faculty and staff DASA training is done. She would like to see the faculty and staff to be supported in a way so they are equipped to handle DASA situations.

Joseph McNamara suggested that a survey be sent out to students. Other school district have had good results.

Denise Lorenzetti asked is counseling is available in schools. Dr. Reed explained that yes, counseling is available. The district works closely with the Seneca County Mental Health Department. The district has received grants to expand resources for schools.

Important Dates to Remember

Sept. 5, 6 & 7, 2023-1/2 days for FK and ECS.

Sept. 12, 2023-Facilities Committee Mtg.

Sept. 14, 2023-BOE Retreat

Sept. 19, 2023-4 County SBA Board of Directors Meeting

Sept. 21, 2023-BOE Meeting-Introduction of new employees and tenure recognition

Consent Agenda

Retirements/Resignations/Terminations

SFEA Resignation

Name: Carolyn Herrling

Position: Special Education Teacher

Effective: the end of the day on September 8, 2023

Name: Collin Hould

Position: Technology Teacher

Effective: the end of the day on September 22, 2023

Name: Kimberly Stevers

Position: School Counselor

Effective: the end of the day on September 26, 2023

SFSSA Resignation

Name: Frank Crummer

Position: Cleaner

Effective: July 8, 2023

Name: Heather Stevens

Position: Bus Monitor

Effective: the end of the day on August 31, 2023

Name: Kathryn Morreale

Position: Teacher Aide

Effective: June 30, 2023

Appointments
Professional Appointments

The Board of Education of the Seneca Falls Central School District, pursuant to Section 3012 of the Education Law and in compliance with Part 30.3 of the Rules of the Board of Regents, upon the recommendation of Dr. Michelle Reed, Superintendent of Schools, hereby appoints (Probation dates are tentative and conditional only. Except to the extent required by the applicable provisions of Education Law sections 2509, 2573, 3212 and 3014 of the Education Law, in order to be granted tenure the teacher must receive composite or overall annual professional performance review ratings pursuant to Section 3012-c and/or 3012-d of the Education Law of either effective or highly effective in at least three (3) of the four (4) preceding years, and if the teacher receives an ineffective composite or overall rating in the final year of the probationary period the teacher shall not be eligible for tenure at that time.)

Name: Christine Petrocci

Position: Elementary Education Teacher (Math AIS)

Certification: Nursery, Kindergarten, Gr. 1-6

Tenure: n/a

Effective date: 08/30/2023

Probation: n/a (1-year grant funded position)

Base Salary: \$48,372

Upon the recommendation of the Superintendent, the Board of Education approves the following annual appointment(s) for the 2023-2024 school year.

Position	Employee	Stipend
HS Fall Play Director	Nicholas Bessette	\$1,647.00

Civil Service Appointments

Upon the recommendation of the Superintendent, the Board of Education approves the following civil service position(s) (All appointments are conditional until paperwork is completed and fingerprints are cleared).

Name: Deborah Beeching

Civil Service Position: Teacher Aide

Effective: 08/30/2023

Probationary Period: 08/30/2023 through 08/29/2024

Hours/day: 6.0

Hourly Rate: \$16.00

Name: Ashley Bergen

Civil Service Position: Teacher Aide

Effective: 08/30/2023

Probationary Period: 08/30/2023 through 08/29/2024

Hours/day: 6.0

Hourly Rate: \$16.00

Name: Lora Bennett

Civil Service Position: Teacher Aide

Effective: 08/30/2023
Probationary Period: 08/30/2023 through 08/29/2024
Hours/day: 6.0
Hourly Rate: \$16.00

Name: Virginia Brady
Civil Service Position: Teacher Aide
Effective: 08/30/2023
Probationary Period: 08/30/2023 through 08/29/2024
Hours/day: 6.0
Hourly Rate: \$16.00

Name: Ashley Granger
Civil Service Position: Teacher Aide
Effective: 08/30/2023
Probationary Period: 08/30/2023 through 08/29/2024
Hours/day: 6.0
Hourly Rate: \$16.00

Name: Sharon McBride
Civil Service Position: Teacher Aide
Effective: 08/30/2023
Probationary Period: 08/30/2023 through 08/29/2024
Hours/day: 6.0
Hourly Rate: \$16.00

Name: Sarah Salerno
Civil Service Position: Teacher Aide
Effective: 08/30/2023
Probationary Period: 08/30/2023 through 08/29/2024
Hours/day: 6.0
Hourly Rate: \$16.00

Name: Stephen Tillinghast
Civil Service Position: Teacher Aide
Effective: 08/30/2023
Probationary Period: 08/30/2023 through 08/29/2024
Hours/day: 6.0
Hourly Rate: \$16.00

Name: Stephen Tillinghast
Civil Service Position: Bus Monitor
Effective: 09/05/2023
Probationary Period: 09/01/2023 through 08/31/2024
Hours/day: 2.0
Hourly Rate: \$15.38

Name: Danielle Harko
Civil Service Position: Teacher Aide
Effective: 09/02/2023
Probationary Period: 09/02/2023 through 09/01/2024
Hours/day: 6.0
Hourly Rate: \$16.00

Name: Danielle Harko
Civil Service Position: Bus Monitor

Effective: 09/02/2023
Probationary Period: 09/02/2023 through 09/01/2024
Hours/day: 2.0
Hourly Rate: \$15.38

Name: Itasha Williams
Civil Service Position: Cleaner (12-month position)
Effective: 09/01/2023
Probationary Period: 09/01/2023 through 08/31/2024
Hours/day: 8.0
Hourly Rate: \$15.50

Substitute Appointments

Upon the recommendation of the Superintendent, the Board of Education approves the following substitute position(s) (All appointments are conditional until paperwork is completed and fingerprints are cleared):

Name: Brian Edwards
Position: Per Diem Building Substitute Teacher (MA)
NYS Certification: Uncertified
Effective: 08/30/2023

Name: Albert A. Shaffer, Jr.
Position: Per Diem Building Substitute Teacher (ECS)
NYS Certification: Certified
Effective: 08/30/2023

Name: Joseph Ponzi
Position: Per Diem Building Substitute Teacher (SFMS)
NYS Certification: Uncertified
Effective: 08/30/2023

Name: Ananda Dumas
Position: Substitute Teacher
NYS Certification: Uncertified
Effective: 09/05/2023

Name: Janelle Bradshaw
Position: Substitute Teacher
NYS Certification: Certified Gr. K-6 (Permanent Cert.) and SDA (Permanent Cert.)
Effective: 09/05/2023

Annual list of Teacher Substitutes
See attached list

Annual list of Support Staff Substitutes
See attached list

Probationary to Permanent

Upon the recommendation of the Superintendent, the Board of Education approves the following probationary to permanent appointment.

Employee	Position	Permanent Effective Date
Anna LaRocca	Teacher Aide	09/06/2023
Brianna Jones	Teacher Aide	09/19/2023
Cassandra Shaffer	Cashier/FSH	09/09/2023
Ashley Helmicki	Cashier/FSH	09/19/2023

Upon the recommendation of the Superintendent, the Board of Education approves the following CSE minutes:
07/14/2023, 07/25/2023, 07/27/2023 (1), 07/27/2023 (2), 08/04/2023, 08/08/2023, 08/11/2023, 08/14/2023 (1), 08/14/2023 (2), 08/22/2023

Gifts and Donations

Upon the recommendation of the Superintendent, the Board of Education accepts the following gift(s) or donation(s):

Donor	Amount	Account	Used for
Ohiopyle Prints, Inc.	\$3.71	A2020-450-04-0000	Supplies/materials for Gr. 9-12

Transportation Request(s)

Upon the recommendation of the Superintendent, the Board of Education approves the following transportation request(s):

Student	Transportation Request
	Finger Lakes Christian School, 2291 Route 89, Seneca Falls, NY

Joseph McNamara asked for a motion to approve the consent agenda as listed.

Denise Lorenzetti made the motion, seconded by Cara Lajewski.

Yes 6 No 0 Abstain 0 Motion carried

Old Business
Correction

Joseph McNamara asked for a motion to correct the following stipends approved at the July 7, 2023 Re-
Org meeting as presented.

MTSS (Multi-Tiered Support System)

c. Seneca Falls Middle School

Position	Employee	Stipend
MTSS Case Manager	Melissa Morrin	\$920 \$1,004
MTSS Case Manager	Mary Lee	\$920 \$1,004
MTSS Case Manager	Elizabeth Tanner	\$920 \$1,004
MTSS Case Manager	Kristen Poole	\$705 \$843

d. Mynderse Academy

Position	Employee	Stipend
MTSS Case Manager	Guy Turchetti	\$705 \$843
MTSS Case Manager	Matthew Bienvenue	\$705 \$843
MTSS Case Manager	Bethany Boyes	\$705 \$843
MTSS Case Manager	Deena Swenson	\$705 \$843

Cara Lajewski made the motion, seconded by Matthew Lando

Yes 6 No 0 Abstain 0 Motion carried

Rescind Resignation

Joseph McNamara asked for a motion to rescind the following resignation accepted at the August 3, 2023 meeting:

X. Consent Agenda

a. Retirements/Resignations/Terminations

2. SFSSA-Resignation

c. Name: Peter Eisenberg

Position: Bus Driver

Effective: 08/31/2023

Matthew Lando made the motion, seconded by Denise Lorenzetti.
Yes 6 No 0 Abstain 0 Motion carried

New Business
MOA

Joseph McNamara asked for a motion to approve the following SFEA MOAs as presented:
SFEA MOA- Department Chair-Family & Consumer Science, Health and Business
SFEA MOA-Additional Instructional Assignments Gr. 6-12

Denise Lorenzetti made the motion, seconded by Cara Lajewski.
Yes 6 No 0 Abstain 0 Motion carried

Certification of Lead Evaluators

Joseph McNamara asked for a motion to that by virtue of the fact of having participated in the Lead Evaluator Training provided by the NYS Education Department, WFL BOCES, Seneca Falls Central School District and the NYS Council of School Superintendents, which included the required components, the following people as listed are considered as Certified Lead Evaluators for the 2023-2024 School Year:

- Dr. Michelle Reed Principals
- James Bruni Principals
- Jodie Verkey Teachers
- Karissa Blamble Teachers
- Faith Lewis Teachers
- Breana Mullen Teachers
- Kevin Rhinehart Teachers
- Kevin Korzeniewski Teachers
- Amy Hibbard Teachers
- Janet Clendenen Teachers

Matthew Lando made the motion, seconded by Denise Lorenzetti.
Yes 6 No 0 Abstain 0 Motion carried

District Code of Conduct
(2023-2024)

Joseph McNamara asked for a motion that upon the recommendation of the Superintendent, the Board of Education approve the District Code of Conduct as presented for the 2023-2024 school year.

Cara Lajewski made the motion, seconded by Matthew Lando.

Yes 6 No 0 Abstain 0 Motion carried

SFCSD Safety Plan

Joseph McNamara asked for a motion to approve the 2023-2024 Seneca Falls Central School District Safety Plan as presented.

Cara Lajewski made the motion, seconded by Denise Matthew Lando.

Yes 6 No 0 Abstain 0 Motion carried

Surplus

Joseph McNamara asked for a motion to dispose of following surplus items as listed through sale, donation, disposal or auction according to Board Policy #6900:

Seneca Falls Middle School Library Books

Elizabeth Cady Stanton School Library Books (1975-1995)

Matthew Lando made the motion, seconded by Denise Lorenzetti.

Yes 6 No 0 Abstain 0 Motion carried

Reclassify Civil Service Positions

Joseph McNamara asked for a motion that upon the recommendation of the Administrator of Business & Operations, the Board of Education approve the reclassification of two (2) Building Maintenance Mechanics/School Bus Drivers to two (2) Building Maintenance Mechanics.

Cara Lajewski made the motion, seconded by Denise Lorenzetti.

Yes 6 No 0 Abstain 0 Motion carried

Establishment of the Barry Scutt Memorial Stage Crew Award

Joseph McNamara asked for a motion that upon the recommendation of the Superintendent, the Board of Education approve the establishment of the annual Barry Scutt Memorial Stage Crew Award with the following criteria:

- The amount of award is \$500
- The award will be given annually at high school graduation
- The donor will hold the money
- Criteria:
 - Graduating Senior
 - Member of the Drama Club Stage crew
 - Demonstrates good citizenship and strong sense of teamwork
 - Efforts contributed to the success of the Drama Club productions
 - Donors will make selection of recipient based on a list of eligible students who have filled out an application.
 - Donors will consider input from the Drama Club Director

Cara Lajewski made the motion, seconded by Matthew Lando.

Yes 6 No 0 Abstain 0 Motion carried

State Environmental Quality Review Act.

Joseph McNamara asked for a motion that whereas the Board of Education of the Seneca Falls Central School District (the "District") proposes to undertake a capital improvement project for the Elizabeth Cady Stanton Elementary School, the Frank Knight Elementary School and the Middle School which involves certain renovation, replacement and upgrade work at these facilities (hereinafter "the Project"); and

WHEREAS, in accordance with the New York State Environmental Quality Review Act, Article 8 of the New York Environmental Conservation Law and the regulations promulgated thereto at 6 NYCRR Part 617 (collectively referred to as "SEQRA"), the District has reviewed the scope of the Project and has further received and considered the advice of its architects and attorneys regarding the classification of the Project in accordance with the SEQRA; and

WHEREAS the District has determined that pursuant to Section 617.5(c)(2) and (10) of the SEQRA regulations, the Project collectively constitutes a Type II action exempt from SEQRA review since the Project involves the:

- (2) replacement, rehabilitation or reconstruction of a structure or facility, in kind, on the same site, including upgrading buildings to meet building or fire codes; and/or
- (10) routine activities of educational institutions, including expansion of existing facilities by less than 10,000 square feet of gross floor area and school closings, but not changes in use related to such closings.

NOW, THEREFORE, the Board of Education of the Seneca Falls Central School District hereby resolves as follows:

1. The above whereas clauses shall be deemed to have the same force and effect of each of the other clauses set forth herein.
2. The Project constitutes a Type II action pursuant to Section 617.5(c) (2) and (10) of the SEQRA regulations in that such work constitutes "replacement, rehabilitation or reconstruction of a structure or facility, in kind, on the same site... (including certain upgrades) and/or "routine activities of educational institutions" and, as such, no further review or action is need be undertaken by the District pursuant to SEQRA.
3. This resolution shall take effect immediately.

Matthew Lando made the motion, seconded by Denise Lorenzetti.
Yes 6 No 0 Abstain 0 Motion carried

Section V. Combined Athletics
Geneva Cheerleading

Joseph McNamara asked for a motion that whereas the Seneca Falls Central School District and Geneva City School District have met to ascertain the advantages of combining sports teams; and

Whereas Seneca Falls Central School District and Geneva City School District have agreed on terms for combining Varsity Cheerleading;

Be it therefore resolved, upon the recommendation of the Superintendent of Schools that the Board of Education approve up to two (2) Seneca Falls Central School District students participate in the Geneva City School District Varsity Cheerleading program;

Be it further resolved that the Geneva City School District will be the host school, following the Geneva City School District coach's salary schedule and coaches handbook; and

Be it further resolved, that the students from each district will follow their own schools' code of conduct; and

Be it further resolved, that all of the costs associated with the Varsity Cheerleading program for the fall of 2023 (such as supplies, officials, salaries, and transportation) will be based on a percentage of the athletes that participate from Seneca Falls CSD and Geneva CSD, and will be billed to Seneca Falls Central School District.

Executive Session

Joseph McNamara asked for a motion to move into Executive Session at 7:10 pm to discuss the medical, financial, credit or employment history of a particular person or matters leading to the appointment, employment, promotion, demotion, discipline, suspension, dismissal or removal of a particular person

Denise Lorenzetti made the motion, seconded by Matthew Lando.
Yes 6 No 0 Abstain 0 Motion carried

Monica Kuney, District Clerk

The regular meeting resumed at 7:23 pm.

Adjourn

Joseph McNamara asked for a motion to adjourn the meeting at 7:23 pm.

Matthew Lando made the motion, seconded by Denise Lorenzetti.
Yes 6 No 0 Abstain 0 Motion carried

Joseph McNamara, President

Account: ExtraClass Checking
Cash Account(s): E 200

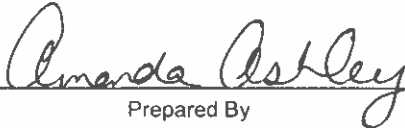
Ending Bank Balance:		84,602.59
Outstanding Checks (See listing below):	-	0.00
Deposits in Transit:	+	0.00
Other Credits:	+	0.00
Other Debits:	-	0.00

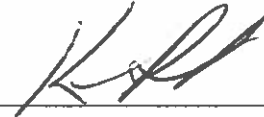
Adjusted Ending Bank Balance: 84,602.59

Cash Account Balance: 84,602.59

Outstanding Check Listing

Check Date	Check Number	Payee	Amount
Outstanding Check Total:			0.00


Prepared By


Approved By

RECEIVED

SEP 11 2023

DISTRICT OFFICE

SENECA FALLS CSD

Trial Balance Report From 7/1/2023 - 7/31/2023



Account	Description	Debits	Credits
E 200	CASH IN CHECKING	84,602.59	0.00
E 631	DUE TO OTHER GOVERNMENTS-SALES TAX	0.00	924.14
E 701	BAND - HIGH SCHOOL	0.00	1,873.45
E 702	BLOCK M	0.00	369.07
E 703	CHORUS/VARSITY	0.00	2,808.63
E 704	DRAMA CLUB	0.00	30,191.82
E 707	HONOR SOCIETY	0.00	13.46
E 708	MYNDERSIAN	0.00	5,475.98
E 709	PROJECT GRADUATION	0.00	6,000.90
E 710	SCHOOL STORE - HIGH SCHOOL	0.00	438.10
E 711	SKI CLUB	0.00	10.07
E 712	STUDENT COUNCIL - HIGH SCHOOL	0.00	2,141.51
E 713	MODEL UN	0.00	424.18
E 715	STUDENT COUNCIL - MIDDLE SCHOOL	0.00	5,605.20
E 716	YEARBOOK - MIDDLE SCHOOL	0.00	1,120.01
E 719	CLASS OF 2024	0.00	19,782.12
E 720	CLASS OF 2025	0.00	2,339.54
E 721	CLASS OF 2026	0.00	3,252.85
E 722	CLASS OF 2027	0.00	1,403.60
E 724	CLASS OF 2029	0.00	63.38
E 728	THE GREEN CLUB	0.00	364.58
E Fund Totals:		84,602.59	84,602.59
Grand Totals:		84,602.59	84,602.59

000199



Five Star Bank

220 Liberty Street, P.O. Box 227, Warsaw, NY 14569-0227

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customerservice@five-starbank.com

Page: 1 of 2
 Statement Date: 07/31/23
 Primary Account: XXXXXX8113
 Enclosures: 1



000199 0.6500 AV 0.498 TR00001

SENECA FALLS CSD
 EXTRA CLASSROOM ACTIVITY ACCOUNT
 SENECA FALLS MS C/O AMANDA ASHLEY
 95 TROY ST
 SENECA FALLS, NY 13148-1137



Public Checking Account

Account: XXXXXX8113

SENECA FALLS CSD
 EXTRA CLASSROOM ACTIVITY ACCOUNT

Summary of Account

Public Checking Account		Number of Enclosures	1
Account Number	XXXXXXX8113	Statement Dates	7/03/23 thru 7/31/23
Beginning Balance	84,638.87	Days in the Statement Period	29
Deposits/Credits	0.00	Average Ledger	84,616.35
1 Checks/Debits	36.28	Average Collected	84,616.35
Service Charge	0.00		
Interest Credited	0.00		
Ending Balance	84,602.59		

Transactions

Date	Description	Credits	Debits	Running Balance
07/03	BEGINNING BALANCE			84,638.87
07/14	Check # 4265		36.28	84,602.59
07/31	ENDING BALANCE			84,602.59

Checks

Date	Check No	Amount	Date	Check No	Amount	Date	Check No	Amount
07/14	4265	36.28						

* Indicates missing check number

FVNY-002-000199-001-001-230801 000199 S07 13148113795

General Ledger Account Transactions Detail Report From 7/1/2023 To 7/31/2023

Account	Account Name	Ref Number	PO Number	Vendor ID	Explanation	Schedule	Debits	Credits	Balance
Date									
E 200	CASH IN CHECKING								
07/01/2023	<u>59</u>				Opening Ledger Entries Opening Ledger Entries	JE-1	84,602.59	0.00	84,602.59
E 200 Totals:							84,602.59	0.00	84,602.59
E 631	DUE TO OTHER GOVERNMENTS-SALES TAX								
07/01/2023	<u>59</u>				Opening Ledger Entries Opening Ledger Entries	JE-1	0.00	924.14	924.14
E 631 Totals:							0.00	924.14	924.14
E 701	BAND - HIGH SCHOOL								
07/01/2023	<u>59</u>				Opening Ledger Entries Opening Ledger Entries	JE-1	0.00	1,873.45	1,873.45
E 701 Totals:							0.00	1,873.45	1,873.45
E 702	BLOCK M								
07/01/2023	<u>59</u>				Opening Ledger Entries Opening Ledger Entries	JE-1	0.00	369.07	369.07
E 702 Totals:							0.00	369.07	369.07
E 703	CHORUS/VARSITY								
07/01/2023	<u>59</u>				Opening Ledger Entries Opening Ledger Entries	JE-1	0.00	2,808.63	2,808.63
E 703 Totals:							0.00	2,808.63	2,808.63
E 704	DRAMA CLUB								
07/01/2023	<u>59</u>				Opening Ledger Entries Opening Ledger Entries	JE-1	0.00	30,191.82	30,191.82
E 704 Totals:							0.00	30,191.82	30,191.82
E 707	HONOR SOCIETY								
07/01/2023	<u>59</u>				Opening Ledger Entries Opening Ledger Entries	JE-1	0.00	13.46	13.46
E 707 Totals:							0.00	13.46	13.46
E 708	MYNDERSIAN								

SENECA FALLS CSD



General Ledger Account Transactions Detail Report From 7/1/2023 To 7/31/2023

Account	Account Name							
Date	Ref Number	PO Number	Vendor ID	Explanation	Schedule	Debits	Credits	Balance
07/01/2023	<u>59</u>			Opening Ledger Entries Opening Ledger Entries	JE-1	0.00	5,475.98	5,475.98
E 708 Totals:						0.00	5,475.98	5,475.98
E 709	PROJECT GRADUATION							
07/01/2023	<u>59</u>			Opening Ledger Entries Opening Ledger Entries	JE-1	0.00	6,000.90	6,000.90
E 709 Totals:						0.00	6,000.90	6,000.90
E 710	SCHOOL STORE - HIGH SCHOOL							
07/01/2023	<u>59</u>			Opening Ledger Entries Opening Ledger Entries	JE-1	0.00	438.10	438.10
E 710 Totals:						0.00	438.10	438.10
E 711	SKI CLUB							
07/01/2023	<u>59</u>			Opening Ledger Entries Opening Ledger Entries	JE-1	0.00	10.07	10.07
E 711 Totals:						0.00	10.07	10.07
E 712	STUDENT COUNCIL - HIGH SCHOOL							
07/01/2023	<u>59</u>			Opening Ledger Entries Opening Ledger Entries	JE-1	0.00	2,141.51	2,141.51
E 712 Totals:						0.00	2,141.51	2,141.51
E 713	MODEL UN							
07/01/2023	<u>59</u>			Opening Ledger Entries Opening Ledger Entries	JE-1	0.00	424.18	424.18
E 713 Totals:						0.00	424.18	424.18
E 715	STUDENT COUNCIL - MIDDLE SCHOOL							
07/01/2023	<u>59</u>			Opening Ledger Entries Opening Ledger Entries	JE-1	0.00	5,605.20	5,605.20
E 715 Totals:						0.00	5,605.20	5,605.20
E 716	YEARBOOK - MIDDLE SCHOOL							

General Ledger Account Transactions Detail Report From 7/1/2023 To 7/31/2023

Account	Account Name	Ref Number	PO Number	Vendor ID	Explanation	Schedule	Debits	Credits	Balance
Date									
E 716	YEARBOOK - MIDDLE SCHOOL								
07/01/2023		<u>59</u>			Opening Ledger Entries	Opening Ledger JE-1	0.00	1,120.01	1,120.01
E 716 Totals:							0.00	1,120.01	1,120.01
E 719	CLASS OF 2024								
07/01/2023		<u>59</u>			Opening Ledger Entries	Opening Ledger JE-1	0.00	19,782.12	19,782.12
E 719 Totals:							0.00	19,782.12	19,782.12
E 720	CLASS OF 2025								
07/01/2023		<u>59</u>			Opening Ledger Entries	Opening Ledger JE-1	0.00	2,339.54	2,339.54
E 720 Totals:							0.00	2,339.54	2,339.54
E 721	CLASS OF 2026								
07/01/2023		<u>59</u>			Opening Ledger Entries	Opening Ledger JE-1	0.00	3,252.85	3,252.85
E 721 Totals:							0.00	3,252.85	3,252.85
E 722	CLASS OF 2027								
07/01/2023		<u>59</u>			Opening Ledger Entries	Opening Ledger JE-1	0.00	1,403.60	1,403.60
E 722 Totals:							0.00	1,403.60	1,403.60
E 724	CLASS OF 2029								
07/01/2023		<u>59</u>			Opening Ledger Entries	Opening Ledger JE-1	0.00	63.38	63.38
E 724 Totals:							0.00	63.38	63.38
E 728	THE GREEN CLUB								
07/01/2023		<u>59</u>			Opening Ledger Entries	Opening Ledger JE-1	0.00	364.58	364.58
E 728 Totals:							0.00	364.58	364.58

SENECA FALLS CSD



General Ledger Account Transactions Detail Report From 7/1/2023 To 7/31/2023

Account	Account Name		Vendor ID	Explanation	Schedule	Debits	Credits	Balance
Date	Ref Number	PO Number						
Grand Totals:						84,602.59	84,602.59	169,205.18

Account: ExtraClass Checking
Cash Account(s): E 200

Ending Bank Balance:		84,602.59
Outstanding Checks (See listing below):	-	0.00
Deposits in Transit:	+	0.00
Other Credits:	+	0.00
Other Debits:	-	0.00

Adjusted Ending Bank Balance:	84,602.59
Cash Account Balance:	84,602.59

Outstanding Check Listing

Check Date	Check Number	Payee	Amount
Outstanding Check Total:			0.00

Amenda Ashley
Prepared By

K. Ad
Approved By

Account	Description	Debits	Credits
E 200	CASH IN CHECKING	84,602.59	0.00
E 631	DUE TO OTHER GOVERNMENTS-SALES TAX	0.00	924.14
E 701	BAND - HIGH SCHOOL	0.00	1,873.45
E 702	BLOCK M	0.00	369.07
E 703	CHORUS/VARSITY	0.00	2,808.63
E 704	DRAMA CLUB	0.00	30,191.82
E 707	HONOR SOCIETY	0.00	13.46
E 708	MYNDERSIAN	0.00	5,475.98
E 709	PROJECT GRADUATION	0.00	6,000.90
E 710	SCHOOL STORE - HIGH SCHOOL	0.00	438.10
E 711	SKI CLUB	0.00	10.07
E 712	STUDENT COUNCIL - HIGH SCHOOL	0.00	2,141.51
E 713	MODEL UN	0.00	424.18
E 715	STUDENT COUNCIL - MIDDLE SCHOOL	0.00	5,605.20
E 716	YEARBOOK - MIDDLE SCHOOL	0.00	1,120.01
E 719	CLASS OF 2024	0.00	19,782.12
E 720	CLASS OF 2025	0.00	2,339.54
E 721	CLASS OF 2026	0.00	3,252.85
E 722	CLASS OF 2027	0.00	1,403.60
E 724	CLASS OF 2029	0.00	63.38
E 728	THE GREEN CLUB	0.00	364.58
E Fund Totals:		84,602.59	84,602.59
Grand Totals:		84,602.59	84,602.59

000199



Five Star Bank

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customerservice@five-starbank.com

Page: 1 of 1
 Statement Date: 08/31/23
 Primary Account: XXXXXX8113
 Enclosures:



000199 0.4500 AV 0.498 TR00001



SENECA FALLS CSD
 EXTRA CLASSROOM ACTIVITY ACCOUNT
 SENECA FALLS MS C/O AMANDA ASHLEY
 95 TROY ST
 SENECA FALLS, NY 13148-1137



Public Checking Account

Account: XXXXXX8113

SENECA FALLS CSD
 EXTRA CLASSROOM ACTIVITY ACCOUNT

Summary of Account

Public Checking Account			
Account Number	XXXXXX8113	Statement Dates	8/01/23 thru 8/31/23
Beginning Balance	84,602.59	Days in the Statement Period	31
Deposits/Credits	0.00	Average Ledger	84,602.59
Checks/Debits	0.00	Average Collected	84,602.59
Service Charge	0.00		
Interest Credited	0.00		
Ending Balance	84,602.59		

FVNY-001-000199-001-000-230901 000199 S05
13148113795

SENECA FALLS CSD



General Ledger Account Transactions Detail Report From 8/1/2023 To 8/30/2023

Account	Account Name	Vendor ID	Explanation	Schedule	Debits	Credits	Balance
Date	Ref Number	PO Number					
E 200	CASH IN CHECKING						
			BALANCE 07/01/2023 - 07/31/2023		0.00	0.00	84,602.59
			E 200 Totals:		0.00	0.00	84,602.59
E 631	DUE TO OTHER GOVERNMENTS-SALES TAX						
			BALANCE 07/01/2023 - 07/31/2023		0.00	0.00	924.14
			E 631 Totals:		0.00	0.00	924.14
E 701	BAND - HIGH SCHOOL						
			BALANCE 07/01/2023 - 07/31/2023		0.00	0.00	1,873.45
			E 701 Totals:		0.00	0.00	1,873.45
E 702	BLOCK M						
			BALANCE 07/01/2023 - 07/31/2023		0.00	0.00	369.07
			E 702 Totals:		0.00	0.00	369.07
E 703	CHORUS/VARSITY						
			BALANCE 07/01/2023 - 07/31/2023		0.00	0.00	2,808.63
			E 703 Totals:		0.00	0.00	2,808.63
E 704	DRAMA CLUB						
			BALANCE 07/01/2023 - 07/31/2023		0.00	0.00	30,191.82
			E 704 Totals:		0.00	0.00	30,191.82
E 707	HONOR SOCIETY						
			BALANCE 07/01/2023 - 07/31/2023		0.00	0.00	13.46
			E 707 Totals:		0.00	0.00	13.46
E 708	MYNDERSIAN						
			BALANCE 07/01/2023 - 07/31/2023		0.00	0.00	5,475.98
			E 708 Totals:		0.00	0.00	5,475.98
E 709	PROJECT GRADUATION						

SENECA FALLS CSD



General Ledger Account Transactions Detail Report From 8/1/2023 To 8/30/2023

Account	Account Name	Vendor ID	Explanation	Schedule	Debits	Credits	Balance
Date	Ref Number	PO Number					
E 709	PROJECT GRADUATION						
			BALANCE 07/01/2023 - 07/31/2023		0.00	0.00	6,000.90
			E 709 Totals:		0.00	0.00	6,000.90
E 710	SCHOOL STORE - HIGH SCHOOL						
			BALANCE 07/01/2023 - 07/31/2023		0.00	0.00	438.10
			E 710 Totals:		0.00	0.00	438.10
E 711	SKI CLUB						
			BALANCE 07/01/2023 - 07/31/2023		0.00	0.00	10.07
			E 711 Totals:		0.00	0.00	10.07
E 712	STUDENT COUNCIL - HIGH SCHOOL						
			BALANCE 07/01/2023 - 07/31/2023		0.00	0.00	2,141.51
			E 712 Totals:		0.00	0.00	2,141.51
E 713	MODEL UN						
			BALANCE 07/01/2023 - 07/31/2023		0.00	0.00	424.18
			E 713 Totals:		0.00	0.00	424.18
E 715	STUDENT COUNCIL - MIDDLE SCHOOL						
			BALANCE 07/01/2023 - 07/31/2023		0.00	0.00	5,605.20
			E 715 Totals:		0.00	0.00	5,605.20
E 716	YEARBOOK - MIDDLE SCHOOL						
			BALANCE 07/01/2023 - 07/31/2023		0.00	0.00	1,120.01
			E 716 Totals:		0.00	0.00	1,120.01
E 719	CLASS OF 2024						
			BALANCE 07/01/2023 - 07/31/2023		0.00	0.00	19,782.12
			E 719 Totals:		0.00	0.00	19,782.12
E 720	CLASS OF 2025						

SENECA FALLS CSD



General Ledger Account Transactions Detail Report From 8/1/2023 To 8/30/2023

Account	Account Name		Vendor ID	Explanation	Schedule	Debits	Credits	Balance
Date	Ref Number	PO Number						
E 720	CLASS OF 2025							
				BALANCE 07/01/2023 - 07/31/2023		0.00	0.00	2,339.54
				E 720 Totals:		0.00	0.00	2,339.54
E 721	CLASS OF 2026							
				BALANCE 07/01/2023 - 07/31/2023		0.00	0.00	3,252.85
				E 721 Totals:		0.00	0.00	3,252.85
E 722	CLASS OF 2027							
				BALANCE 07/01/2023 - 07/31/2023		0.00	0.00	1,403.60
				E 722 Totals:		0.00	0.00	1,403.60
E 724	CLASS OF 2029							
				BALANCE 07/01/2023 - 07/31/2023		0.00	0.00	63.38
				E 724 Totals:		0.00	0.00	63.38
E 728	THE GREEN CLUB							
				BALANCE 07/01/2023 - 07/31/2023		0.00	0.00	364.58
				E 728 Totals:		0.00	0.00	364.58
				Grand Totals:		0.00	0.00	169,205.18

MEMORANDUM OF AGREEMENT

THIS IS AN AGREEMENT entered into by and between the Seneca Falls Central School District (the “District”), the Seneca Falls Education Association (“Association”) and James Reagan, collectively referred to herein as the “parties”.

WHEREAS, the parties have discussed the creation of the position of Chairperson for the Committee on Special Education (“CSE Chair”) and the appointment of James Reagan as Teacher on Special Assignment (hereinafter sometimes referred to TOSA) during the 2023-2024 school year to fulfill the duties of CSE Chair; and

WHEREAS, the parties have reached an agreement on these issues and wish to memorialize their agreements in writing; and

WHEREAS, each party hereto has freely consented to enter into and to be bound by this Agreement, with such consent not having been induced by fraud, duress, or any other undue influence; and

NOW THEREFORE, in consideration of the mutual undertakings and covenants herein contained, the parties agree as follows:

1. The parties agree that James Reagan shall be granted a leave of absence from his teaching position beginning on July 1, 2023 and ending on June 30, 2024.
2. The parties further agree that James Reagan shall be appointed as a TOSA to serve as the CSE Chair for the 2023-2024 school year.
3. The District and the Association agree that the CSE Chair is a title represented by the Association and will be included in their collective bargaining agreement’s recognition clause.
4. The District and the Association agree that the CSE Chair is a 10-month position with up to twenty (20) days paid during the summer as scheduled by the Director of Special Programs at the applicable per diem rate. The position would follow the same work calendar as SFEA faculty members.
5. This position will have a stipend of \$4000 attached to it annually in addition to what has been defined in #4 above.
6. This Agreement shall become effective upon appropriate execution by the parties and shall expire on June 30, 2024.
7. No provision or provisions of this Agreement may be added to, deleted or modified in any manner unless in writing signed by all the parties hereto.

8. The parties hereby acknowledge that they had the opportunity to be advised by counsel or a labor relations representative regarding this Agreement, that they have read this Agreement, that they fully understand its contents, and that they have executed the same and made the agreement provided for herein voluntarily and of their own free will.
9. The parties agree that the invalidity or unenforceability of any provision hereto shall in no way affect the validity or enforceability of any other provision.

IN WITNESS WHEREOF, the parties have hereto set their hands and seals on the day and date written below.

FOR THE DISTRICT:



Dr. Michelle Reed
Superintendent of Schools
Seneca Falls Central School District

Dated: _____

FOR THE ASSOCIATION:

Douglas Jones
President
Seneca Falls Education Association

Dated: _____

FOR JAMES REAGAN:

James Reagan

Dated: _____

0100 NON-DISCRIMINATION AND EQUAL OPPORTUNITY

REQUIRED

NEW NOTE: The state's model policy for workplace sexual harassment addresses all legally protected classes, and recommends the same complaint and investigation process be used for all claims of discrimination. We recommend in lieu of a separate grievance procedure for sexual harassment and one for other discrimination claims, that the district use the state's model policy. If the district had previously adopted the accompanying regulation 0100-R, it can be rescinded.

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.

Employees also have protections under state law against discrimination on the basis of their familial status, reproductive healthcare decisions (their own or their dependents) and certain prior criminal history.

Specific protections for students under the Dignity for All Students Act are addressed in policy 0115, Student Bullying and Harassment Prevention and Intervention. The district will follow the guidance from the State Education Department on creating a safe, supportive, and affirming school environment for transgender and gender-expansive students.

As a condition of participation in federal meal programs, the district will post the following statement: "In accordance with federal civil rights law and U.S. Department of Agriculture (USDA) civil rights regulations and policies, this institution is prohibited from discriminating on the basis of race, color, national origin, sex (including gender identity and sexual orientation), disability, age, or reprisal or retaliation for prior civil rights activity." Discrimination complaint information is available at <https://www.fns.usda.gov/civil-rights/usda-nondiscrimination-statement-other-fns-programs>

NOTE: The following paragraph is optional, but the district is encouraged to utilize it to address website accessibility for persons with disabilities. Your district may wish to modify it to reflect any specific settlement agreements with the Office of Civil Rights. A specific plan for accessibility need not be included in this policy; but could be a separate document.

There are different commonly-accepted standards for website accessibility. One example is the World Wide Web Consortium (W3C) Web Accessibility Initiative (WAI) Web Content Accessibility Guidelines (WCAG) 2.0, Level AA, found at <https://www.w3.org/TR/WCAG/>. Another

standard is set by the federal government for its agencies, codified in 34 CFR Part 1194. New York State has adopted some of these standards for its own agencies (sections 1194.22 and 1194.31).

Further information, including specific examples of the following, is available at ADA Best Practices Tool Kit for State and Local Governments, Chapter 5, Website Accessibility Under Title II of the ADA www.ada.gov/pcatoolkit/chap5toolkit.htm. A checklist is also available at: www.ada.gov/pcatoolkit/chap5chklist.htm.

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 Director of Technology 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.

The Board of Education, its officers and employees shall not discriminate against students on the basis of actual or perceived race, color, weight, national origin, ethnic group, religion, religious practice, disability, political affiliation, sex; sexual orientation, or gender (including 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 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, 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 policy 0110. All complaints of discrimination and harassment made by employees and applicants are addressed by the process outlined in policy 0110.2, Sexual Harassment in the Workplace. Complaints of discrimination and harassment by students are addressed by the process outlined in policy 0115, Student Bullying and Harassment Prevention and Intervention.~~

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:

0110.2, Sexual Harassment in the Workplace
5030, Student Complaints and Grievances
5300, Code of Conduct
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
[Creating a Safe, Supportive, and Affirming School Environment for Transgender and Gender Expansive Students: 2023 Legal Update and Best Practices, https://www.nysed.gov/sites/default/files/programs/student-support-services/creating-a-safe-supportive-and-affirming-school-environment-for-transgender-and-gender-expansive-students.pdf](https://www.nysed.gov/sites/default/files/programs/student-support-services/creating-a-safe-supportive-and-affirming-school-environment-for-transgender-and-gender-expansive-students.pdf)

Revised: 10/21/2021

Revised:

Seneca Falls Central School District

0110.2 SEXUAL HARASSMENT OF EMPLOYEES IN THE WORKPLACE

Required

NOTE: This model policy is largely based on a template developed by the New York State Department of Labor and New York State Division of Human Rights that can be used by employers to meet the New York State Labor Law requirements for a sexual harassment prevention policy. We suggest minor modifications to adapt the template to schools as a workplace as shown below. Employers are encouraged to tailor this policy to their individual needs, though as the minimum standard, no section in this policy should be omitted. The list of examples provided in this model policy is not meant to be exhaustive.

This policy is meant to replace policy and regulation 0110.2 and 0110.2-R. Additionally, the complaint process outlined in this policy serves to replace regulation 0100-R, Equal Opportunity and Non-discrimination Regulation.

Purpose and Goals

The Seneca Falls Central School District (“the district”) is committed to maintaining a workplace free from harassment and discrimination. Sexual harassment is a form of workplace discrimination that subjects an employee to inferior conditions of employment due to their gender, gender identity, gender expression (perceived or actual), and/or sexual orientation. Sexual harassment is often viewed simply as a form of gender-based discrimination, but the district recognizes that discrimination can be related to or affected by other identities beyond gender. Under the New York State Human Rights Law, it is illegal to discriminate based on sex, sexual orientation, gender identity or expression, age, race, creed, color, national origin, religion, citizenship/immigration status, military status, disability, pre-disposing genetic characteristics, familial status (including pregnancy, childbirth, or related medical condition), marital status, criminal history, or status as a victim of domestic violence. Our different identities impact our understanding of the world and how others perceive us. For example, an individual’s race, ability, or immigration status may impact their experience with gender discrimination in the workplace. While this policy is focused on sexual harassment and gender discrimination, the methods for reporting and investigating discrimination based on other protected identities are the same. The purpose of this policy is to teach employees to recognize discrimination, including discrimination due to an individual’s intersecting identities, and provide the tools to take action when it occurs. All employees, managers, and supervisors are required to work in a manner designed to prevent sexual harassment and discrimination in the workplace. This policy is one component of the district’s commitment to a discrimination-free work environment.

A. Goals of this Policy

Sexual harassment and discrimination are against the law. After reading this policy, employees will understand their right to a workplace free from harassment. Employees will also learn what harassment and discrimination look like, what actions they can take to prevent and report harassment, and how they are protected from retaliation after taking action. The policy will also explain the investigation process into any claims of harassment. Employees are encouraged to report sexual harassment or discrimination by filing a complaint internally with the district. Employees can also file a complaint with a government agency or in court under federal, state, or local anti-discrimination laws. To file an employment complaint with the New York State Division of Human Rights, please visit <https://dhr.ny.gov/complaint>. To file a complaint with the

Sexual Harassment and Discrimination Prevention Policy

1. The district's policy applies to all employees, applicants for employment, and interns, whether paid or unpaid. The policy also applies to additional covered individuals. It applies to including anyone who is (or is employed by) a contractor, subcontractor, vendor, consultant, or anyone providing services in our workplace the district. These individuals include persons commonly referred to as independent contractors, gig workers, and temporary workers. Also included are persons providing equipment repair, cleaning services, or any other services through a contract with the district. For the remainder of this policy, we will use the term "covered individual" to refer to these individuals who are not direct employees of the company.
2. Sexual harassment is unacceptable. Any employee or covered individual who engages in sexual harassment, discrimination, or retaliation will be subject to action, including appropriate discipline for employees. In New York, harassment does not need to be severe or pervasive to be illegal. Employees and covered individuals should not feel discouraged from reporting harassment because they do not believe it is bad enough, or conversely because they do not want to see a colleague fired over less severe behavior. Just as harassment can happen in different degrees, potential discipline for engaging in sexual harassment will depend on the degree of harassment and might include education and counseling. It may lead to suspension or termination when appropriate.
3. Retaliation is prohibited. Any employee or covered individual that reports an incident of sexual harassment or discrimination, provides information, or otherwise assists in any investigation of a sexual harassment or discrimination complaint is protected from retaliation. No one should fear reporting sexual harassment if they believe it has occurred. So long as a person reasonably believes that they have witnessed or experienced such behavior, they are protected from retaliation. Any employee of the district who retaliates against anyone involved in a sexual harassment or discrimination investigation will face disciplinary action, up to and including termination. All employees and covered individuals working in the workplace who believe they have been subject to such retaliation should inform a supervisor, administrator, or Superintendent. All employees and covered individuals who believe they have been a target of such retaliation may also seek relief from government agencies, as explained below in the section on Legal Protections.
4. Discrimination of any kind, including sexual harassment, is a violation of our policies, is unlawful, and may subject the district to liability for the harm experienced by targets of discrimination. Harassers may also be individually subject to liability, and employers or supervisors who fail to report or act on harassment may be liable for aiding and abetting such behavior. Employees at every level who engage in harassment or discrimination, including managers and supervisors who engage in harassment or discrimination or who allow such behavior to continue, will be penalized for such misconduct.
5. The district will conduct a prompt and thorough investigation that is fair to all parties. An investigation will happen whenever administration receives a complaint about discrimination or sexual harassment, or when it otherwise knows of possible discrimination or sexual harassment occurring. The district will keep the investigation

confidential to the extent possible. If an investigation ends with the finding that discrimination or sexual harassment occurred, the district will act as required. In addition to any required discipline, the district will also take steps to ensure a safe work environment for the employee(s) who experienced the discrimination or harassment. All employees, including managers and supervisors, are required to cooperate with any internal investigation of discrimination or sexual harassment.

6. All employees and covered individuals are encouraged to report any harassment or behaviors that violate this policy. All employees will have access to a complaint form to report harassment and file complaints. Use of this form is not required. For anyone who would rather make a complaint verbally or by email, these complaints will be treated with equal priority. An employee or covered individual who prefers not to report harassment to their supervisors and administration may instead report harassment to the New York State Division of Human Rights and/or the United States Equal Employment Opportunity Commission. Complaints may be made to both the employer and a government agency.

Administrators and supervisors are required to report any complaint that they receive, or any harassment that they observe or become aware of, to Superintendent.

7. This policy applies to all employees and covered individuals, such as contractors, subcontractors, vendors, consultants, or anyone providing services in the workplace, and all must follow and uphold this policy. This policy must be provided to all employees in person or digitally through email upon hiring and will be posted prominently in all work locations. For those offices operating remotely, in addition to sending the policy through email, it will also be available on the organization's shared network.

What Is Sexual Harassment?

Sexual harassment is a form of gender-based discrimination that is unlawful under federal, state, and (where applicable) local law. Sexual harassment includes harassment on the basis of sex, sexual orientation, self-identified or perceived sex, gender expression, gender identity, and the status of being transgender. Sexual harassment is not limited to sexual contact, touching, or expressions of a sexually suggestive nature. Sexual harassment includes all forms of gender discrimination including gender role stereotyping and treating employees differently because of their gender.

Understanding gender diversity is essential to recognizing sexual harassment because discrimination based on sex stereotypes; gender expression and perceived identity are all forms of sexual harassment. The gender spectrum is nuanced, but the three most common ways people identify are cisgender, transgender, and non-binary. A cisgender person is someone whose gender aligns with the sex they were assigned at birth. Generally, this gender will align with the binary of male or female. A transgender person is someone whose gender is different than the sex they were assigned at birth. A non-binary person does not identify exclusively as a man or a woman. They might identify as both, somewhere in between, or completely outside the gender binary. Respecting an individual's gender identity is a necessary first step in establishing a safe workplace.

Sexual harassment is unlawful when it subjects an individual to inferior terms, conditions, or privileges of employment. Harassment does not need to be severe or pervasive to be illegal. It can be any harassing behavior that rises above petty slights or trivial inconveniences. Every instance of harassment is unique to those experiencing it, and there is no single boundary

between petty slights and harassing behavior. However, the Human Rights Law specifies that whether harassing conduct is considered petty or trivial is to be viewed from the standpoint of a reasonable victim of discrimination with the same protected characteristics. Generally, any behavior in which an employee or covered individual is treated worse because of their gender (perceived or actual), sexual orientation, or gender expression is considered a violation of the district's policy. The intent of the behavior for example, making a joke, does not neutralize a harassment claim. Not intending to harass is not a defense. The impact of the behavior on a person is what counts. Sexual harassment includes any unwelcome conduct which is either directed at an individual because of that individual's gender identity or expression (perceived or actual), or is of a sexual nature when:

- The purpose or effect of this behavior unreasonably interferes with an individual's work performance or creates an intimidating, hostile or offensive work environment. The impacted person does not need to be the intended target of the sexual harassment;
- Employment depends implicitly or explicitly on accepting such unwelcome behavior; or
- Decisions regarding an individual's employment are based on an individual's acceptance to or rejection of such behavior. Such decisions can include what shifts and how many hours an employee might work, project assignments, as well as salary and promotion decisions.

There are two main types of sexual harassment:

- Behaviors that contribute to a hostile work environment include, but are not limited to, words, signs, jokes, pranks, intimidation, or physical violence which are of a sexual nature, or which are directed at an individual because of that individual's sex, gender identity, or gender expression. Sexual harassment also consists of any unwanted verbal or physical advances, sexually explicit derogatory or discriminatory statements which an employee finds offensive or objectionable, causes an employee discomfort or humiliation, or interferes with the employee's job performance.
- Sexual harassment also occurs when a person in authority tries to trade job benefits for sexual favors. This can include hiring, promotion, continued employment or any other terms, conditions, or privileges of employment. This is also called quid pro quo harassment.

Any employee or covered individual who feels harassed is encouraged to report the behavior so that any violation of this policy can be corrected promptly. Any harassing conduct, even a single incident, can be discrimination and is covered by this policy.

A. Examples of Sexual Harassment

The following describes some of the types of acts that may be unlawful sexual harassment and that are strictly prohibited. This list is just a sample of behaviors and should not be considered exhaustive. Any employee who believes they have experienced sexual harassment, even if it does not appear on this list, should feel encouraged to report it:

- Physical acts of a sexual nature, such as:
 - Touching, pinching, patting, kissing, hugging, grabbing, brushing against another employee's body, or poking another employee's body; or

- Rape, sexual battery, molestation, or attempts to commit these assaults, which may be considered criminal conduct outside the scope of this policy (please contact local law enforcement if you wish to pursue criminal charges).
- Unwanted sexual comments, advances, or propositions, such as:

NOTE: We suggest removing the language below in strikethrough regarding service industry workers and those who depend on tips, as being not relevant in the school setting.

- Requests for sexual favors accompanied by implied or overt threats concerning the target's job performance evaluation, a promotion, or other job benefits;
 - ~~This can include sexual advances/pressure placed on a service industry employee by customers or clients, especially those industries where hospitality and tips are essential to the customer/employee relationship;~~
- Subtle or obvious pressure for unwelcome sexual activities; or
- Repeated requests for dates or romantic gestures, including gift-giving.
- Sexually oriented gestures, noises, remarks or jokes, or questions and comments about a person's sexuality, sexual experience, or romantic history which create a hostile work environment. This is not limited to interactions in person. Remarks made over virtual platforms and in messaging apps when employees are working remotely can create a similarly hostile work environment.
- Sex stereotyping, which occurs when someone's conduct or personality traits are judged based on other people's ideas or perceptions about how individuals of a particular sex should act or look:
 - Remarks regarding an employee's gender expression, such as wearing a garment typically associated with a different gender identity; or
 - Asking employees to take on traditionally gendered roles, such as asking a woman to serve meeting refreshments when it is not part of, or appropriate to, her job duties.
- Sexual or discriminatory displays or publications anywhere in the workplace, such as:
 - Displaying pictures, posters, calendars, graffiti, objects, promotional material, reading materials, or other materials that are sexually demeaning or pornographic. This includes such sexual displays on workplace computers or cell phones and sharing such displays while in the workplace;
 - This also extends to the virtual or remote workspace and can include having such materials visible in the background of one's home during a virtual meeting.
- Hostile actions taken against an individual because of that individual's sex, sexual orientation, gender identity, or gender expression, such as:
 - Interfering with, destroying, or damaging a person's workstation, tools or equipment, or otherwise interfering with the individual's ability to perform the job;
 - Sabotaging an individual's work;
 - Bullying, yelling, or name-calling;
 - Intentional misuse of an individual's preferred pronouns; or
 - Creating different expectations for individuals based on their perceived identities:
 - Dress codes that place more emphasis on women's attire;
 - Leaving parents/caregivers out of meetings.

B. Who Can be a Target of Sexual Harassment?

NOTE: To be more relevant to the school setting, we suggest adding “student, volunteer, parent, community member” and removing “customer, patient, constituent” to the list below.

Sexual harassment can occur between any individuals, regardless of their sex or gender. Harassment does not have to be between members of the opposite sex or gender. New York Law protects employees and all covered individuals described earlier in the policy. Harassers can be anyone in the workplace. A supervisor, a supervisee, or a coworker can all be harassers. Anyone else in the workplace can also be harassers including an independent contractor, contract worker, vendor, client, student, volunteer, parent, community member, board member, or visitor.

Sexual harassment does not happen in a vacuum and discrimination experienced by an employee can be impacted by biases and identities beyond an individual's gender. For example:

- Placing different demands or expectations on black women employees than white women employees can be both racial and gender discrimination;
- An individual's immigration status may lead to perceptions of vulnerability and increased concerns around illegal retaliation for reporting sexual harassment; or
- Past experiences as a survivor of domestic or sexual violence may lead an individual to feel re-traumatized by someone's behaviors in the workplace.

Individuals bring personal history with them to the workplace that might impact how they interact with certain behavior. It is especially important for all employees to be aware of how words or actions might impact someone with a different experience than their own in the interest of creating a safe and equitable workplace.

C. Where Can Sexual Harassment Occur?

Unlawful sexual harassment is not limited to the physical workplace itself. It can occur while employees are traveling for business or at employer or industry sponsored events or parties. Calls, texts, emails, and social media usage by employees or covered individuals can constitute unlawful workplace harassment, even if they occur away from the workplace premises, on personal devices, or during non-work hours.

Sexual harassment can occur when employees are working remotely from home as well. Any behaviors outlined above that leave an employee feeling uncomfortable, humiliated, or unable to meet their job requirements constitute harassment even if the employee or covered individual is at home when the harassment occurs. Harassment can happen on virtual meeting platforms, in messaging apps, and after working hours between personal cell phones.

Retaliation

Retaliation is unlawful and is any action by an employer or supervisor that punishes an individual upon learning of a harassment claim, that seeks to discourage a worker or covered individual from making a formal complaint or supporting a sexual harassment or discrimination claim, or that punishes those who have come forward. These actions need not be job-related or occur in the workplace to constitute unlawful retaliation. For example, threats of physical violence outside of work hours or disparaging someone on social media would be covered as retaliation under this policy.

Examples of retaliation may include, but are not limited to:

- Demotion, termination, denying accommodations, reduced hours, or the assignment of less desirable shifts;
- Publicly releasing personnel files;
- Refusing to provide a reference or providing an unwarranted negative reference;
- Labeling an employee as “difficult” and excluding them from projects to avoid “drama”;
- Undermining an individual’s immigration status; or
- Reducing work responsibilities, passing over for a promotion, or moving an individual’s desk to a less desirable office location.

Such retaliation is unlawful under federal, state, and (where applicable) local law. The New York State Human Rights Law protects any individual who has engaged in “protected activity.” Protected activity occurs when a person has:

- Made a complaint of sexual harassment or discrimination, either internally or with any government agency;
- Testified or assisted in a proceeding involving sexual harassment or discrimination under the Human Rights Law or any other anti-discrimination law;
- Opposed sexual harassment or discrimination by making a verbal or informal complaint to management, or by simply informing a supervisor or manager of suspected harassment;
- Reported that another employee has been sexually harassed or discriminated against; or
- Encouraged a fellow employee to report harassment.

Even if the alleged harassment does not turn out to rise to the level of a violation of law, the individual is protected from retaliation if the person had a good faith belief that the practices were unlawful. However, the retaliation provision is not intended to protect persons making intentionally false charges of harassment. Intentionally false or malicious complaints of sexual harassment may result in corrective or disciplinary action taken against the complainant.

Reporting Sexual Harassment

Everyone must work toward preventing sexual harassment, but leadership matters. Supervisors and managers have a special responsibility to make sure employees feel safe at work and that workplaces are free from harassment and discrimination. Any employee or covered individual is encouraged to report harassing or discriminatory behavior to a supervisor, administrator or superintendent. Anyone who witnesses or becomes aware of potential instances of sexual harassment should report such behavior to a supervisor, administrator or superintendent.

Reports of sexual harassment may be made verbally or in writing. A written complaint form is attached to this policy if an employee would like to use it, but the complaint form is not required. Employees who are reporting sexual harassment on behalf of other employees may use the complaint form and should note that it is on another employee’s behalf. A verbal or otherwise written complaint (such as an email) on behalf of oneself or another employee is also acceptable.

Employees and covered individuals who believe they have been a target of sexual harassment may at any time seek assistance in additional available forums, as explained below in the section on Legal Protections.

Supervisory Responsibilities

All employees in a supervisory role have a responsibility to prevent sexual harassment and discrimination. All administrators and supervisors who receive a complaint or information about suspected sexual harassment, observe what may be sexually harassing or discriminatory behavior, or for any reason suspect that sexual harassment or discrimination is occurring, are required to report such suspected sexual harassment to the superintendent. Administrators and supervisors should not be passive and wait for an employee to make a claim of harassment. If they observe such behavior, they must act.

Administrators and supervisors can be disciplined if they engage in sexually harassing or discriminatory behavior themselves. Administrators and supervisors can also be disciplined for failing to report suspected sexual harassment or allowing sexual harassment to continue after they know about it.

Administrators and supervisors will also be subject to discipline for engaging in any retaliation.

While administrators and supervisors have a responsibility to report harassment and discrimination, administrators and supervisors must be mindful of the impact that harassment and a subsequent investigation has on victims. Being identified as a possible victim of harassment and questioned about harassment and discrimination can be intimidating, uncomfortable and re-traumatizing for individuals. Administrators and supervisors must accommodate the needs of individuals who have experienced harassment to ensure the workplace is safe, supportive, and free from retaliation for them during and after any investigation.

Bystander Intervention

Any employee witnessing harassment as a bystander is encouraged to report it. An administrator or supervisor that is a bystander to harassment is required to report it. There are five standard methods of bystander intervention that can be used when anyone witnesses harassment or discrimination and wants to help.

1. A bystander can interrupt the harassment by engaging with the individual being harassed and distracting them from the harassing behavior;
2. A bystander who feels unsafe interrupting on their own can ask a third party to help intervene in the harassment;
3. A bystander can record or take notes on the harassment incident to benefit a future investigation;
4. A bystander might check in with the person who has been harassed after the incident, see how they are feeling and let them know the behavior was not ok; and
5. If a bystander feels safe, they can confront the harassers and name the behavior as inappropriate. When confronting harassment, physically assaulting an individual is never an appropriate response.

Though not exhaustive, and dependent on the circumstances, the guidelines above can serve as a brief guide of how to react when witnessing harassment in the workplace. Any employee witnessing harassment as a bystander is encouraged to report it. An administrator or supervisor that is a bystander to harassment is required to report it.

Complaints and Investigations of Sexual Harassment

All complaints or information about sexual harassment will be investigated, whether that information was reported in verbal or written form. An investigation of any complaint, information, or knowledge of suspected sexual harassment will be prompt, thorough, and started and completed as soon as possible. The investigation will be kept confidential to the extent possible. All individuals involved, including those making a harassment claim, witnesses, and alleged harassers deserve a fair and impartial investigation.

Any employee may be required to cooperate as needed in an investigation of suspected sexual harassment. The district will take disciplinary action against anyone engaging in retaliation against employees who file complaints, support another's complaint, or participate in harassment investigations.

The district recognizes that participating in a harassment investigation can be uncomfortable and has the potential to retraumatize an employee. Those receiving claims and leading investigations will handle complaints and questions with sensitivity toward those participating.

While the process may vary from case to case, investigations will be done in accordance with the following steps. Upon receipt of a complaint, the Title IX Compliant Officer(s):

1. Will conduct a prompt review of the allegations, assess the appropriate scope of the investigation, and take any interim actions (for example, instructing the individual(s) about whom the complaint was made to refrain from communications with the individual(s) who reported the harassment), as appropriate. If the complaint is verbal, request that the individual completes the complaint form in writing. If the person reporting prefers not to fill out the form, the Title IX Compliant Officers will prepare a complaint form or equivalent documentation based on the verbal reporting;
2. Will take steps to obtain, review, and preserve documents sufficient to assess the allegations, including documents, emails or phone records that may be relevant to the investigation. The Title IX Compliant Officer(s) will consider and implement appropriate document request, review, and preservation measures, including for electronic communications;
3. Will seek to interview all parties involved, including any relevant witnesses;
4. Will create a written documentation of the investigation (such as a letter, memo or email), which contains the following:
 - a. A list of all documents reviewed, along with a detailed summary of relevant documents;
 - b. A list of names of those interviewed, along with a detailed summary of their statements;
 - c. A timeline of events;
 - d. A summary of any prior relevant incidents disclosed in the investigation, reported or unreported; and
 - e. The basis for the decision and final resolution of the complaint, together with any corrective action(s).

5. Will keep the written documentation and associated documents in a secure and confidential location;
6. Will promptly notify the individual(s) who reported the harassment and the individual(s) about whom the complaint was made that the investigation has been completed and implement any corrective actions identified in the written document; and
7. Will inform the individual(s) who reported of the right to file a complaint or charge externally as outlined in the next section.

NOTE: We suggest adding language regarding record retention.

The district will retain the written documentation described above for a period of three years.

Appeals

NOTE: Appeals of decisions are not required by law. The district may choose to include an appeal process. The one below is suggested for the district, Based on our previous sample process.

Either party who is not satisfied with the outcome of the investigation may appeal to the Superintendent by submitting a written request within 15 calendar days of receiving notification of the outcome. The Superintendent will review the documentation from the initial complaint and will hold an informal hearing within 15 calendar days of the receipt of the appeal, where all involved parties may appear. The Superintendent will make a determination in writing within 15 calendar days of the hearing and notify the complainant and alleged harasser in writing of the determination, or that additional time is needed to complete the appeal.

If the Superintendent is the subject of the complaint, the appeal must be filed with the Board President, who will refer the complaint to a trained investigator not employed by the district.

Legal Protections and External Remedies

Sexual harassment is not only prohibited by the district, but it is also prohibited by state, federal, and, where applicable, local law.

The internal process outlined in the policy above is one way for employees to report sexual harassment. Employees and covered individuals may also choose to pursue legal remedies with the following governmental entities. While a private attorney is not required to file a complaint with a governmental agency, you may also seek the legal advice of an attorney.

A. New York State Division of Human Rights

The New York State Human Rights Law (HRL), N.Y. Executive Law, art. 15, § 290 et seq., applies to all employers in New York State and protects employees and covered individuals, regardless of immigration status. A complaint alleging violation of the Human Rights Law may be filed either with the New York State Division of Human Rights (DHR) or in New York State Supreme Court.

Complaints of sexual harassment filed with DHR may be submitted any time within three years of the harassment. If an individual does not file a complaint with DHR, they can bring a

lawsuit directly in state court under the Human Rights Law, within three years of the alleged sexual harassment. An individual may not file with DHR if they have already filed a HRL complaint in state court.

Complaining internally to the district does not extend your time to file with DHR or in court. The three years are counted from the date of the most recent incident of harassment.

You do not need an attorney to file a complaint with DHR, and there is no cost to file with DHR.

DHR will investigate your complaint and determine whether there is probable cause to believe that sexual harassment has occurred. Probable cause cases receive a public hearing before an administrative law judge. If sexual harassment is found at the hearing, DHR has the power to award relief. Relief varies but it may include requiring your employer to take action to stop the harassment, or repair the damage caused by the harassment, including paying of monetary damages, punitive damages, attorney's fees, and civil fines.

DHR's main office contact information is: NYS Division of Human Rights, One Fordham Plaza, Fourth Floor, Bronx, New York 10458. You may call (718) 741-8400 or visit: www.dhr.ny.gov.

Go to dhr.ny.gov/complaint for more information about filing a complaint with DHR. The website has a digital complaint process that can be completed on your computer or mobile device from start to finish. The website has a complaint form that can be downloaded, filled out, and mailed to DHR as well as a form that can be submitted online. The website also contains contact information for DHR's regional offices across New York State.

Call the DHR sexual harassment hotline at 1(800) HARASS3 for more information about filing a sexual harassment complaint. This hotline can also provide you with a referral to a volunteer attorney experienced in sexual harassment matters who can provide you with limited free assistance and counsel over the phone.

B. The United States Equal Employment Opportunity Commission

The United States Equal Employment Opportunity Commission (EEOC) enforces federal anti-discrimination laws, including Title VII of the 1964 federal Civil Rights Act, 42 U.S.C. § 2000e et seq. An individual can file a complaint with the EEOC anytime within 300 days from the most recent incident of harassment. There is no cost to file a complaint with the EEOC. The EEOC will investigate the complaint and determine whether there is reasonable cause to believe that discrimination has occurred. If the EEOC determines that the law may have been violated, the EEOC will try to reach a voluntary settlement with the employer. If the EEOC cannot reach a settlement, the EEOC (or the Department of Justice in certain cases) will decide whether to file a lawsuit. The EEOC will issue a Notice of Right to Sue permitting workers to file a lawsuit in federal court if the EEOC closes the charge, is unable to determine if federal employment discrimination laws may have been violated, or believes that unlawful discrimination occurred by does not file a lawsuit.

Individuals may obtain relief in mediation, settlement or conciliation. In addition, federal courts may award remedies if discrimination is found to have occurred. In general, private employers must have at least 15 employees to come within the jurisdiction of the EEOC.

An employee alleging discrimination at work can file a “Charge of Discrimination.” The EEOC has district, area, and field offices where complaints can be filed. Contact the EEOC by calling 1-800-669-4000 (TTY: 1-800-669-6820), visiting their website at www.eeoc.gov or via email at info@eeoc.gov.

If an individual filed an administrative complaint with the New York State Division of Human Rights, DHR will automatically file the complaint with the EEOC to preserve the right to proceed in federal court.

C. Local Protections

Many localities enforce laws protecting individuals from sexual harassment and discrimination. An individual should contact the county, city or town in which they live to find out if such a law exists. For example, employees who work in New York City may file complaints of sexual harassment or discrimination with the New York City Commission on Human Rights. Contact their main office at Law Enforcement Bureau of the NYC Commission on Human Rights, 22 Reade Street, 1st Floor, New York, New York; call 311 or (212) 306-7450; or visit www.nyc.gov/html/cchr/html/home/home.shtml.

D. Contact the Local Police Department

If the harassment involves unwanted physical touching, coerced physical confinement, or coerced sex acts, the conduct may constitute a crime. Those wishing to pursue criminal charges are encouraged to contact their local police department.

Notice and Training

NOTE: We have added this section to address the requirements for notice and training. The district's policy and regulation must be provided in English and an employee's primary language, for those languages for which the DOL has provided translated materials.

The district will provide all existing employees with either a paper or electronic copy of the district's sexual harassment policy and regulation, and will provide the same to new employees before the employee starts their job. These materials will be provided in English and in an employee's primary language, for those languages for which the NYS Department of Labor has provided a translated template policy.

NOTE: The paragraph below reflects that training must be provided in English and an employee's primary language, for those languages for which the DOL has provided translated materials. If the district employs minors/students, they must receive training as well. However, employees under 14 can be provided with simplified training.

All new employees will receive training on this policy and regulation at new employee orientation or as soon as possible after starting their job, unless they can demonstrate that they have received equivalent training within the past year from a previous employer. All other employees will be provided training at least once a year regarding this policy and the district's commitment to a harassment-free working environment. Principals and other administrative employees who have specific responsibilities for investigating and resolving complaints of sexual harassment will receive yearly training on this policy, regulation and related legal developments. Training will be provided in English and in an employee's primary language, for those languages for which the NYS Department of Labor has provided translated model training.

NOTE: Labor Law 201-g requires annual sexual harassment training for employees. The DOL has developed a model training program in consultation with the NYS Division of Human Rights. All employers (including school districts and BOCES) must either use this training program or one that at least meets the minimum standards of the model. The paragraph below outlines the main requirements. The DOL model training and standards can be found at <https://www.ny.gov/combating-sexual-harassment-workplace/employers>.

Annual employee training programs will be interactive and include: (i) an explanation of sexual harassment consistent with guidance issued by the NYS Department of Labor and the NYS Division of Human Rights; (ii) examples of conduct that is unlawful sexual harassment; (iii) information on federal and state laws about sexual harassment and remedies available to victims of sexual harassment; (iv) information concerning employees' right to make complaints and all available forums for investigating complaints; and (v) address the conduct and responsibilities of supervisors.

Conclusion

The policy outlined above is aimed at providing district employees at ~~[Employer Name]~~ and covered individuals an understanding of their right to a discrimination and harassment free workplace. All employees should feel safe at work. Though the focus of this policy is on sexual harassment and gender discrimination, the New York State Human Rights law protects against discrimination in several protected classes including sex, sexual orientation, gender identity or expression, age, race, creed, color, national origin, military status, disability, pre-disposing genetic characteristics, familial status, marital status, criminal history, or domestic violence survivor status. The prevention policies outlined above should be considered applicable to all protected classes.

Ref: Title VII of Civil Rights Act (1964), 42 U.S.C. §2000-e; 34 CFR §100 et seq.
Executive Law §296
Executive Law §296-d (prohibition of sexual harassment of employees and non-employees)
Labor Law §201-g (required workplace sexual harassment policy and training)
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)

Adopted: 07/12/2018

Revised: 06/24/2021

Revised:

Seneca Falls Central School District

4321 PROGRAMS FOR STUDENTS WITH DISABILITIES UNDER THE IDEA AND NEW YORK'S EDUCATION LAW ARTICLE 89

(X) Required

NEW NOTE: We have revised this policy in response to Formal Opinion of Counsel No. 242 from the NYS Department of Education, issued 7/6/23), regarding the applicability of a 2nd Circuit court ruling (A.R. v. Connecticut State Board of Education) to school districts in New York State. The Opinion and Court case clarify that the federal Individuals with Disabilities Act (IDEA) requires districts to provide special education services to students with disabilities until their 22nd birthday, if they have not received a high school diploma. New York State Education law section 4402 requires such services be provided until the end of the school year in which the student turns 21 (students with birthdays in July and August could continue until the end of the summer program). NOTE: This policy serves as a comprehensive overview of the Board's obligations regarding special education (the other policies that follow in the series offer more detail on specific requirements). Special education is an area in which federal and state statutes, regulations and case law keep evolving, resulting in the need to periodically review and update school district policies.

The Board of Education ~~shall make~~ makes available a free appropriate public education to all students with disabilities who reside within its district and are eligible for special education and related services under the Individuals with Disabilities Education Act and [Article 89 of New York's Education Law](#), and their implementing regulations. Special education and related services will be provided to resident eligible students with disabilities in conformity with their individualized education program (IEP) and in the least restrictive environment appropriate to meet their individual educational needs. Special education services or programs will be designed to enable ~~a student~~ students with disabilities to be involved in and progress in the general education curriculum, to the extent appropriate to ~~his/her~~ their needs.

The Board also ~~shall make~~ makes available special education and related services to eligible students with disabilities parentally placed in a nonpublic school located within the district, regardless of whether they are residents of the district. However, this obligation does not extend to resident students with disabilities who are placed by their parents in a nonpublic school within district boundaries because of a disagreement between the parents and the school district over the provision of a free appropriate public education. Nonpublic school students with disabilities who are not district residents but who reside within New York State will be provided programs and services in accordance with their individualized education services program (IESP). Nonpublic school students with disabilities who reside out-of-state will be provided services in accordance with their services plan (SP). (Refer to policy 4321.10, Programs and Services for Parentally-placed Nonpublic School Students with Disabilities under the IDEA and New York's Education Law [Article 89](#) for more guidance on this topic).

In addition, to the maximum extent appropriate to their individual needs, eligible students with disabilities residing within the district and attending the district's public schools will be entitled to participate in school district academic, co-curricular and extracurricular activities available to all other students enrolled in the district's public schools. Such co-curricular and extracurricular activities may include athletics, transportation, recreational activities, school-sponsored special interest groups or clubs, and referrals to agencies that provide assistance to individuals with disabilities and the employment of students (including both employment by the school district and assistance in making outside employment available).

In providing a free appropriate public education to students with disabilities eligible under the IDEA and [Article 89](#), the Board will afford the students and their parents the procedural safeguard rights they are entitled to under applicable law and regulations. The Board also will provide them with notice of such rights as required by law and regulation, using the form prescribed by the commissioner of education.

For purposes of this policy and others related to the provision of services to eligible students with disabilities, and consistent with applicable law and regulation, the word parent means a birth or adoptive parent, a legally appointed guardian generally authorized to act as the child's parent or authorized to make educational decisions for the child; a person in parental relationship to the child as defined in section [3212 of the Education Law](#); an individual designated as a person in parental relation pursuant to [title 15-A of the General Obligations Law](#), including an individual so designated who is acting in the place of a birth or adoptive parent (including a grandparent, stepparent, or other relative with whom the child resides; or a surrogate parent who has been appointed in accordance with commissioner's regulations.

NEW NOTE: In the Formal Opinion of Counsel No. 242, the State Education Department (SED) clarified that school districts are legally obligated to provide a free appropriate public education to students with disabilities up until a student's 22nd birthday. In this Opinion, SED also recommended districts consider providing special education and related services to students beyond their 22nd birthday, through to the end of the school year in which a student turns 22. SED recommends this decision be part of the larger discussion between schools and families concerning students' transition from school to post-school activities. Before adopting language to that effect, whether as a wholesale practice or upon recommendation by the CSE, we urge districts considering such a policy to consult with their school attorneys regarding the legal implications. Possible language could be "until the end of the school year in which they turn 22, after discussion with the student's family and upon the recommendation of the CSE" instead of "until their 22nd birthday" as shown below.

Eligible students with disabilities will be entitled to special education and related services until ~~the end of the school year in which they turn 21~~ their 22nd birthday or until they receive a local high school or Regents diploma, whichever comes first.

Students with disabilities may not be required to take medication as a condition for receiving a free appropriate public education.

To ensure the provision of a free appropriate public education to all eligible students with disabilities:

1. The Board will adopt and maintain a district special education services plan in conformance with Commissioner's Regulations ([8 NYCRR §200.2\(c\)](#)). The plan will be available for public inspection and review by the Commissioner of Education.
2. School district staff will take steps to locate, identify, evaluate and maintain information about all children with disabilities within the district, including homeless children and children who are wards of the state, and children attending nonpublic school within the district (including religious schools), who are in need of special education.
3. The district will establish a plan and practice for implementing school-wide approaches and interventions in order to remediate a student's performance prior to referral for special education services. The district will provide general education support services, instructional modifications, and/or alternative program options to address a student's performance before referring the student to the Committee on Special Education (CSE).

The Multi-Tiered Systems of Support (MTSS), Response to Intervention (RtI) teams will develop, implement and evaluate pre-referral intervention strategies (4321.2, School-wide Pre-referral Approaches and Interventions).

4. School district staff will initiate a request for evaluation of a student who has not made adequate progress after an appropriate period of time when provided instruction under a response to intervention program. In making the request the staff person will describe in writing intervention services, programs and methodologies used to remediate the student's performance prior to referral. In addition, the extent of parental contact will be described as well.
5. The Board will appoint a committee on special education (CSE), and, as appropriate, CSE subcommittees, to assure the timely identification, evaluation and placement of eligible students with disabilities.
6. The Board will arrange for special education programs and services based upon the recommendation of the CSE or CSE subcommittee.
7. The Superintendent ~~shall~~ will establish a plan for the recruitment, hiring and retention of staff appropriately and adequately prepared to meet the needs of students with disabilities including, but not limited to, highly qualified special education teachers.
8. The Superintendent ~~shall~~ will establish a comprehensive professional development plan designed to ensure that personnel necessary to carry out IDEA and [Article 89](#) possess the skills and knowledge required to meet the needs of students with disabilities.
9. The Superintendent will establish a process for ensuring that district staff understand the right of students with disabilities to access and participate in the same academic, co-curricular and extracurricular programs and activities as all other students enrolled in the district's public schools, to the maximum extent appropriate to their individual needs.

Locate and Identify Students with Disabilities

The district receives a list of pre-school students and those identified with disabilities who reside in the district. The district also establishes a register of such students who are entitled to attend the public schools of the district during the next school year, including students with disabilities who are homeless or wards of the State.

This paragraph is not in the current policy:

The district will conduct an annual census to locate and identify all students with disabilities who reside in the district, and establish a register of such students who are entitled to attend the public schools of the district during the next school year, including students with disabilities who are homeless or wards of the State. The census will be conducted, and the registry maintained, in accordance with the requirements established in Commissioner's regulations.

The Superintendent will determine what other activities might be appropriate to help locate and identify students with disabilities. These may include, but are not limited to, the mailing of letters to all district residents regarding the availability of special education programs and services and their right to access such services, and/or the publication of a similar notice in school newsletters and other publications.

(Refer to policy 4321.10, Programs and Services for Parentally-placed Nonpublic School Students with Disabilities under the IDEA and New York's [Education Law Article 89](#), for more information regarding how to locate and identify nonpublic school students with disabilities).

Evaluation of Students with Disabilities

To initially determine a student's eligibility for a free appropriate public education under the IDEA and [Article 89](#), the district will conduct a full evaluation of the student in accordance within legally prescribed timelines. As set forth in Commissioner's regulations, the initial evaluation will include, at least, a physical examination, an individual psychological evaluation unless the school psychologist determines it unnecessary, a social history, an observation of the student in the student's learning environment to document the student's academic performance and behavior in the areas of difficulty, and other appropriate assessments or evaluations (including a functional behavioral assessment for ~~a student~~ **students** whose behavior impedes ~~his or her~~ **their** learning or that of others) to ascertain the physical, mental, behavioral and emotional factors that contribute to the suspected disabilities.

Once a student has been determined eligible to receive a free appropriate public education, the district will reevaluate the student with a disability whenever the student's parent requests a reevaluation, and when the district determines the educational and related services needs (including improved academic achievement and functional performance) of the child warrant a reevaluation. However, a reevaluation must take place at least once every three years, unless the student's parent and the district agree it is unnecessary.

Parental Consent for Student Evaluations

Before conducting any type of evaluation, district staff will take steps to obtain written informed consent from a student's parent, as required by applicable law and regulations. They also will keep a detailed record of those attempts and their results, including phone calls and correspondence, visits to the parent's home and any responses received.

1. If a parent refuses to give consent for an initial evaluation, or fails to respond to such a request, the parent will be given an opportunity to attend an informal conference and ask questions about the proposed evaluation. Unless the referral for evaluation is withdrawn, if the parent continues to withhold consent, the Board will commence due process proceedings to conduct an initial evaluation without parental consent within the timelines established in Commissioner's regulations.
2. If a parent refuses to give consent for a reevaluation, or fails to respond to such a request, district staff will proceed with the reevaluation without parental consent if it has engaged in documented reasonable efforts to obtain such consent and the parent has failed to respond. If the district cannot document its efforts to obtain consent, the Board will commence due process proceedings to conduct a reevaluation without parental consent.
3. If district staff is unable to obtain consent for the initial evaluation or reevaluation of a home schooled or a parentally-placed nonpublic school student, the Board will not commence due process proceedings to conduct the evaluation without parental consent, and will consider the student as not eligible for special education.

Conduct of Evaluations

In conducting evaluations of students with disabilities, the district will use a variety of assessment tools and strategies, including parent-provided information, to gather relevant functional, developmental, and academic information for determining a student's eligibility for special education and related services, and the content of the student's individualized education program or individualized education services program or services plan in the case of nonpublic school students with disabilities (including information related to enabling the student to be involved in and progress in the general education curriculum).

The district also will assess a student in all areas of suspected disability, and the assessment and other evaluation used will not be discriminatory on a racial or cultural basis. In addition, students will be assessed in the language and form most likely to yield accurate information on what the student actually knows and can do academically, developmentally, and functionally, unless it is not feasible to do so.

In the case of students suspected of having a specific learning disability, the district will follow the procedures established in commissioner's regulations.

The district will notify a student's parent of any determination that no additional data is needed and the reasons for such a determination. It will also inform ~~the parent of his or her~~ parents of their right to request an assessment, notwithstanding that determination.

Eligibility Determination

The CSE or CSE subcommittee will determine whether a student is eligible for special education and related services under the IDEA and [Article 89](#), as well as the student's educational needs.

The CSE or CSE subcommittee may not determine that a student is eligible for special education and related services if the determining factor is lack of appropriate instruction in the essential components of reading, including phonemic awareness, phonics, vocabulary development, reading fluency (including oral reading skills), and reading comprehension strategies; or lack of appropriate instruction in math; or limited English proficiency.

Committee on Special Education

The members of the CSE and CSE subcommittees will include those individuals identified in applicable law and regulations, and their attendance at CSE and CSE subcommittee meetings will be required except as otherwise provided in law and regulations.

The parent of a student with disabilities is one of the mandated CSE and CSE subcommittee members and as such has a right to participate in CSE and CSE subcommittee meetings concerning the identification, evaluation, educational placement, and the provision of a free appropriate public education to their child. District staff will take steps to ensure the parent's participation, in accordance with the following:

1. CSE and CSE subcommittee meetings will be scheduled at a time and place that is mutually agreeable to the parent and the district.
2. The parent will be given at least five days notice of the time and place of a CSE or CSE subcommittee meeting, except as otherwise provided in law and regulation, along with notice of the purpose of the meeting, those who will attend (including name and title), and the parent's right to be accompanied to the meeting by person(s) the parent considers to have knowledge and special expertise about their child.
3. The parent and the district may agree to use alternative means of participation at CSE meetings, such as videoconferences or telephone conference calls.
4. District staff will take any action necessary to ensure that the parent understands the proceedings at CSE meetings, including arranging for an interpreter for deaf parents or parents whose native language is other than English.

The CSE or CSE subcommittee may meet without a student's parent only if district staff has been unable to obtain either parent's participation, and has a record of its attempts to arrange a mutually agreed upon time and place. Similarly, the CSE or CSE subcommittee may make a decision without the involvement of the student's parent only if district staff has been unable to obtain parental participation, even through the use of alternative means of participation, and has a record of its attempts to ensure parental involvement.

Provision of Services

The Board will arrange for appropriate special education and related services recommended by the CSE or CSE subcommittee within 60 school days of the district's receipt of parental consent to evaluate a student not previously identified as a student with a disability, or within 60 school days of referral for review of a student with a disability, except as otherwise provided in law and regulations.

All staff responsible for the implementation of a student's individualized education program, or an individualized education services program or services plan in the case of parentally placed nonpublic school students with disabilities, will be provided information regarding those responsibilities (Refer to policy 4321.5 for more information on this topic).

Parental Consent for the Provision of Services

The Board acknowledges that parental consent for initial evaluation does not constitute consent for placement for the provision of special education and related services. Therefore, district staff will take steps to obtain written informed consent for the initial provision of special education and related services to an eligible student. The Board will be precluded by applicable law and regulations from commencing due process proceedings to override the parent's refusal to provide such consent or override the parent's failure to respond to such a request.

Transition Service and Diploma/Credential Options

In accordance with law and regulation, the Board will ensure the provision of transition services, which are a coordinated set of activities for students with disabilities that facilitates movement from school to post-school activities, which may include but are not limited to post-secondary education, vocational education, integrated employment, continuing and adult education, adult services, independent living or community participation. At age 15, or younger if appropriate, the student's IEP will include a statement of transition service needs and will include undertaking activities in the following areas:

- Instruction
- Related services
- Community experiences
- The development of employment and other post-school adult living objectives; and
- When appropriate, acquisition of daily living skills and provision of a functional vocational evaluation.

In developing the plan for transition services, students and parents will be made aware of the range of diploma and credential options available and the requirements associated with each option.

NOTE: One of the best resources available to school districts for understanding the overall and specific school district responsibilities in providing special education programs and services is the website maintained by the State Education Department's Office of Special Education. The address for the website is <http://www.p12.nysed.gov/specialed>.

Cross ref: 1900, Parental Involvement (Title I)
4000, Student Learning Objectives and District Instructional Goals
4773, Diploma and Credential Options for Students with Disabilities
5500, Student Records
6700, Purchasing
9700, Staff Development

Ref: The Individuals with Disabilities Education Act (IDEA), 20 USC §§1400 *et seq.*;
34 CFR Part 300
Education Law Article 89, §§4401 *et seq.*
8 NYCRR Part 200
A.R. v. Connecticut State Board of Education, 5 F.4th 155 (2021)
Formal Opinion of Counsel No. 242 (7/6/2023), NYSED

Adoption date: August 22, 2019

Revised:

Seneca Falls Central School District

4772 GRADUATION CEREMONIES

(X) Required

NEW NOTE: We suggest revisions to this policy to reflect the district's obligations to provide special education and related services to students with disabilities, as clarified by the State Education Department's Formal Opinion of Counsel No. 242, until the student's 22nd birthday. We have also taken the opportunity to suggest optional language regarding students with disabilities participating in graduation ceremonies, as well as other the ability of the district to set other conditions for participation which would apply to all students, consistent with state regulations. No changes to the administrative regulation are necessary.

The graduation or commencement ceremony is a time to celebrate the honors and achievements of the graduating class. District Administration will establish the date and location for graduation ceremonies. Academic and other awards and scholarships may be presented along with diplomas. Speakers may be selected by the Senior Class, upon consultation and approval by Senior Class Advisors and Principal.

A current or former Board member, Superintendent, district level administrator and building principal may make the award of the diploma to their child or grandchild at the graduation ceremony. The High School Principal shall notify current or former Board members, Superintendents, district level administrators and building principals of graduating seniors to solicit a commitment from the current or former Board member, Superintendent, district level administrator or principal at least five (5) days before graduation.

NEW NOTE: We have clarified the paragraph below regarding CDOS/SACC participation.

Participation in the graduation ceremony and related activities will be predicated on satisfactory completion of all graduation requirements, or as otherwise described in this policy. Exceptions may be made under extraordinary circumstances with the permission of the Superintendent of Schools. Students who have earned either a Career Development and Occupational Studies Commencement Credential (CDOS) or Skills and Achievement Commencement Credential (SACC) without meeting the requirements for a high school diploma by the time their ninth-grade cohort reaches graduation may, but are not required to, participate in that graduation ceremony and related activities.

NEW NOTE: We added the following paragraph to address the ability of the district to prohibit students from participating in graduation activities. The first sentence reflects a provision of state regulations which allows for students to be barred from the graduation ceremony and related activities. The second sentence covers other conditions for participation. Such other conditions that impact student participation in the graduation ceremony would apply to all students. The third sentence regarding notice is not required, but represents good practice, although if it is included in policy it must be followed. Some districts exclude students from graduation participation based on attendance, disciplinary violations, unpaid fees or fines, or dress code violations. The district's Code of Conduct would likely address provisions for notice, opportunity to respond, and appeal.

However, students may be denied participation in the graduation ceremony and related activities as a consequence of violations of the Code of Conduct. The Building Principal may set other rules and conditions for participation in the graduation ceremony and related activities. All such rules will be provided to students and parents/guardians in advance. Students who have

met the requirements for a diploma but are barred from participating in the graduation ceremony will be given their diplomas separately.

NEW NOTE: While not required by law, the district may wish to address allowing students with disabilities to participate in the graduation ceremony with their 9th grade cohort without having earned a diploma or a CDOS/SACC. Because students with disabilities are entitled to special education services until their 22nd birthday, the district should consider scenarios under which a student participates in graduation and subsequently earns a CDOS/SACC/diploma, or completes their final year in school, all of which could be marked by participation in the graduation ceremony. The district could require students to choose one ceremony in which to participate. State law and regulations only require schools to permit students who have earned a CDOS/SACC to participate in the graduation ceremony of their ninth-grade cohort.

“Students with disabilities who have attended high school for four years, but who have not met the requirements for a CDOS/SACC/high school diploma, may participate in the graduation ceremony and related activities with their ninth-grade cohort, and receive a certificate of attendance and/or course completion and any other awards they have earned. Such students who subsequently meet the requirements for a CDOS, SACC, or high school diploma may participate in the graduation ceremony of that graduating class. Students with disabilities who have not previously participated in a graduation ceremony may do so at the end of their final year in school.”

NEW NOTE: We have suggested changes below to improve clarity.

Students who participate in the graduation ceremony by earning only a CDOS or SACC, who subsequently meet the requirements for either a Regents or local high school diploma, may participate in the graduation ceremony of that graduating class as well.

NEW NOTE: We have updated the language below to clarify the district’s obligations to provide special education services for students with disabilities until their 22nd birthday, and to broaden the language to cover other scenarios under which a district might permit other graduation ceremony participation for students with disabilities.

Under this policy, a student shall be allowed to participate in only one graduation ceremony, upon earning either a CDOS/SACC or a high school diploma.

Students with disabilities who participate in graduation ceremonies without receiving a diploma are entitled to continue their educational programs until their 22nd birthday, or until receipt of a Regents or local high school diploma, whichever comes first.

The Board directs the Superintendent to develop regulations to implement this policy, to be adopted by the Board. The district will provide annual written notice to all students and their parents/guardians of the requirements of this policy and associated regulations.

NEW NOTE: We have added a cross-reference to the Code of Conduct, citations to the applicable Commissioner’s regulation on graduation participation, as well as the Second Circuit A.R. v. Connecticut case and the SED Formal Opinion of Counsel.

Cross-ref: 4321, Programs for Students with Disabilities Under the IDEA and New York’s Education Law Article 89

4321.9, Declassification of Students with Disabilities
4773, Diploma and Credential Options for Students with Disabilities
5300, Code of Conduct

Ref: Education Law §3204(4-b)
8 NYCRR §§100.2(oo); 100.5; 100.6
A.R. v. Connecticut State Board of Education, 5 F.4th 155 (2021)
Formal Opinion of Counsel No. 242 (7/6/2023), NYSED

Adoption date: August 22, 2019
Revised: 06/23/2022
Revised:

Seneca Falls Central School District

8414.5 ALCOHOL AND DRUG TESTING OF DRIVERS

REQUIRED

NEW NOTE: *Federal regulations now permit drug testing on oral fluid samples, in addition to urine. No changes to this policy are necessary regarding the addition of oral fluid specimens, as specimen types are only addressed in the accompanying regulation and not this policy. However, we have added a paragraph regarding required queries of the federal Clearinghouse, in addition to using gender neutral language and changing "shall" to more reader-friendly language.*

The Board of Education recognizes the dangers inherent in alcohol and controlled substance use by employees, especially those in safety-sensitive positions. To ensure the safety of its students the Board requires alcohol and controlled substance testing of certain "drivers," operators of "other school buses," and any other employee who is subject to such testing, in accordance with and as set forth in the applicable federal and state requirements.

Definitions

1. "Driver" includes any person who operates a commercial motor vehicle. This includes, but is not limited to: Full time, regularly employed drivers; casual, intermittent or occasional drivers; leased drivers and independent owner-operator contractors.
2. "Other school buses" include those covered by applicable federal regulations (see list below) and any other motor vehicle either owned by the district or by a private company, operated to transport students, children of students, teachers, and other supervisory persons to or from school or school activities.

Testing Responsibilities

Consistent with federal regulations, the district will directly, by contract, or through a consortium, implement and conduct a program to provide alcohol and controlled substance testing of drivers who operate a commercial motor vehicle, perform in a safety-sensitive position, and are required to hold a commercial driver's license. Employees holding such positions include:

1. drivers of vehicles designed to transport 16 or more passengers, including the driver;
2. drivers of commercial motor vehicles whose manufacturer's rating is 26,001 lbs. or more;
or
3. any other employee who may drive or service a listed vehicle (e.g. a mechanic who performs test drives, repairs, inspects, or loads or unloads a vehicle listed in 1 or 2 above).

Controlled substance and alcohol tests will be conducted for operators of all "other school buses" consistent with the procedures applicable to the implementation of federal regulations. Volunteers who drive a bus with passengers fewer than 30 days per year are not subject to such testing.

Generally, the required testing will be conducted at or prior to the time of employment and randomly throughout the school year. However, drivers are subject to additional testing under federal regulations when a supervisor has a reasonable suspicion that a driver has engaged in prohibited alcohol or controlled substance use; after certain accidents; prior to return to duty

when the driver has been found to violate district policy and federal regulations; and after the driver's return to duty.

Driving Prohibition

In accordance with federal and state law, **drivers** may not drive if **they**

1. **possess, consume or are** reasonably believed to possess or have consumed alcohol or a controlled substance, while on duty;
2. **use or are** under the influence of alcohol or a controlled substance that is not lawfully prescribed within six hours or less before duty;
3. **have** an alcohol concentration of 0.02 or higher or tests positive for a controlled substance; or refuses to take a required alcohol or controlled substance test.

Also, no driver **is permitted to** use alcohol after being involved in an accident in which there was a fatality or in which the driver was cited for a moving violation and a vehicle was towed from the scene or an injury was treated away from the scene until they have been tested or 8 hours have passed, whichever occurs first.

Enforcement of Driving Prohibitions

The school district will not require or permit drivers of vehicles listed above, as well as operators of all "other school buses" defined above, to be on duty or operate a listed vehicle or other school bus, if it appears that they have consumed a drug/controlled substance or alcohol within the preceding eight hours. This will be based on the person's general appearance, conduct, or other substantiating evidence. Those who maintain, repair, or garage listed vehicles or school buses that involve incidental driving without passengers, are exempt from this requirement, but are still prohibited from consuming controlled substances and alcohol within six hours of going on duty.

Response to Positive Testing Results

Any driver who is tested and found to have an alcohol concentration of at least 0.02, but less than 0.04, will be removed from the position until **their** next regularly scheduled duty period, but not less than 24 hours following administration of the test. Any driver found to have violated this requirement may be disciplined in accordance with the provisions of the applicable collective bargaining agreement, district policy, and/or law. Operators of "other school buses" subject to random testing pursuant to New York Law will be subject to the same consequences based upon an alcohol concentration of at least 0.02 but less than 0.04 as drivers listed above.

If a driver has an alcohol concentration of 0.04 or greater, or has engaged in prohibited alcohol or controlled substance use, **they** will be removed from driving duties, and referred to a substance abuse professional. The driver may be required to complete a treatment program and/or be disciplined pursuant to district policy and/or collective bargaining agreement. No driver who has abused controlled substances and/or alcohol may return to duty until they have successfully passed a required return to duty test and have been granted permission by the Superintendent of Schools. Thereafter, the driver will be subject to follow-up testing. Operators of "other school buses" subject to random testing pursuant to New York Law will be subject to the same consequences based upon an alcohol concentration of 0.04 or greater or a positive drug test as drivers listed above.

Re-Testing

Should the district receive a dilute test result in which the creatinine concentration is greater than 5mg/dL in the case of any pre-employment, return-to-duty, follow-up, reasonable suspicion, or random test, it is the policy of the district that the individual will be re-tested and that re-test will become the test of record.

Federal Drug and Alcohol Clearinghouse Queries and Reporting

In addition to the required testing, for employees covered under federal law, the district will also conduct required pre-employment and annual queries of the Department of Transportation's Federal Motor Carrier Safety Administration Drug and Alcohol Clearinghouse for drug and alcohol violations. The district will conduct full queries when limited query results show a record of violations. The district will also report the required information to the Clearinghouse regarding test results and drug and alcohol use.

Policy Distribution

The Superintendent of Schools or designee will ensure that a copy of this policy, the district's policy on misuse of alcohol and use of controlled substances, information on alcohol and drug abuse and treatment resources and any other information prescribed by federal regulations is provided to all drivers and operators of "other school buses" prior to the initiation of the testing program and to each driver or operator of "other school buses" subsequently hired or transferred to a position subject to testing.

Cross-ref:

9320, Drug-Free Workplace
9610, Staff Substance Abuse

Ref:

Omnibus Transportation Employee Testing Act of 1991, [49 U.S.C. §§31136; 31306](#)
[49 U.S.C. §521](#)(b)
[49 CFR Part 391](#) (Qualifications/Disqualifications)
[49 CFR Part 382](#) (Drug and Alcohol Testing Requirements)
[49 CFR Part 40](#) (Testing Procedures)
[49 CFR §395.2](#) (On-duty time defined)
[Vehicle and Traffic Law §§509-g; 509-l; 1192; 1193](#)
Will v. Frontier CSD Bd. of Educ., 97 N.Y.2d 690 (2002)

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Seneca Falls Central School District