

# Ballston Spa

CENTRAL SCHOOL DISTRICT

## Employee Handbook 2023-2024



Ballston Spa Central School District  
“Educating Everyone Takes Everyone”

### Office of Human Resources and Professional Development

70 Malta Avenue  
Ballston Spa, New York 12020  
(518) 884-7195

Gianleo A. Duca, Ed.D.  
Superintendent of Schools  
[gduca@bscsd.org](mailto:gduca@bscsd.org)



## Table of Contents

<b>Equal Employment Opportunity</b> .....	4
<b>Office of Human Resources and Professional Development</b>	
Roles and Responsibilities.....	5
<b>Overview of the Ballston Spa Central School District</b> .....	7
<b>Compliance Policies</b>	
Code of Ethics and Conduct for Employees and Officers (6110).....	9
Child Abuse and Maltreatment (7530).....	13
Staff Use of Computerized Information Resources (6410).....	16
Smoking and Tobacco Use (5640).....	17
Corporal Punishment (7350).....	18
Reimbursement for Travel Expenses (6161).....	19
Prohibition Against Discrimination and Harassment (6121).....	21
<i>*For a complete list of all Board Policy Manuals, visit <a href="http://www.bscsd.org/domain/23">www.bscsd.org/domain/23</a></i>	
<b>Benefits</b>	
Health and Dental Insurance.....	31
Flexible Spending Accounts (FSA).....	32
New York State Retirement.....	33
403(b) Tax-Shelter Plan.....	35
<b>Payroll</b> .....	36
<b>Leave Benefits</b>	
Cancer Screening and Blood Donation.....	37
Family and Medical Leave Act (FMLA).....	38
<b>Time and Attendance</b> .....	43
<b>Frontline Absence Management (Aesop)</b> .....	45
<b>Short-Term Disability</b> .....	47
<b>Work-Related Injuries</b> .....	47
<b>Bloodborne Pathogens</b> .....	49
<b>Safe Schools Training</b> .....	49
<b>Health and Wellness</b>	
EAP and NYSUT.....	50
<b>Technology Support Services</b> .....	51
Roles and Responsibilities.....	52
<b>Appendix and Sample Forms</b> .....	53

## Equal Employment Opportunity

The Ballston Spa Central School District is an equal opportunity employer that does not discriminate in the recruitment, consideration, or selection of a person for full or part-time employment in its programs and activities on the basis of any legally protected class or category including, but not limited to: age; race; creed; religion; color; national origin; sexual orientation; gender identity or expression; military status; sex; disability; predisposing genetic characteristics; familial status; marital status; status as a victim of domestic violence; and criminal arrest or conviction record.

The Board of Education seeks to recruit, hire, and retain well-qualified candidates for each position within our District who are representative of the racial, cultural, and economic diversity within the District.

The Superintendent of Schools is charged with the development of specific procedures to insure the District's compliance with these provisions.

Age Discrimination in Employment Act, 29 USC Section 621

Americans with Disabilities Act, 42 USC Section 12101 et seq.

Genetic Information Non-Discrimination Act (GINA), 42 USC § 2000ff et seq.

Section 504 of the Rehabilitation Act of 1973, 29 USC Section 794 et seq.

Title VI of the Civil Rights Act of 1964, 42 USC Section 2000d et seq.

Title VII of the Civil Rights Act of 1964, 42 USC Section 2000e et seq.

Title IX of the Education Amendments of 1972, 20 USC Section 1681 et seq.

Civil Rights Law Section 40-c

Civil Service Law Section 75-B

Executive Law Section 290 et seq.

Military Law Sections 242 and 243 NOTE: Refer also to Policies #3420 -- Non-Discrimination and Anti-Harassment in the District #3421 -- Title IX and Sex Discrimination #6121 -- Sexual Harassment in the Workplace #6122 -- Employee Grievances

Adoption Date: 06/15/2022

*The Employee Handbook is a general source of information and is not considered to be all-inclusive and may be changed by the BSCSD at any time. This version of the Employee Handbook supersedes any previous handbook or unwritten policies.*

Listed below are contact names for specific roles and responsibilities in our office. Please call (518) 884-7195 or email us if you have any questions. If you prefer to meet in person, please make an appointment to ensure that we are available to address your specific concern.

<b><u>Staff Member/Functions</u></b>	<b><u>Email</u></b>	<b><u>Extension</u></b>
<b><u>Pamela Motler</u></b> <b>Assistant Superintendent for Programs and Operations</b> Civil Service Compliance Initiatives Discrimination/Harassment Reporting Employee Assistance Program (EAP) Exit Interviews Labor Relations Performance Appraisals Professional Development (PD) and PD Committee Promotions/Transfers/Extra Duties Recruitment and Selection Resignations and Retirements	<a href="mailto:pmotler@bscsd.org">pmotler@bscsd.org</a>	1398
<b><u>Anne Corsale</u></b> <b>Benefits Coordinator</b> COBRA Employee Handbook Family Medical Leave Act (FMLA) and Leaves of Absence Flexible Spending Accounts (FSA) Frontline Absence Management ( <i>formerly Aesop</i> ) Health and Dental Insurance Retirement Benefits (ERS & TRS) and 403(b) Tax Shelter Plans Retirement Incentives Short Term Disability Substitutes (BOCES and Clerical) Work Related Injuries and Illnesses	<a href="mailto:acorsale@bscsd.org">acorsale@bscsd.org</a>	1327
<b><u>Kristle Mathison</u></b> <b>Human Resources &amp; Civil Service Coordinator</b> Civil Service Fingerprinting Frontline Professional Growth ( <i>formerly My Learning Plan</i> ) In-service/Graduate Credit New Hire Onboarding Online Application System (OLAS) Personnel Files Postings/Employment Opportunities	<a href="mailto:kmathison@bscsd.org">kmathison@bscsd.org</a>	1398

<u>Staff Member/Functions</u>	<u>Email</u>	<u>Extension</u>
<b><u>Lori Natale</u></b> <b>Personnel Database Manager &amp; Leave Accounting</b> Certification Records Deferred Compensation (10 month staff) Granted and Accrued Leave ( <i>including timesheet questions pertaining to paid time off</i> ) Individual Employment Contracts Leave Accounting ( <i>including Blood Donation, Cancer Screening, Jury Duty</i> ) Login Access to: Frontline Professional Growth, WincapWEB, SafeSchools and Email Longevity Stipends Personnel Database Management (Wincap/WincapWEB) Retirement Enrollment (ERS & TRS) Salary Statement Inquiries Seniority Lists Tenure Records	<a href="mailto:lnatale@bscsd.org">lnatale@bscsd.org</a>	1364
<b><u>Susan Douglas</u></b> <b>Staff Development Facilitator</b> Professional Development and Professional Growth ( <i>formerly My Learning Plan</i> )	<a href="mailto:sdouglas@bscsd.org">sdouglas@bscsd.org</a>	

## Overview of the Ballston Spa Central School District

### About the Ballston Spa Schools and Community

The Ballston Spa Central School District currently serves approximately 4,300 students from pre-Kindergarten through Grade 12. Located in the heart of New York's "Tech Valley" (approximately 25 minutes north of Albany and 5 minutes south of Saratoga Springs), the area has been growing, both in residential and commercial development. As of the 2021 census, the 12020 zip code has over 31,300 residents spanning the 65 square miles of the District's boundaries. A diverse socioeconomic population resides within our suburban District, which encompasses portions of the Towns of Milton, Malta, Ballston, and Charlton and the Village of Ballston Spa. Over 140,000 people live within 15 minutes of Ballston Spa, supporting and working at over 5,500 businesses.

The community prides itself on the vast array of educational and cultural opportunities available to residents. The **Ballston Spa Middle School** received the designation as a 2015 School to Watch by the New York State Education Department after a lengthy review process and is one of only 27 schools in New York State since 2004 that have achieved this prestigious national honor. The school has subsequently been re-designated as a 2018 School to Watch after an additional review process.

In 2010, 2013 and 2016, **Ballston Spa High School** was recognized as one of "America's Best High Schools" by Newsweek Magazine, by The Washington Post in 2011, by US News and World Report in 2012, 2017 and 2019, and was recognized on The Washington Post's list of America's Most Challenging High Schools in 2014, 2015, 2016 and 2017. Also in 2010 and 2012, **Ballston Spa High School** received the National Advanced Placement (AP) Achievement Award from the College Board for increasing access to AP coursework while maintaining achievement levels.

**Malta Avenue Elementary School and Ballston Spa High School** are recognized as National Gold Star No Place for Hate Schools by the Anti-Defamation League. **Milton Terrace, Gordon Creek and Malta Avenue Elementary Schools, as well as the Ballston Spa Middle School**, have been recognized as National PTA Schools of Excellence. These national recognitions combined with regional and local awards recognize the great work of staff and students that occurs throughout our District on a daily basis.

The District has been honored with the Best Communities for Music Education designation from The NAMM Foundation for its outstanding commitment to music education. Ballston Spa is one of the 4% of public school districts across the nation that received this prestigious award in 2020. The District also received this recognition in 2017, 2018, 2019 and 2020.

Ballston Spa fully addresses the Learning Standards. The elementary level features the incorporation of current best practices, structured literary instruction, interdisciplinary teaching and an extensive use of technology by students and teachers. Each school has access to technological tools both in the classrooms and throughout the building. Both the High School and Middle School are organized on a modified, rotating, block schedule, which provides teachers and students the opportunity to participate in coursework across all content areas.

High School students may take Advanced Placement courses and *University in the High School* classes for college credit in art, biology, calculus, chemistry, physics, history, language and composition, literature and composition, French, Spanish, video game design, technology and in many other areas. In September 2011, the **Clean Technologies & Sustainable Industries Early College High School** was launched at the Hudson Valley Community College TEC-SMART in Malta. Students attend classes in this state-of-the-art learning environment while being fully enrolled in college, with the opportunity to earn up to 25 college credits upon completing high school. In

September 2012, the High School began to offer the [International Baccalaureate Diploma Programme](#), an internationally recognized program of study that exemplifies college and career readiness.

Athletics, extracurricular and co-curricular clubs and activities complement the academic program. Academic clubs including Business, Envirothon, Science Olympiad, Robotics, Biology and Odyssey of the Mind have an impressive history in competition, earning regional and statewide awards annually. Beginning in grade 4, students can participate in Band, Orchestra and Chorus. Students who choose to continue their musical careers into their high school years often perform at state and national levels. The Young Scholars Program and additional enrichment opportunities are available to students in grades 3-5.

The surrounding communities are very supportive of the educational system and provide many opportunities for residents to be involved. The Ballston Area Recreation Commission (BARC) is a non-profit community group of volunteers that offers a variety of programs for the children in the District. BARC works closely with the schools to promote programs ranging from traditional athletic programs to enrichment classes and summer sessions. The Ballston Area Community Center (BACC) offers before and after school childcare programs, as well as a teen program in the evening. A community swim program operates at the Ballston Spa High School swimming pool, enabling community members and staff to enjoy use of the facilities.

Parent groups are active in each building, and volunteers are a familiar sight. In addition, the District has formed partnerships with a number of local businesses and community organizations. Community members are also actively involved in the schools through participation on school committees, academic teams, theatre & music programs and task forces. The Ballston Spa Education Foundation (BSEF) was established to seek resources to provide academic enrichment for the students. The BSEF has raised and distributed over \$392,000 to the school District in recent years. The Ballston Spa Partnership for Innovation in Education Fund, a component fund of the Community Foundation for the Greater Capital Region, was established to allow our district to accept donations and sponsorships under a 501(c)(3) tax exempt status. All money received is used to support educational and mission-related programs beyond what is provided for in the school district budget. Examples of the programs and initiatives that are funded include: Ballston Spa Sponsor-a-Scholar, Scotties Backpack Program, Community Literacy Initiatives, STEM Enrichment Initiatives, Robotics, Clean Technologies & Sustainable Industries, and Early College High School. Employees may elect to contribute to the BSEF and/or the Ballston Spa Partnership for Innovation in Education Fund through payroll deduction. These partnerships enhance educational experiences by involving students in mentoring programs, career exploration programs and citizenship activities.

More than 800 educators, administrators and support staff make up the District's dedicated team of employees. Staff members also enjoy continued growth and learning. In-service training and staff development remain a District priority. In addition, the District supports teachers' pursuit of the National Certification process as an indication of educational excellence. More than 15 area colleges provide even more options for professional growth.

The District boasts of excellence in our curricula and student services. Our new and upgraded learning environments are designed to support academic and enrollment growth. The staff is recruited based on their solid experience and potential to enhance the success of our students. Parents and students continue to discover and experience the benefits of a Ballston Spa education.

Ballston Spa manifests its motto: "Educating Everyone Takes Everyone".



## 6110. Code of Ethics and Conduct for Employees and Officers

Pursuant to the provisions of Section 806 of the General Municipal Law, the Board of Education of the Ballston Spa Central School District recognizes that there are rules of ethical conduct for employees that must be observed if a high degree of integrity, professionalism, and public confidence is to be maintained in our district.

The rules of ethical conduct of this policy as adopted, shall not conflict with, but shall be in addition to, any prohibition of Article 18 of the General Municipal Law or any other general or special law relating to ethical conduct.

### Section I: Definitions

a. "Employee" means any employee of the District, whether paid or unpaid, including members of the Board of Education of the District and ad hoc committees of the Board.

b. "Interest" means direct or indirect pecuniary or material benefit accruing to an officer or an employee as a result of a contract or agreement with the District.

For the purposes of this policy, an officer or employee shall be deemed to have an interest in the contract of:

a. his/her spouse, minor children and dependents except a contract of employment with the District;

b. a firm, partnership or associations of which such officer or employee is a member or employee;

c. a corporation of which such officer or employee is an officer, director or employee; and

d. a corporation, any stock of which is owned or controlled directly or indirectly by such officer or employee.

### Section II: Standards

Every employee of the District shall be subject to and abide by the following standards.

a. Compliance with District Policies and Regulations: All employees are expected to comply with all Board policies as well as local, state and federal regulations.

b. Confidential Information: Employees shall not disclose confidential information acquired in the course of performing official duties or use such information to further personal interests. In addition, s/he shall not disclose any information regarding matters discussed in executive session of the Board except as authorized by the Board, whether such information is labeled or considered confidential or not.

c. Conflict of Interest: Except as noted below, an employee shall not have an interest in any contract with the District when s/he individually or as a member of the Board, has the power or duty to 1) negotiate, prepare, authorize or approve payment thereof; (2) audit bills or claims under the contract; or (3) appoint an employee who has any of the powers or duties set forth above and no chief fiscal officer, treasurer, or his/her employee shall have an interest in a bank or trust company designated as a depository paying agent, registration agent or for investment of funds of the District of which s/he is an officer or employee.

Such conflicts of interest shall not apply as follows:

1. Contract with a person, firm or corporation in which s/he has an interest if the remuneration of such employment will not be directly affected as a result of the contract and duties do not involve the procurement, preparation, or performance of any part of such contract;
2. Designation of a newspaper, including but not limited to an official newspaper, for the publication of any notice where such is required or authorized by law;
3. Contract with a membership corporation or other voluntary non-profit corporation;
4. Sale of bonds and notes pursuant to Section 60.10 of local finance law;
5. Contract in which s/he has an interest if such contract was entered into prior to the time s/he was elected or appointed, but this shall not authorize a renewal of such contract;
6. Any other exceptions specified in Article 18 of the General Municipal Law or any other general or specific law relating to ethical conduct and interests in contracts.

Any employee shall fully disclose any actual, potential, or perceived conflict of interest that individual may have relating to the matter under consideration. The purpose of such disclosure is to assess whether any such interest is prohibited and, if not, to ensure that all members of the deliberative body are aware of the interest.

Disclosure of Interest in Matters before the Board: Employees must publicly disclose the nature and extent of any interest they have, will have or later acquire in any actual or proposed contract, purchase agreement, lease agreement or other agreement involving the District (including oral agreements) to the governing body and his/her immediate supervisor even if it is not a prohibited interest under applicable law. Such disclosure must be in writing and made part of the official record of the District. Disclosure is not required in the case of an interest that is exempted under Section 803(2) of the General Municipal Law.

Representation: Before the Board: Employees shall not receive, or enter into any agreement, express or implied, for compensation for services to be rendered in relation to any matter before the District.

Private employment: Employees shall not engage in, solicit, negotiate for or promise to accept private employment or render services for private interests when such employment or service creates a conflict with or impairs the proper discharge of said employee's official duties.

Future employment: Employees shall not, after the termination of service or employment with the District, appear before any board or agency of the District in relation to any case, proceeding or application in which said employee personally participated during the period of service or employment or which was under said employee's active consideration.

Investments in Conflict with Official Duties: Employees shall not invest or hold any investments directly or indirectly in any financial, business, commercial or other private transaction, which creates conflict with his/her official duties.

Representation Before Any Agency for a Contingent Fee: Employees shall not receive, or enter into any agreement, express or implied for compensation for services to be rendered in relation to any matter before any agency of the District whereby compensation is to be dependent or contingent upon any action by such agency with respect to such matters, provided that this paragraph shall not prohibit the fixing at any time of fees based upon the reasonable value of the services rendered.

Disclosure of Interest in Resolution: To the extent known, thereof, any employee of the District, whether paid or unpaid, who participates in the discussion or gives official opinion to the Board of Education on any resolutions before the Board of Education shall publicly disclose on the official record the nature and extent of any direct or indirect financial or other private interest said person has in such resolutions.

Federal Awards: No employee, officer, or agent will participate in selecting, awarding, or administering a contract supported by a federal award if he or she has a real or apparent conflict of interest. These conflicts could arise when the employee, officer, or agent, any member of his or her immediate family, his or her partner, or an organization that employs or is about to employ any of these parties has a financial or other interest in or a tangible personal interest benefit from a firm considered for a contract. Employees, officers, and agents will not solicit or accept gratuities, favors, or anything of monetary value from contractors or parties to subcontracts. The District may, however, set standards for situations where the financial interest is not substantial or the gift or gratuity is an unsolicited item of nominal value.

d. Eligibility for employment: The District will only hire employees who meet the qualifications for the position. It is the employee's responsibility to stay current with the qualifications necessary to retain his/her employment (certifications, licensing etc.)

e. Gifts and Gratuities: Employees of the District shall not directly or indirectly, solicit any gift or accept or receive any gift having a value of \$75 or more, whether in the form of cash, services, loan, travel, entertainment, hospitality, or promise, or any other form.

It is understood that an exchange of gifts between employees and students is a tradition at certain holiday seasons. Discretion should be used to ensure that employees do not accept gifts of monetary value.

f. Intellectual Property: Intellectual property includes any patentable invention, any copyrightable subject matter, or trade secret. It also includes works of art, and inventions or creations that might normally be developed on a proprietary basis. Intellectual property created by an employee shall be owned by the District if said intellectual property was created within the normal scope of their employment. Intellectual property of others must be respected and identified as such when used for employees' or officials' intents and purposes.

g. Nepotism: A job applicant who is a relative, spouse, or significant other of a current employee shall not be hired in any capacity in which they have a direct or indirect (i.e. within chain of command) supervisory relationship with his/her relative, spouse or significant other.

Relatives, spouses and significant others also shall not be assigned to the same building nor shall they report to the same supervisor whenever possible.

If a relative of a Board member is considered for a position, the Board member may recuse him/herself from the vote on the appointing resolution. A 2/3 vote of the Board is required for the appointment and tenure of a teacher related by blood or marriage to a Board member.

h. Preferential Treatment: Employees shall not use or attempt to use their official position to secure unwarranted privileges or exemptions for themselves or others.

Merit shall be the dominant criteria in the District's hiring process, ensuring the selection of the best-qualified candidate for a position. Distortion or violation of this principle through the use of influence, contacts or personal relationships shall not be permitted.

Employees should not attempt to secure preferential treatment of any student above and beyond the normal scope of parental requests that would arise in ensuring the child's education.

i. Professionalism: Employees shall endeavor to act in a manner consistent with his/her position of public trust and this Code, including the following, as further outlined in Board policy:

1. Presentation: Professional behavior and appearance are expected at all times when serving as a representative of the District. All persons on school property or attending a school function shall conduct themselves in an appropriate and professional manner and be properly attired for the purpose they are on school property.

2. Drug/Alcohol Influence and/or Use on Premises: No employee may possess, use or be under the influence of alcohol or illegal drugs while on school property, whether during the school day or an after school event.

3. Relationships: Harassment of and/or discrimination toward any students, subordinates or co-workers is explicitly forbidden. Relationships with students must remain professional and avoid any appearance of impropriety. A supervisor is expected to notify the Superintendent of Schools if a relationship is developing between him/her and his/her direct subordinate so that appropriate adjustments may be made in assignment.

j. Whistle Blowing: There will be no retaliation against any employee or officer who reports waste, fraud or abuse on the part of the District. Every report will be investigated and even if determined not to be founded, the individual making the report will not be retaliated against. There will be no punishment— including firing, demotion, suspension, harassment, failure to consider the employee for promotion, or any other kind of discrimination for reporting such concerns.

#### Section III: Filing of Claims

Nothing herein shall be deemed to bar or prevent the timely filing by a present or former employee of any claim, account, demand or suit against the District, or any agency thereof on behalf of said employee or any family member arising out of any personal injury or property damage or for any lawful benefit authorized or permitted by law.

#### Section IV: Distribution of Code of Ethics

The Superintendent of Schools shall cause a copy of this code of ethics to be distributed to every employee of the District within 30 days after adoption. Each employee elected or appointed thereafter shall be furnished a copy before entering upon the official duties of office or employment. In addition, the Code must be posted in all buildings.

#### Section V: Penalties

In addition to any penalty contained in any provision of law, any person who shall knowingly and intentionally violate any of the provisions of this code may be fined, suspended or removed from office or employment, as the case may be, in the manner provided by law.

#### Section VI: Effective Date

This resolution shall take effect upon adoption by the Board of Education of the Ballston Spa Central School District after it is filed as provided in Section 806 of the General Municipal Law.

Education Law § 410

General Municipal Law Article 18 and §§ 800-809

Labor Law § 201-d

Penal Law Article 155 and § 60.27(5)

2 CFR § 200.318(c)(1)

Adoption Date: 12/16/2020

## 7530. Child Abuse and Maltreatment

### **Familial Child Abuse**

The school District takes seriously the obligations of its officers and employees to report cases of child abuse or maltreatment. To this end, regulations will be followed and procedures shall be developed, maintained and disseminated by administration regarding the:

- a. Mandatory reporting of suspected child abuse or maltreatment;
- b. Reporting procedures and obligations of persons required to report;
- c. Provisions for taking a child into protective custody;
- d. Mandatory reporting of deaths;
- e. Immunity from liability and penalties for failure to report;
- f. Obligations for provision of services and procedures necessary to safeguard the life of a child; and
- g. Provision of information in recognizing signs of unlawful methamphetamine laboratories for all current and new school officials (i.e., "mandated reporters") who, as part of their usual responsibilities, visit children's homes.

Additionally, an ongoing training program for all current and new school officials shall be established and implemented to enable such staff to carry out their reporting responsibilities.

### **Persons Required to Report**

Persons required to report cases of child abuse or maltreatment to the State Central Register (SCR) pursuant to Social Services Law Section 413(1) include, but are not limited to: school teachers, school guidance counselors, school psychologists, school social workers, school nurses, school administrators or other school personnel required to hold a teaching or administrative license or certificate, and full- or part-time compensated school employees required to hold a temporary coaching license or professional coaching certificate.

All mandated reporters shall make the report themselves and then immediately notify the Building Principal or his/her designee. The Building Principal or his/her designee shall be responsible for all subsequent administration necessitated by the report.

Any report shall include the name, title and contact information for every staff member who is believed to have direct knowledge of the allegations in the report.

### **Prohibition of Retaliatory Personnel Action**

Social Services Law Section 413(1) also prohibits a school from taking any retaliatory personnel action against an employee because such employee believes that he/she has reasonable cause to suspect that a child is an abused or maltreated child and that employee makes a report to SCR pursuant to Social Services Law. Further, no school or school official shall impose any conditions, including prior approval or prior notification, upon any staff member specifically designated a mandated reporter.

Pursuant to Labor Law Section 740(1)(e), "retaliatory personnel action" means the discharge, suspension or demotion of an employee, or other adverse employment action taken against an employee in the terms and conditions of employment.

## Report Form

The "Report of Suspected Child Abuse or Maltreatment" Form LDSS-2221A may be accessed at the website of the New York State Office of Children and Family Services.

### Child Abuse in an Educational Setting

The school District is committed to the protection of students in educational settings from abuse and maltreatment by employees or volunteers as enumerated in law.

"Child abuse" shall mean any of the following acts committed in an educational setting by an employee or volunteer against a child:

- a. Intentionally or recklessly inflicting physical injury, serious physical injury or death; or
- b. Intentionally or recklessly engaging in conduct which creates a substantial risk of such physical injury, serious physical injury or death; or
- c. Any child sexual abuse, defined as conduct prohibited by Penal Law Articles 130 or 263; or
- d. The commission or attempted commission against a child of the crime of disseminating indecent materials to minors pursuant to Penal Law Article 235.

"Educational setting" shall mean the building(s) and grounds of the School District; the vehicles provided by the School District for the transportation of students to and from school buildings, field trips, co-curricular and extracurricular activities both on and off School District grounds; all co-curricular and extracurricular activity sites; and any other location where direct contact between an employee or volunteer and a child has allegedly occurred.

In any case where an oral or written allegation is made to a teacher, school's registered professional nurse, school guidance counselor, school psychologist, school social worker, school administrator, School Board member, or other school personnel required to hold a teaching or administrative license or certificate, that a child (defined in the law as a person under the age of twenty-one (21) years enrolled in a school district in this state) has been subjected to child abuse by an employee or volunteer in an educational setting, that person shall upon receipt of such allegation:

- a. Promptly complete a written report of such allegation including the full name of the child alleged to be abused; the name of the child's parent; the identity of the person making the allegation and their relationship to the alleged child victim; the name of the employee or volunteer against whom the allegation was made; and a listing of the specific allegations of child abuse in an educational setting. Such written report shall be completed on a form as prescribed by the Commissioner of Education.
- b. Except where the school administrator is the person receiving such an oral or written allegation, the employee completing the written report must promptly personally deliver a copy of that written report to the school administrator of the school in which the child abuse allegedly occurred (subject to the following paragraph).

In any case where it is alleged the child was abused by an employee or volunteer of a school other than a school within the school district of the child's attendance, the report of such allegations shall be promptly forwarded to the Superintendent of Schools of the school district of the child's attendance and the school district where the abuse allegedly occurred.

Any employee or volunteer who reasonably and in good faith makes a report of allegations of child abuse in an educational setting in accordance with the reporting requirements of the law shall have immunity from civil liability which might otherwise result by reason of such actions.

Upon receipt of a written report alleging child abuse in an educational setting, the school administrator or Superintendent must then determine whether there is "reasonable suspicion" to believe that such an act of child abuse has occurred. Where there has been a determination as to the existence of such reasonable suspicion, the school administrator or Superintendent must follow the notification/reporting procedures mandated in law and further enumerated in administrative regulations including parental notification. When the school administrator receives a written report, he/she shall promptly provide a copy of such report to the Superintendent.

Where the school administrator or Superintendent has forwarded a written report of child abuse in an educational setting to law enforcement authorities, the Superintendent shall also refer such report to the Commissioner of Education where the employee or volunteer alleged to have committed such an act of child abuse holds a certification or license issued by the State Education Department.

Any school administrator or Superintendent who reasonably and in good faith makes a report of allegations of child abuse in an educational setting, or reasonably and in good faith transmits such a report to a person or agency as required by law, shall have immunity from civil liability which might otherwise result by reason of such actions.

Reports and other written material submitted pursuant to law with regard to allegations of child abuse in an educational setting, and photographs taken concerning such reports that are in the possession of any person legally authorized to receive such information, shall be confidential and shall not be re-disclosed except to law enforcement authorities involved in an investigation of child abuse in an educational setting or as expressly authorized by law or pursuant to a court-ordered subpoena. School administrators and the Superintendent shall exercise reasonable care in preventing such unauthorized disclosure.

Additionally, teachers and all other school officials shall be provided an annual written explanation concerning the reporting of child abuse in an educational setting, including the immunity provisions as enumerated in law. Further, the Commissioner of Education shall furnish the District with required information, including rules and regulations for training necessary to implement District/staff responsibilities under the law.

### **Prohibition of "Silent" (Unreported) Resignations**

The Superintendent and other school administrators are prohibited from withholding from law enforcement authorities, the Superintendent or the Commissioner of Education, where appropriate, information concerning allegations of child abuse in an educational setting against an employee or volunteer in exchange for that individual's resignation or voluntary suspension from his/her position.

Superintendents (or a designated administrator) who reasonably and in good faith report to law enforcement officials information regarding allegations of child abuse or a resignation as required pursuant to the law shall have immunity from any liability, civil or criminal, which might otherwise result by reason of such actions.

*Education Law Article 23-B and Sections 902(b), 3028-b and 3209-a*

*Family Court Act Section 1012*

*Labor Law Section 740(1)(e)*

*Penal Law Articles 130, 235 and 263*

*Social Services Law Sections 411-428*

*8 NYCRR Part 83*

Adoption Date: 07/10/2019

## 6410. Staff Use of Computerized Information Resources

The Board of Education will provide staff with access to various computerized information resources through the District's computer system (DCS hereafter) consisting of software, hardware, computer networks, wireless networks/access and electronic communication systems. This may include access to electronic mail, so-called "on-line services" and the "Internet." It may also include the opportunity for staff to have independent access to the DCS from their home or other remote locations, and/or to access the DCS from their personal devices. All use of the DCS and the wireless network, including independent use off school premises and use on personal devices, shall be subject to this policy and accompanying procedures.

Staff use of the DCS is conditioned upon written agreement by the staff member that use of the DCS will conform to the requirements of this policy and any procedures adopted to ensure acceptable use of the DCS. All such agreements shall be kept on file in the District Office.

Generally, the same standards of acceptable staff conduct which apply to any aspect of job performance shall apply to use of the DCS. Employees are expected to communicate in a professional manner consistent with applicable District policies and procedures governing the behavior of school staff.

Access to confidential data is a privilege afforded to District employees in the performance of their duties. Safeguarding this data is a District responsibility that the Board of Education takes very seriously. Consequently, District employment does not automatically guarantee the initial or ongoing ability to access the DCS and the information it may contain.

District staff shall also adhere to the laws, policies and rules governing computers including, but not limited to, copyright laws, rights of software publishers, license agreements, and rights of privacy protected by federal and state law.

Staff members who engage in unacceptable use may lose access to the DCS and may be subject to further discipline under the law and in accordance with applicable collective bargaining agreements. Legal action may be initiated against a staff member who willfully, maliciously or unlawfully damages or destroys property of the District.

Staff data files and electronic storage areas shall remain District property, subject to District control and inspection. District management may access all such files and communications without prior notice to ensure system integrity and that users are complying with requirements of this policy and accompanying procedures. Therefore, staff should not expect that information stored on the DCS will be private.

Administrative procedures will be developed to implement the terms of this policy, addressing general parameters of acceptable staff conduct as well as prohibited activities so as to provide appropriate guidelines for employee use of the DCS.

Adoption Date: 07/10/2019



## 5640. Smoking and Tobacco Use

The Board of Education recognizes its responsibility to promote the health, welfare, and safety of students, staff and others on school property and at school sponsored activities. In light of scientific evidence that the use of tobacco/smoking is hazardous to health, and to be consistent with school curriculum and federal and state law, it is the intent of the Board to establish a tobacco/smoke-free environment.

In compliance with the federal Pro-Children Act of 1994, New York State Clean Indoor Air Act of 2003 (Public Health Law Article 13-E), and Ballston Spa Central School District File 7.5.5-Wellness Policy on Physical Activity and Nutrition, adopted September 2006, the District shall adhere to the following smoking/tobacco use policy:

For purpose of this policy, smoking is defined to include any lighted or unlighted cigarette, cigar, pipe, bidi, clove cigarette, e-cigarette, “vape” or dab pen, personal vaporizer, and any other smoking product including cannabis or cannabinoid hemp; as well as spit tobacco, also known as smokeless, dip, chew, and snuff, and any other spit tobacco product in any form including powdered tobacco and nicotine water.

### **School Grounds**

Smoking/tobacco use shall not be permitted and no person (including students, employees and visitors) shall smoke or use tobacco on school grounds at any time. For purposes of this policy, “school grounds” means any building structure, and surrounding outdoor grounds contained within the District’s preschool, elementary or secondary school, District Offices and legally defined property boundaries as registered in the County Clerk’s Office; as well as any vehicles used to transport children or school personnel.

### **Indoor Facilities**

The District shall not permit tobacco use at any time within any indoor facility owned or leased or contracted for and utilized by the District for provision of routine or regular kindergarten, elementary, or secondary education or library services to children. The District also prohibits smoking in indoor facilities in which regular or routine health care, day care or early childhood programs are provided to children. The term “indoor facility,” for purposes of this policy, means a building that is enclosed.

### **Other Areas or Facilities**

In those other areas or facilities not governed by the smoking prohibition as authorized by the federal Pro-Children Act of 1994, the District shall adhere to the New York State Clean Indoor Air Act 2003 (Public Health Law Article 13-E).

### **Posting/Notification of Policy**

Signs communicating this policy shall be prominently posted and properly maintained where tobacco use and smoking are regulated by this policy, including all building entrances, grounds, and vehicles. In compliance with the New York State Clean Indoor Air Act of 2003, the District will prominently post its Smoking/Tobacco Use policy in District buildings and supply a copy upon request to any current or prospective employee. The District will also designate a school official to tell individuals who smoke or use tobacco in a non-smoking area that they are in violation of Article 13-E of the state Public Health Law and the federal Pro-Children Act of 1994.

*Safe and Drug-Free Schools and Communities Act, 20 USC Section 7101 et seq. Pro-Children Act of 2001, as amended by the No Child Left Behind Act of 2001, 20 USC Sections 7181-7184 Education Law Sections 409, 2801(1) and 3020-a Public Health Law Article 13-E.*

*Adoption Date: 2/09/22*

## 7350. Corporal Punishment

No teacher, administrator, officer, employee or agent of the Ballston Spa Central School District, shall use corporal punishment against a student.

The term Corporal Punishment shall mean any act of physical force upon a student for the purpose of punishing that student. Such term shall not mean the use of reasonable physical force for any of the following purposes:

- a. To protect oneself from physical injury;
- b. To protect another student or teacher or any other person from physical injury;
- c. To protect the property of the school or of others; or
- d. To restrain or remove a student whose behavior is interfering with the orderly exercise and performance of school district functions, powers or duties, if that student has refused to comply with a request to refrain from further disruptive acts, provided that alternative procedures and methods not involving the use of physical force have already been tried and/or cannot reasonably be employed to achieve the purposes set forth in this Policy.

The Superintendent of Schools is hereby directed to ensure District compliance with this policy including required periodic submissions to the NYS Education Department.

The District will maintain documentation on the use of emergency interventions for each student including:

- a. Name and date of birth of student;
- b. Setting and location of the incident;
- c. Name of staff or other persons involved;
- d. Description of the incident and emergency intervention used, including duration;
- e. A statement as to whether the student has a current behavioral intervention plan; and
- f. Details of any injuries sustained by the student or others, including staff, as a result of the incident.

This documentation will be reviewed by District supervisory personnel and, if necessary, by the school nurse or other medical personnel.

*8 NYCRR Sections 19.5, 100.2(l)(3), 200.15(f)(1) and 200.22(d)*

Adoption Date: 12/16/2020

## 6161. Reimbursement for Travel Expenses

Members of the Board of Education, school officials and staff members shall be reimbursed for reasonable out-of-pocket expenses incurred while traveling for Ballston Spa Central School District related activities, subject to budgetary limitations. Only expenses necessary for the purpose of the travel shall be reimbursable. Tax exemption certificates shall be issued and utilized only for official school related business.

The Board shall determine, by duly adopted resolution, whether the attendance of members of the Board at any conference or professional meeting is in the best interest of the District and whether they are eligible for reimbursement of expenses under this policy. The Superintendent of Schools shall determine whether attendance by District staff at any conference or professional meeting is in the best interest of the District and whether such staff members are eligible for reimbursement of expenses under this policy.

To obtain reimbursement, the claimant must complete and sign an expense voucher, attach detailed receipts and any other expense documentation, together with a copy of the approved conference attendance request form and evaluation report (if required) and submit the same to the Business Office.

### Day Travel

When members of the Board, school officials and/or staff members engage in travel, which does not result in overnight travel, only transportation, one meal and registration costs are eligible for reimbursement. Reimbursement for lodging is generally not permitted in these travel situations unless it is necessary to complete District business.

### Overnight Travel

Payment for overnight lodging is permitted for overnight travel which is necessary for the performance of District business. Lodging costs shall be reimbursed at a rate not in excess of the rate charged by the convention/event hotel. When a Board member or a school official or staff member engages in overnight travel, that individual may also be reimbursed for meals, registration costs, sundry expenses and incidental office expenses, as defined below, but not for personal expenses.

### Personal Vehicle

In certain instances, it may be appropriate for school officials or employees to use their personal vehicles for District-approved travel. Employees must have prior approval from their supervisor. Reimbursement for personal vehicle use will be at the prevailing IRS rate per mile. Tolls and parking will also be eligible for reimbursement with a detailed receipt. For travel between school facilities, the employee must provide a detailed listing of dates and miles for each trip.

### Rental Vehicle

Although the use of rental vehicles may be necessary when travel is required out of the area for school related purposes, rental vehicles are generally not permitted for local travel. Vehicle rental charges for travel out of the area incurred by Board members or school officials or staff members may be submitted for reimbursement provided such expense is approved in advance, is necessary for conference attendance and is reasonable in cost.

### **Airline and Railroad Travel (Long Distance or Overnight Travel)**

Transportation by airline or railroad may be reimbursed for or paid for by the District only in connection with long-distance or overnight travel for a school related purpose, meeting the conditions applicable to overnight lodging. The District shall carefully consider alternatives to overnight travel prior to authorization. The most economical and practical means of transportation should be selected. Additional factors, including the number of people traveling, luggage and materials to be transported, meeting schedules, Board members' or school officers' or staff members' health and safety, the cost of school officers' or staff members' time and the impact on the Board members' or school officials' or staff members' ability to efficiently conduct District related business upon arrival should also be considered when deciding on the most appropriate means of transportation.

### **Meals**

Reimbursement for meal charges, including gratuities, will be reimbursed at the rates set by the U.S. General Services Administration. Detailed bills must be submitted to justify the reimbursement of meal expenses. A credit card receipt which does not show the individual items comprising the total will be insufficient to warrant reimbursement. A maximum of three meals per day will be reimbursed. Sales tax will not be reimbursed and the cost of any alcohol shall not be reimbursed under any circumstances.

### **Reimbursable Expenses**

#### **Conventions, Seminars, Conferences**

Registration, workshop and other fees as itemized in the conference literature, will be reimbursed at actual cost, if not prepaid by the District. Costs for nonessential activities unrelated to official business are considered personal expenses and will not be paid for or reimbursed by the District.

#### **Tipping and Gratuities**

Server tips for meals must not exceed 20 percent of meal cost. Tips to bell hops, valet parking, maids, etc. will not be reimbursed.

#### **Miscellaneous Other Services**

A Board member or school officer or staff member may be required to use fax, express mail, photocopying, postage, modem connection or other incidental office services. These expenses are reimbursable if for official District purposes only. The Board member, school official or staff member must document the date, time and purpose and provide detailed receipts.

#### **Parking and Traffic Violations**

Any fines and/or penalties associated with a motor vehicle violation, which were incurred during the District-approved travel, are not reimbursable.

*General Municipal Law § 77-b(2)*

Adoption Date: 07/10/2019

## 6121. Prohibition Against Discrimination and Harassment

### **Ballston Spa Central School District- Policy Prohibiting Unlawful Harassment and Discrimination**

This Policy reaffirms our commitment to providing employment opportunities free from unlawful discrimination on the basis of sex (including sexual harassment), gender or the status of being transgender, sexual orientation, race, religion, national origin, age, disability, or other basis prohibited by law. In accordance with Title VII of the Civil Rights Act of 1964, the New York Human Rights Law, and other applicable laws prohibiting discrimination, no employee may be discriminated against or harassed on the basis of sex, gender or the status of being transgender, sexual orientation, race, religion, national origin, age, disability, or other basis prohibited by law.

#### **A. Scope of Policy**

This Policy applies to all applicants for employment, interns, whether paid or unpaid, contractors and persons conducting business, regardless of immigration status, with us. In the remainder of this document, the term “employees” refers to this collective group

#### **B. Policy Objectives**

By adopting and publishing this Policy, it is our intention to: (1) notify all employees about our commitment to providing equal employment opportunities; (2) prevent all forms of discrimination against any applicant for employment or employee; and (3) provide simple, clear, and efficient complaint and investigation procedures to all employees who honestly believe they have been subjected to prohibited discrimination, including sexual harassment.

#### **C. Definitions**

- 1. Prohibited Employment Discrimination.** Prohibited Employment Discrimination can take the form of adverse employment actions which are based upon an employee’s sex, gender or the status of being transgender, sexual orientation, race, religion, national origin, age, or disability. Prohibited discrimination of employees, can also take the form of prohibited harassment, even where there is no tangible adverse employment action. (Prohibited Harassment is defined below).
- 2. Prohibited Harassment.** Harassment can constitute a form of prohibited discrimination under this Policy if it is unwelcome and has the effect of making an employee feel uncomfortable while at work or otherwise creates a hostile working environment. Such harassment of employees is prohibited by this policy if it is

based upon sex, sexual orientation, race, religion, national origin, age, or disability. Harassment of employees based on sex, which is called "**sexual harassment**," is also specifically prohibited by this policy. Sexual harassment includes unwelcome conduct which is either of a sexual nature, or which is directed at an individual because of that individual's sex when:

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

While it is impossible to provide an exhaustive list of examples of behaviors that could constitute sexual harassment, sexual harassment as a form of prohibited discrimination can take the form of the following types of behavior which are strictly prohibited:

- 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;
  - Rape, sexual battery, molestation or attempts to commit these assaults.
- Unwanted sexual advances or propositions, such as:
  - Requests for sexual favors accompanied by implied or overt threats concerning the target's job performance evaluation, a promotion or other job benefits or detriments;
  - Subtle or obvious pressure for unwelcome sexual activities.
- Sexually oriented gestures, noises, remarks or jokes, or comments about a person's sexuality or sexual experience, which create a hostile work environment.
- Sex stereotyping occurs when conduct or personality traits are considered inappropriate simply because they may not conform to other people's

- ideas or perceptions about how individuals of a particular sex should act or look.
- 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.
  - Hostile actions taken against an individual because of that individual's sex, sexual orientation, gender identity and the status of being transgender, 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.

**D. Supervisory Responsibility**

All supervisors who receive a complaint or information about suspected sexual harassment, observe what may be sexually harassing behavior or for any reason suspect that sexual harassment is occurring, **are required** to report such suspected sexual harassment to a Compliance Officer (identified below). In addition to being subject to discipline if they engaged in sexually harassing conduct themselves, supervisors will be subject to discipline for failing to report suspected sexual harassment or otherwise knowingly allowing sexual harassment to continue. Supervisors also will be subject to discipline for engaging in any Retaliation prohibited by this Policy.

**E. Policy Enforcement**

**1. Complaint Procedure:**

**a. Notification Procedure**

We encourage any employee who in good faith believes they are being subjected to prohibited discrimination/harassment, to clearly and promptly notify the offender that his/her behavior is unwelcome. If for any reason an employee is uncomfortable confronting the offender directly, or if such a confrontation does

not successfully end the discrimination/harassment, the employee should file a complaint with one of the Compliance Officers (identified below).

NOTE: Confronting the offender is NOT a prerequisite to filing a complaint. All employees and applicants for employment have the right to file a good faith complaint without first communicating with the offender.

All employees filing a complaint will be expected to cooperate with our investigation procedures.

**b. Making a Complaint**

All complaints should be in writing. All employees are encouraged to use our "Complaint of Alleged Discrimination" form (a copy of which appears at the end of this Policy). Because an accurate record of the allegedly objectionable behavior is necessary to resolve such complaints, all complaints of discrimination/harassment should be reduced to writing and signed by the party making the Complaint.

**2. Time for Reporting a Complaint**

Prompt reporting of all complaints is strongly encouraged. All employees should be aware that appropriate resolution of discrimination/harassment complaints and effective remedial action oftentimes may be possible only when complaints are promptly filed. Furthermore, complaining parties should be aware that statutes of limitations may constrain the time period for instituting legal actions outside of this Policy.

**3. Confidentiality and Privacy**

In recognition of the personal nature of discrimination/harassment Complaints and the emotional impact of perceived discrimination, we will attempt to maintain the confidentiality of all complaints and investigations. For the protection of all employees who make a complaint or are accused of prohibited discrimination/harassment, every witness interviewed during an investigation under this Policy will be advised of the confidentiality requirement and instructed not to discuss the complaint, the investigation, or the persons involved. To the extent a Complaint made under this Policy implicates criminal conduct, we may be required by law to contact and cooperate with the appropriate law enforcement authorities.

**4. Acknowledgment of Complaints**

Within five (5) calendar days of receiving a written Complaint, the Compliance Officer should contact the employee who filed the Complaint to confirm that the written Complaint has been received. If an employee does not receive such confirmation within five (5) days of filing their Complaint they are encouraged to contact the Compliance Officer.



5. **Timing of Investigations**

We will promptly investigate all allegations of discrimination in a confidential manner. We will attempt to complete investigations under this Policy within thirty (30) calendar days of receipt of the written complaint, or sooner if practical. However, the length of the investigation will depend upon the particular circumstances of each complaint.

6. **Method of Investigation**

Investigations will be conducted by our Compliance Officer(s), our legal counsel, and/or other impartial persons designated by a Compliance Officer(s). The primary purposes of all investigations under this Policy will be to determine: (1) Did the conduct complained of occur?; (2) Did the conduct complained of violate this Policy?; and (3) What remedial or preventative steps are recommended? Our investigators should pursue every reasonable step to investigate each Complaint in a thorough and comprehensive manner while at the same time minimizing the disruption of normal business. The type of investigative techniques utilized will depend upon the nature of the Complaint. Any notes, memoranda, or other records created by our employees or agents conducting an investigation under this Policy, shall be deemed confidential and privileged.

7. **Notification to Complaining Party**

Within ten (10) days of the completion of the investigation of a complaint, the Compliance Officer(s) or their designee, shall notify the complainant of the outcome of the investigation via a written summary. While reasonable efforts will be made to inform the complaining party about the outcome of the investigation, we will nonetheless consider the privacy rights of all parties involved in disseminating information regarding the investigation.

Within fifteen (15) days of the completion of the investigation of a complaint, the Compliance Officer(s) or their designee, shall notify the person accused of violating this Policy, whether a violation of this Policy was found, via a written summary.

8. **Remedial Measures**

Our primary goal in responding to complaints under this Policy is prevention. While disciplinary action, up to and including discharge, may be appropriate in certain instances, punitive or disciplinary measures are not the exclusive or primary means for responding to prohibited discrimination/harassment. Any employee who is found to have engaged in prohibited discrimination or conduct which may be prohibited by this Policy, may receive education, training, counseling, warnings, discipline, or other measures designed to prevent future violations of this Policy. Any third party found to have engaged in discrimination/harassment of an employee may be barred from our property.

**F. Prohibition Against Retaliation and Abuse of the Policy**

All employees are assured that we will not retaliate against any employee who files a discrimination complaint in good faith. Retaliation is a very serious violation of this Policy and should be reported immediately. Any employee found to have retaliated against an employee due to their good faith reporting of discrimination/harassment under this Policy will be deemed to have violated this Policy and may be subject to disciplinary action.

Abuse of this Policy by filing a false or “strategic” complaint, which the complaining party knows to be false, will also be considered a violation of this Policy.

**G. Legal Protections and External Remedies**

Sexual harassment is not only prohibited by us, but is also prohibited by state, federal, and, where applicable, local law. Aside from our internal process, employees 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 seek the legal advice of an attorney. In addition to those outlined below, employees in certain industries may have additional legal protections.

**State Human Rights Law (HRL)**

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

Complaints with DHR may be filed any time within one year of the harassment. If an individual did not file at DHR, they can sue directly in state court under the HRL, 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 us not extend your time to file with DHR or in court. The one year or three years is counted from 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 are forwarded to a public hearing before an administrative law judge. If sexual harassment is found after a hearing, DHR has the power to award relief, which varies but may include requiring your employer to take action to stop the harassment, or redress the damage caused, including paying of monetary 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](http://www.dhr.ny.gov). Contact DHR at (888) 392-3644 or visit [dhr.ny.gov/complaint](http://dhr.ny.gov/complaint) for more information about filing a complaint. The website has a complaint form that can be downloaded, filled out, notarized and mailed to DHR. The website also contains contact information for DHR’s regional offices across New York State.

## **Civil Rights Act of 1964**

The United States Equal Employment Opportunity Commission (EEOC) enforces federal anti-discrimination laws, including Title VII of the 1964 federal Civil Rights Act (codified as 42 U.S.C. § 2000e et seq.). An individual can file a complaint with the EEOC anytime within 300 days from the 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, at which point the EEOC will issue a Right to Sue letter permitting the individual to file a complaint in federal court.

The EEOC does not hold hearings or award relief, but may take other action including pursuing cases in federal court on behalf of complaining parties. 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](http://www.eeoc.gov) or via email at [info@eeoc.gov](mailto:info@eeoc.gov). If an individual filed an administrative complaint with DHR, DHR will file the complaint with the EEOC to preserve the right to proceed in federal court.

## **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. If the harassment involves unwanted physical touching, coerced physical confinement or coerced sex acts, the conduct may constitute a crime. Contact the local police department.

### **H. Compliance Officers**

Section 504/ADA Compliance Officer:

**TBD** – Director of Special Education  
70 Malta Avenue, Ballston Spa, NY 12020

DASA Compliance Officer:

Pamela Motler, Assistant Superintendent for Programs and Operations  
70 Malta Avenue, Ballston Spa, NY 12020  
[pmotler@bscsd.org](mailto:pmotler@bscsd.org)  
Ph: 518-884-7195 Ext. 1398

Title IX Compliance Officer:

Gianleo Duca, Ed.D. Superintendent  
70 Malta Avenue, Ballston Spa, NY 12020  
[gduca@bscsd.org](mailto:gduca@bscsd.org)  
Ph: 518-884-7195 Ext. 1310

High School Principal  
Matthew Robinson  
220 Ballston Avenue, Ballston Spa, NY 12020  
[mrobinson@bscsd.org](mailto:mrobinson@bscsd.org)  
Ph: 518-884-7150 Ext. 2351

Middle School Principal  
Ann Laszewski  
210 Ballston Avenue, Ballston Spa, NY 12020  
[alaszewski@bscsd.org](mailto:alaszewski@bscsd.org)  
Ph: 518-884-7200 Ext. 4306

Malta Avenue Elementary School Principal  
Sarah Johnson  
70 Malta Avenue, Ballston Spa, NY 12020  
[sjohnson@bscsd.org](mailto:sjohnson@bscsd.org)  
Ph: 518-884-7250 Ext. 1351

Milton Terrace Elementary School Principal  
Kathleen Chaucer, Ed.D.  
200 Wood Road, Ballston Spa, NY 12020  
[kchaucer@bscsd.org](mailto:kchaucer@bscsd.org)  
Ph: 518-884-7210 Ext. 3353

Gordon Creek Elementary School Principal  
Donald Brandt  
50 Wood Road, Ballston Spa, NY 12020  
[dbrandt@bscsd.org](mailto:dbrandt@bscsd.org)  
Ph: 518-884-7270 Ext. 3372

Wood Road Elementary School Principal  
Anders Rasmussen  
300 Wood Road, Ballston Spa, NY 12020  
[arasmussen@bscsd.org](mailto:arasmussen@bscsd.org)  
Ph: 518-884-7290 Ext. 3390

***\*Complaints may be filed with any of the administrators listed and need not be filed with ALL administrators.***

Adoption Date: 11/06/2019

**COMPLAINT OF ALLEGED DISCRIMINATION**

This form is to be filed as a part of the Formal Procedure in order to initiate a Complaint of alleged discrimination or harassment prohibited by Ballston Spa Central School District's Policy Prohibiting Unlawful Discrimination and Harassment.

PLEASE PRINT OR TYPE

1. Your Name: \_\_\_\_\_ Position: \_\_\_\_\_  
Address: \_\_\_\_\_  
City: \_\_\_\_\_ State: \_\_\_\_\_ Zip Code: \_\_\_\_\_  
Phone Number: \_\_\_\_\_

2. Have you also filed this charge with a Federal, State or Local Government agency?  
\_\_\_\_\_ Yes \_\_\_\_\_ No

3. Alleged discriminatory act was based on:  
\_\_\_ Race \_\_\_ Religion \_\_\_ National Origin \_\_\_ Gender  
\_\_\_ Age \_\_\_ Disability \_\_\_ Sexual Orientation \_\_\_ Other

4(a). Name(s) and office address of the individual who allegedly discriminated against you or harassed you. If more than one, list all.

Name: \_\_\_\_\_  
Office/Location: \_\_\_\_\_

4(b). Describe the incidents which occurred and your reason for concluding that it is/was discriminatory (use extra sheet if necessary).

\_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_

5. Date(s) incidents of discrimination/harassment took place:

\_\_\_\_\_

6. Describe briefly what you would consider to be appropriate resolution of the Complaint.

\_\_\_\_\_  
\_\_\_\_\_

7. Identify all persons who witnessed the incidents described in "4" above:

\_\_\_\_\_  
\_\_\_\_\_

8. I swear or affirm that I have read the above complaint and that it is true to the best of my knowledge, information and belief.

\_\_\_\_\_  
Signature of Complainant

\_\_\_\_\_  
Date



## Health and Dental Insurance

**Open Enrollment Period: Annually; specific dates are announced in early May.**

BSCSD is proud to offer a comprehensive benefits package to eligible employees that adds significant value to your job with the District. It's up to you to decide how to make the most of the benefit plans available to you and your eligible dependents.

Eligible new hires who wish to enroll in health and dental coverage must complete and return the applicable insurance carrier enrollment forms to Human Resources within 30 days from their hire date. If enrolling spouse and/or children, an official marriage license and birth certificate(s) must be provided. A completed *New Employee Annual Insurance Election Form* must also be returned within this timeframe to confirm the health and dental election or waiver that you are making for the school year.

The *Annual Insurance Open Enrollment Election Form* is an annual requirement of all employees who are eligible for health and dental coverage. This form is used to confirm your elections for the upcoming school year and is emailed to staff annually in early May and must be returned to Human Resources in early June. During open enrollment, eligible employees may elect to change or enroll in an available health and/or dental plan and enroll eligible dependents.

### Health Insurance

The District currently offers the following health plan:

- Empire HRA (Health Reimbursement Account)

Additionally, some bargaining units may offer these health plans:

- Empire Alt PPO (Alternate PPO)
- CDPHP (Capital District Physicians Health Plan) HMO

*Note: not all health plans are available to each employee. Refer to your employment contract to determine which health plans are available to you.*

We encourage you to carefully review the options available to you. Your eligibility and cost for benefits will vary depending on your bargaining unit, date of hire and hours worked.

### Dental Insurance

The District currently offers the following dental plans:

- Empire Blue Cross Dental (available to staff recognized by BSTA, BSATA, BSAC and individual contracts)
- CSEA Sunrise Dental (available to staff recognized by the CSEA contract)

The District's dental plans are designed to encourage preventive care to help maintain healthy teeth and gums. The plans also help you pay for a broad range of other dental services when treatment is needed.

Insurance carrier enrollment booklets, benefit summaries, enrollment/change forms and costs for health and dental coverage can be located on (1) Scottie Net and (2) from the U-drive; HR folder, Benefits folder or (3) by contacting Human Resources.

### Health Insurance Buyout & Dental Insurance Buyout

The District pays a lump sum amount to eligible employees opting to not enroll in health or dental insurance provided by the District. To elect this option, the *Annual Insurance Open Enrollment Acknowledgment Form* must be submitted and on file with Human Resources annually by early June for employees waiving health insurance for

the upcoming school year. Refer to the insurance sections of your contract for more details. The Health Buyout is available to all units. The Dental Buyout is only available to BSTA, BSATA and CSEA units.

## Flexible Spending Accounts (FSA)

### **Open Enrollment Period: Annually in December.**

Eligible new hires who wish to enroll in a Flexible Spending Account (FSA) must complete and return the Benetech Election Form to Human Resources within 30 days from their hire date.

If you and your eligible dependents incur out-of-pocket medical, dental, RX, vision or daycare expenses then you should consider this option. Flexible Spending Accounts allow you to pay for eligible expenses with your pre-tax contributions- these accounts are funded by your pre-tax payroll deductions which in turn are deposited into your medical and/or dependent care account.

Employees can save between 30 to 40 cents for each dollar contributed to their FSA account, which lowers their out of pocket health and dependent care costs.

Employees must carefully estimate the amount of their annual contribution because federal law requires enrollees to forfeit any funds deposited but not claimed by the end of the plan year. Benetech is the plan administrator and they email quarterly and end-of-year account statements to help members keep track of their account balances.

Information on Flexible Spending including an overview of eligible expenses, debit card FAQ, election forms and Summary Plan Description can be located on: (1) Scottie Net and (2) by contacting Human Resources.

The District's Plan Year for Flexible Spending follows the calendar year, January through December. The following is a summary of each type of flexible spending account:

### **Medical Flexible Spending Account**

During Plan Year 2023, employees can contribute up to \$3,050 to this account. You and your dependents' out of pocket costs of certain medical, dental, and vision care expenses, including copays and deductibles– and expenses that your health and dental plans may not cover in full, such as eyeglasses, contacts and orthodontia, are reimbursable through the flexible spending account. There is a \$610 carry-over available on the medical plan.

### **Dependent Care Flexible Spending Account**

Employees can contribute up to \$5,000 to this account each calendar year if you're single. If you are married, you may not contribute more than \$5,000 a year if you and your spouse file a joint tax return, or \$2,500 each if you file separate returns. Special rules apply if your spouse is disabled or a full-time student.

Eligible expenses for your qualified dependent(s) include babysitters and daycare rendered while you and/or your spouse are at work.

When an eligible expense is incurred, simply use your FSA debit card at the point of sale or submit your receipt online or mail the applicable *Expense Claim Form* directly to Benetech and your reimbursement will be made via check or direct deposit (provided you have a *Direct Deposit Authorization Form* on file with Benetech).



## New York State Retirement

As a District employee, you are eligible to join the New York State Retirement System, pursuant to the eligibility criteria set forth by New York State. *Permanent, full-time employees are required by the retirement system to join at the time of hire. However, membership for temporary, part-time and 10 month non-instructional employees is optional.* If you elect not to join, you may not be able to obtain credit for prior service during the period you chose not to join the retirement system.

To register, complete an [Application for Membership \(TRS\)](#) or [Membership Registration \(ERS\)](#) which can be obtained from Human Resources or online from the applicable NYS retirement system website below.

### **New York State Teachers' Retirement System (TRS)**

*Instructional employees*

1-800-348-7298, ext. 6190

[www.nystrs.org](http://www.nystrs.org)

### **New York State and Local Retirement System (ERS)**

*Civil Service employees (non-instructional)*

(518) 474-7736

[www.osc.state.ny.us](http://www.osc.state.ny.us)

**Employees joining the New York State Retirement System on or after April 1, 2012 will be enrolled in Tier 6.** The chart below reflects the employee contribution rates for Tiers 5 and 6:

Plan Provision	Tier 6 TRS	Tier 6 ERS	Tier 5 TRS	Tier 5 ERS																	
<b>Vesting Eligibility</b>	10 years of service	5 years of service	10 years of service	5 years of service																	
<b>Employee Contribution</b>	Effective 7/1/13, during any Tier 6 member's first 3 school years of membership, the Tier 6 member will contribute a percentage based on a projection, by the employer, of annual wages during those years in accordance with the schedule below.	Effective 4/1/12: 3- 6% (based on wages*) throughout active membership:	3.5% throughout active membership	3% throughout active membership																	
		<table border="0"> <tr> <td>\$45,000 or less</td> <td>3%</td> </tr> <tr> <td>\$45,000.01 to \$55,000</td> <td>3.5%</td> </tr> <tr> <td>\$55,000.01 to \$75,000</td> <td>4.5%</td> </tr> <tr> <td>\$75,000.01 to 100,000</td> <td>5.75%</td> </tr> <tr> <td>More than \$100,000</td> <td>6%</td> </tr> </table>			\$45,000 or less	3%	\$45,000.01 to \$55,000	3.5%	\$55,000.01 to \$75,000	4.5%	\$75,000.01 to 100,000	5.75%	More than \$100,000	6%							
\$45,000 or less	3%																				
\$45,000.01 to \$55,000	3.5%																				
\$55,000.01 to \$75,000	4.5%																				
\$75,000.01 to 100,000	5.75%																				
More than \$100,000	6%																				
	<table border="0"> <tr> <td>.....</td> <td></td> </tr> <tr> <td>\$45,000 and less</td> <td>3%</td> </tr> <tr> <td>.....</td> <td></td> </tr> <tr> <td>More than \$45,000 to \$55,000</td> <td>3.5%</td> </tr> <tr> <td>.....</td> <td></td> </tr> <tr> <td>More than \$55,000 to \$75,000</td> <td>4.5%</td> </tr> <tr> <td>.....</td> <td></td> </tr> <tr> <td>More than \$75,000 to \$100,000</td> <td>5.75%</td> </tr> <tr> <td>More than \$100,000 to \$179,000*</td> <td>6%</td> </tr> </table>	.....		\$45,000 and less	3%	.....		More than \$45,000 to \$55,000	3.5%	.....		More than \$55,000 to \$75,000	4.5%	.....		More than \$75,000 to \$100,000	5.75%	More than \$100,000 to \$179,000*	6%		
.....																					
\$45,000 and less	3%																				
.....																					
More than \$45,000 to \$55,000	3.5%																				
.....																					
More than \$55,000 to \$75,000	4.5%																				
.....																					
More than \$75,000 to \$100,000	5.75%																				
More than \$100,000 to \$179,000*	6%																				
	<p>* Current cap equal to NYS governor's salary, per statute. Following the first three years of membership, a Tier 6 member's contribution rate in any given year is based on regular compensation received two years prior.</p>																				

The Retirement Acknowledgment Form must be signed and returned to Human Resources to acknowledge that we informed you of your rights to join the NYS Retirement System. Please refer to your payroll packet for required signoff.

## 403(b) Tax-Shelter Plan

### **Open Enrollment Period: any time during active employment.**

Employees should consider opening a 403 (b) retirement account. It is a tax-deferred retirement savings plan that can supplement your pension through New York State Retirement. A 403 (b) is an optional retirement plan for employees in public education. These plans allow employees to defer paying current federal and state income taxes on their contributions and investment earnings until they withdraw the funds at retirement. The money that is deferred is deposited into the employee's 403 (b) account via bi-weekly payroll deductions that are taken on a pre-tax basis.

The OMNI Group administers the District's 403 (b) plans. To enroll, contact a participating service provider from the list found on the website listed below. A financial representative will assist you with completing the SRA form. Completed forms should be faxed or mailed directly to OMNI to establish your account. To change deductions to your existing 403 (b) with our District, fax or mail the SRA form to OMNI. This change can also be made online from OMNI'S website. Forms and additional information can be found at [www.omni403b.com](http://www.omni403b.com). We recommend employees view a brief, three minute video explaining what a 403 (b) plan is. The video can be viewed at [www.403bwhyme.com](http://www.403bwhyme.com).

In 2023, you may contribute up to \$22,500; this amount is subject to change annually. If you have at least 15 years of service with your employer or you are at least 50 years old, you may also be eligible to make additional catch-up contributions. For appropriate limits for your individual circumstances, contact OMNI at 1-877-544-6664.

Eligible employees who enroll in a 403 (b) account must return their completed Salary Reduction Agreement (SRA) form to OMNI. If electing not to participate at this time, you are required to have a signed declination on file within 30 days from your hire date. To decline, complete sections 1, 3 and 5 of the SRA form and return it to Human Resources.

If you were previously contributing to a 403 (b) with your former employer (and it was with one of our participating service providers) and you want to start payroll deductions with our District, or to change your investment provider, complete a new SRA (Salary Reduction Agreement) form and send it directly to OMNI.

## Payroll

There are several forms that new employees are required to complete to ensure they are paid promptly. In addition, there are several forms that the District must maintain on each employee to meet our obligations as your employer.

New employees are required to complete a payroll packet which can be obtained from the Office of Human Resources and Professional Development.

### The Payroll Packet includes:

- Employee Data Form
- Employment Eligibility Verification Form I-9
- Retirement Notification & Acknowledgment Form
- Oath of Allegiance Form
- Federal and NY State Tax Forms
- Acceptable Use of Electronic Information and Access Form

### Other Payroll Forms:

- Election to Defer Compensation Form (*Note: this option is available to 10 month staff only and the form must be returned to HR no later than August 15 of the upcoming school year*)
- Direct Deposit Enrollment Form
- Payroll calendar (provides the dates of regularly scheduled *bi-weekly* pay periods for the fiscal year)

**For specific questions related to your paycheck, tax withholdings, direct deposit or year-end W-2 statements, contact:**

Melinda Miranda  
Senior Account Clerk  
518-884-7195, ext. 1362  
[mmiranda@bscsd.org](mailto:mmiranda@bscsd.org)

## Cancer Screening and Blood Donation

Public sector employees may take excused paid leave during their regular work hours for reasons limited to cancer screenings and blood donation.

We encourage you to get your annual health screening and would prefer that you do so outside of your work hours whenever possible however, this option is available to you should you need to use it.

### Cancer Screening:

Employees are entitled to take a maximum of up to 4 hours of excused paid leave annually from Jan 1- Dec 31 to obtain an annual cancer screening for the detection of cancer (ex: breast, prostate, colon). One occurrence only per year; you cannot split the time among multiple visits.

*Note: this benefit does not cover additional testing beyond the screening (ex: follow-up exams and ultrasounds).*

### Blood Donation:

Employees who work 20 or more hours per week and seek to donate blood during their regular work hours are entitled to take up to a maximum of 3 hours of excused paid leave annually from Jan 1-Dec 31. One occurrence only per year; you cannot split the time among multiple visits.

*Note: this benefit does not cover routine blood work.*

### Required Documentation:

Employees are required to submit a completed [Request for Excused Medical Leave form](#) to the attention of Lori Natale in Human Resources prior to the end of the pay period in which the leave was taken. The physician or blood donation facility must sign the form to authorize that the employee received the cancer screening or donated blood. This form will document the excused absence so the employee's own sick, personal or vacation leave is not charged. Do not enter a leave request for personal time in WincapWEB when using this benefit.

The Request for Excused Medical Leave form and this memo are available on the Scottie Net. From the Human Resources tab, click on the Cancer Screening & Blood Donation section.

### Attendance Reporting:

Employees should follow their specific attendance reporting procedures, and use the Health Screening code in Frontline and inform their supervisor. Employees should write "CS" or "BD" on their timesheet for reconciliation with the [Request for Excused Medical Leave form](#). Absences exceeding the maximum number of hours allotted will be charged to the employee's leave accruals. For staff that complete electronic timecards through WinCapWEB, use the code "CS" or "BD" when adding your excused time.

### Contact:

If you have any questions, contact Lori Natale in Human Resources at 518-884-7195, ext. 1364.

**Please refer to Appendix to find the above-referenced forms.** Forms can also be located on the Scottie Net and the U-drive: Human Resources: forms.

## Family and Medical Leave Act (FMLA)

### Family and Medical Leave Act (FMLA):

The Family and Medical Leave Act of 1993 established certain requirements for providing leaves to tend to your or a family member's medical needs. In accordance with this law, the District provides unpaid leaves of absence to allow you to attend to personal, medical, and certain family care needs. Per District policy, an eligible employee shall be entitled to a total of between 12-26 weeks of leave during the District's designated 12-month period (July 1 – June 30) for one or more of the following reasons:

- The birth and care of a son or daughter of the employee;
  - Placement of a son or daughter with the employee for adoption or foster care;
  - To care for a spouse, son, daughter, or parent who has a serious health condition;
  - Take medical leave when the employee is unable to work because of a serious health condition
- 
- **Military Caregiver Leave:** the employee who is a spouse, son, daughter or parent of a covered service member with a serious injury or illness who is a current member of the Armed Forces, including the National Guard or Reserves, who is undergoing medical treatment for a serious injury or illness incurred in the line of active duty, for whom the employee is needed to provide care for.
- 
- **Qualifying Exigency Leave:** arising out of the fact that the employee's spouse, child or parent is on active duty, or has been notified of an impending call or order to active duty, in support of a contingency operation. This leave is available to a family member of a military member in the National Guard or Reserves only.

### To be eligible for FMLA, an employee must meet the following criteria:

- Employed with the District for at least 12 months prior to the commencement of leave (need not be continuous);
- Employed with the District for at least 1,250 hours of service during the 12 months immediately preceding the leave (Note: full-time teachers are presumed to meet the 1,250 hours).

Fact Sheets from the US Department of Labor which describe your rights under FMLA, follow below.

### Contact:

If you have any questions, contact Anne Corsale in Human Resources at 518-884-7195, ext. 1327.

# Your Employee Rights Under the Family and Medical Leave Act

## What is FMLA leave?

The Family and Medical Leave Act (FMLA) is a federal law that provides eligible employees with **job-protected leave** for qualifying family and medical reasons. The U.S. Department of Labor's Wage and Hour Division (WHD) enforces the FMLA for most employees.

Eligible employees can take **up to 12 workweeks** of FMLA leave in a 12-month period for:

- The birth, adoption or foster placement of a child with you,
- Your serious mental or physical health condition that makes you unable to work,
- To care for your spouse, child or parent with a serious mental or physical health condition, and
- Certain qualifying reasons related to the foreign deployment of your spouse, child or parent who is a military servicemember.

An eligible employee who is the spouse, child, parent or next of kin of a covered servicemember with a serious injury or illness **may take up to 26 workweeks** of FMLA leave in a single 12-month period to care for the servicemember.

You have the right to use FMLA leave in **one block of time**. When it is medically necessary or otherwise permitted, you may take FMLA leave **intermittently in separate blocks of time, or on a reduced schedule** by working less hours each day or week. Read Fact Sheet #28M(c) for more information.

FMLA leave is **not paid leave**, but you may choose, or be required by your employer, to use any employer-provided paid leave if your employer's paid leave policy covers the reason for which you need FMLA leave.

## Am I eligible to take FMLA leave?

You are an **eligible employee** if **all** of the following apply:

- You work for a covered employer,
- You have worked for your employer at least 12 months,
- You have at least 1,250 hours of service for your employer during the 12 months before your leave, and
- Your employer has at least 50 employees within 75 miles of your work location.

Airline flight crew employees have different "hours of service" requirements.

You work for a **covered employer** if **one** of the following applies:

- You work for a private employer that had at least 50 employees during at least 20 workweeks in the current or previous calendar year,
- You work for an elementary or public or private secondary school, or
- You work for a public agency, such as a local, state or federal government agency. Most federal employees are covered by Title II of the FMLA, administered by the Office of Personnel Management.

## How do I request FMLA leave?

Generally, to request FMLA leave you **must**:

- Follow your employer's normal policies for requesting leave,
- Give notice at least 30 days before your need for FMLA leave, or
- If advance notice is not possible, give notice as soon as possible.

You **do not have to share a medical diagnosis** but must provide enough information to your employer so they can determine whether the leave qualifies for FMLA protection. You **must also inform your employer if FMLA leave was previously taken** or approved for the same reason when requesting additional leave.

Your **employer may request certification** from a health care provider to verify medical leave and may request certification of a qualifying exigency.

The FMLA does not affect any federal or state law prohibiting discrimination or supersede any state or local law or collective bargaining agreement that provides greater family or medical leave rights.

State employees may be subject to certain limitations in pursuit of direct lawsuits regarding leave for their own serious health conditions. Most federal and certain congressional employees are also covered by the law but are subject to the jurisdiction of the U.S. Office of Personnel Management or Congress.

## What does my employer need to do?

If you are eligible for FMLA leave, your **employer must**:

- Allow you to take job-protected time off work for a qualifying reason,
- Continue your group health plan coverage while you are on leave on the same basis as if you had not taken leave, and
- Allow you to return to the same job, or a virtually identical job with the same pay, benefits and other working conditions, including shift and location, at the end of your leave.

Your **employer cannot interfere with your FMLA rights** or threaten or punish you for exercising your rights under the law. For example, your employer cannot retaliate against you for requesting FMLA leave or cooperating with a WHD investigation.

After becoming aware that your need for leave is for a reason that may qualify under the FMLA, your **employer must confirm whether you are eligible** or not eligible for FMLA leave. If your employer determines that you are eligible, your **employer must notify you in writing**:

- About your FMLA rights and responsibilities, and
- How much of your requested leave, if any, will be FMLA-protected leave.

## Where can I find more information?

Call **1-866-487-9243** or visit [dol.gov/fmla](http://dol.gov/fmla) to learn more.

If you believe your rights under the FMLA have been violated, you may file a complaint with WHD or file a private lawsuit against your employer in court. **Scan the QR code to learn about our WHD complaint process.**



WAGE AND HOUR DIVISION  
UNITED STATES DEPARTMENT OF LABOR



WH1420 REV 04/23





**WAGE AND HOUR DIVISION**  
UNITED STATES DEPARTMENT OF LABOR

## Fact Sheet #28: The Family and Medical Leave Act

Revised February 2023

The Family and Medical Leave Act (FMLA) provides job-protected leave from work for family and medical reasons. This fact sheet explains FMLA benefits and protections.

### ABOUT THE FMLA

The FMLA provides eligible employees of covered employers with job-protected leave for qualifying family and medical reasons and requires continuation of their group health benefits under the same conditions as if they had not taken leave. FMLA leave may be unpaid or used at the same time as employer-provided paid leave. Employees must be restored to the same or virtually identical position when they return to work after FMLA leave.

**Eligible employees:** Employees are eligible if they work for a covered employer for at least 12 months, have at least 1,250 hours of service with the employer during the 12 months before their FMLA leave starts, and work at a location where the employer has at least 50 employees within 75 miles.

**Covered employers:** Covered employers under the FMLA include:

- Private-sector employers who employ 50 or more employees in 20 or more workweeks in either the current calendar year or previous calendar year,
- Public agencies (including Federal, State, and local government employers, regardless of the number of employees), and
- Local educational agencies (including public school boards, public elementary and secondary schools, and private elementary and secondary schools, regardless of the number of employees).

**The FMLA protects** leave for:

- The birth of a child or placement of a child with the employee for adoption or foster care,
- The care for a child, spouse, or parent who has a serious health condition,
- A serious health condition that makes the employee unable to work, and
- Reasons related to a family member's service in the military, including
  - Qualifying exigency leave - Leave for certain reasons related to a family member's foreign deployment, and
  - Military caregiver leave - leave when a family member is a current servicemember or recent veteran with a serious injury or illness.

Download ["The Employee Guide to the Family and Medical Leave Act"](#) for more information about the FMLA, including how to request FMLA leave.

### USING FMLA LEAVE

Eligible employees may take:



- Up to 12 workweeks of leave in a 12-month period for any FMLA leave reason except military caregiver leave, and
- Up to 26 workweeks of military caregiver leave during a single 12-month period.

**Examples:**

- Sheila works 32 hours a week at a shoe store. When Sheila needs to take FMLA leave for 12 weeks, she may use up to 32 hours of FMLA leave a week for 12 weeks.
- Chester works 40 hours a week as an administrative assistant. When Chester needs to take FMLA leave for 12 weeks, he may use up to 40 hours of FMLA leave a week for 12 weeks.
- Kayden works 50 hours a week as a cook at a restaurant. When Kayden needs to take FMLA leave for 12 weeks, he may use up to 50 hours of FMLA leave a week for 12 weeks.

**Intermittent or reduced schedule leave.** Employees have the right to take FMLA leave all at once, or, when medically necessary, in separate blocks of time or by reducing the time they work each day or week. Intermittent or reduced schedule leave is also available for military family leave reasons. However, employees may use FMLA leave intermittently or on a reduced leave schedule for bonding with a newborn or newly placed child only if they and their employer agree.

**Examples:**

- Sheila has a daughter who serves in the Armed Forces and was seriously injured during deployment overseas. Sheila needs FMLA leave for one-half of her usual workweek (16 hours) over the next six months to assist with her daughter's care.
- Chester has a serious mental health condition that sometimes affects his ability to work. Occasionally, when Chester is unable to work because of his mental health, he takes FMLA leave, usually for one to three weeks at a time. Chester also takes FMLA leave every now and then for an hour or two when he has an appointment to see his doctor or attend therapy to treat his condition.
- Kayden, a cook, works Tuesday through Saturday. His father, Emile, has a serious health condition. Kayden and his wife, Maeve, take turns bringing Emile to dialysis during the week. Every other Friday evening Kayden uses five hours of FMLA leave to help his father. Even though his wife helps, Kayden also occasionally uses five hours of FMLA leave on other evenings to help his father.

**Paid leave.** FMLA is job-protected, unpaid leave. Employees may use employer provided paid leave at the same time that they take FMLA leave if the reason they are using FMLA leave is covered by the employer's paid leave policy. An employer may also require an employee to use their paid leave during FMLA leave.

**Examples:**

- Sheila works for a shoe store that provides her with one week of paid vacation time every year. The store always requires employees to use their paid vacation time when they take time off from work for any reason, even if they are not taking a vacation. When Sheila takes 16 hours of FMLA leave because of her daughter's deployment with the Armed Forces to a foreign country, her employer pays her for her FMLA time off and deducts 16 hours from her one week of vacation time.
- When Chester needs FMLA leave for his own serious health condition, he uses paid sick leave that is part of his job benefits.
- The restaurant where Kayden works provides him paid sick leave that he can use for his own health needs but not for family care. Kayden also has other paid time off (PTO) that he uses when he takes leave to care for his father who has a serious health condition.

**Requesting FMLA leave.** Employees do not have to specifically ask for FMLA leave but do need to provide enough information so the employer is aware the leave may be covered by the FMLA. Employees must provide notice to their employer as soon as possible and practical that they will need to use FMLA leave. For example, if an employee knows that they have a procedure for a serious medical condition scheduled in three weeks, the employee needs to provide notice to the employer as soon as the procedure is scheduled. Employers may ask for information from the health care provider before approving FMLA leave and must allow 15 calendar days to provide the information. In some circumstances, such as when the employee's health care provider is not able to complete the certification information timely, employees must be allowed additional time.

## FMLA LEAVE BENEFITS AND PROTECTIONS

**Job protection.** Employees who use FMLA leave have the right to go back to work at their same job or to an equivalent job that has the same pay, benefits, and other terms and conditions of employment at the end of their FMLA leave. Violations of an employee's FMLA rights may include changing the number of shifts assigned to the employee, moving the employee to a location outside of their normal commuting area, or denying the employee a bonus for which they qualified before their FMLA leave.

An employer cannot threaten, discriminate against, punish, suspend, or fire an employee because they requested or used FMLA leave. Violations of an employee's FMLA rights may include actions such as writing up the employee for missing work when using FMLA leave, denying a promotion because the employee has used FMLA leave, or assessing negative attendance points for FMLA leave use.

**Group health plan benefits.** Employers are required to continue group health insurance coverage for an employee on FMLA leave under the same terms and conditions as if the employee had not taken leave. For example, if family member coverage is provided to an employee, family member coverage must be maintained during the employee's FMLA leave.

## SPECIAL FMLA RULES FOR SOME WORKERS

**FMLA Leave and Teachers.** Special rules apply to employees of elementary schools, secondary schools, and school boards. Generally, these rules apply when an employee needs intermittent leave or leave near the end of a school term.

**FMLA Eligibility for Flight Crews.** Airline flight crew employees have special hours of service eligibility requirements. For more information about the special rules for flight crew employees, see [Fact Sheet #28J](#).

## FMLA Eligibility for Servicemembers under the Uniformed Services Employment and Reemployment Rights Act (USERRA)

Returning servicemembers are entitled to receive all rights and benefits of employment that they would have obtained if they had been continuously employed. Any period of absence from work due to USERRA-covered service counts toward an employee's months and hours of service requirements for FMLA leave eligibility.

## ADDITIONAL PROTECTIONS

### State Laws

Some States have their own family and medical leave laws. Nothing in the FMLA prevents employees from receiving protections under other laws. Workers have the right to benefit from all the laws that apply.

### Protection from Retaliation

FMLA is a federal worker protection law. Employers are prohibited from interfering with, restraining, or denying the exercise of, or the attempt to exercise, any FMLA right. Any violations of the FMLA or the FMLA regulations constitute interfering with, restraining, or denying the exercise of rights provided by the FMLA. For more information about prohibited employer retaliation under the FMLA, see [Fact Sheet #77B](#) and [Field Assistance Bulletin 2022-2](#).

### Enforcement

The Wage and Hour Division is responsible for administering and enforcing the FMLA for most employees. If you believe that your rights under the FMLA have been violated, you may file a complaint with the Wage and Hour Division or file a private lawsuit against your employer in court. State employees may be subject to certain limitations in pursuit of direct lawsuits regarding leave for their own serious health conditions. Most Federal and certain congressional employees are also covered by the law but are subject to the jurisdiction of the U.S. Office of Personnel Management or Congress.

## Time and Attendance

Please refer to your employment contract for details of your paid leave accruals, eligibility and guidelines regarding the use and required approvals for these leaves.

### Jury Duty

What to do if you are notified that you may need to report for jury duty:

When summoned for jury duty, it is typical to not know if you are required to report until the evening before. Advise your supervisor of the possibility of your absence if you are asked to report for jury duty. Once confirmed, arrange for a substitute if required, and record your absence on your timesheet for jury duty. The Court Clerk will provide you with an affidavit confirming your attendance in court on the relevant dates. This is to be provided to Lori Natale in Human Resources. Be sure to submit the documents at the end of an attendance/payroll period, even if your service is not yet concluded. Staff covered by employment contracts are paid by the District during jury duty. The court will ask if you will be paid by your employer during the absence; respond "yes", and **do not accept payment** from the court for your appearance.

### Facilities and Transportation Staff:

Absence reporting is defined by department procedure. Staff should contact their department supervisor for clarification on how to report their absences.

### Clerical Staff:

Staff must arrange to call their own substitute from the approved list of clerical substitutes which is located on the District's Scottie Net. From the HR and Professional Development tab, click on Administrative Resources. The substitute list is updated monthly after each BOE meeting so be sure to use the most current version available.

### Time and attendance recording

All staff is required to complete their daily attendance according to the District's bi-weekly payroll calendar. At this time, 10-month staff, and Facilities staff record their attendance by completing paper timesheets. All other staff will complete an electronic timecard through their WinCapWEB account. Log-in instructions will be provided to staff by the Office of Human Resources and Professional Development.

### WinCapWEB

Staff can access their WinCapWEB account from any computer, smart phone or tablet. Once they create their account, they can login to Scottie's Dashboard from the BSCSD website and click on the WincapWEB icon.

Staff who are eligible for paid personal and vacation leave must request taking this time off *in advance* by obtaining their supervisor approval through WinCapWEB. From the Employee Self- Service tab, click on My Leave Requests.

Staff have the ability to view their personal information in WinCapWEB, which is the District's personnel data management system. Staff can:

- View and edit demographic information (ex: change of address or emergency contact)
- View current sick, personal and vacation leave balances and payroll history

**Questions related to time and attendance can be directed to the office secretary in your building or:**

Lori Natale

Personnel Database Manager/Leave Accounting

518-884-7195, ext. 1364

[lnatale@bscsd.org](mailto:lnatale@bscsd.org)



## Frontline Absence Management

Frontline Absence Management (formerly Aesop) is an automated attendance system that requires certain employees to:

- Report their absences from work
- Request a substitute (if needed) to cover their position during their absence

**Refer to your position below for reporting procedures:**

**Instructional Staff (Teachers, Teaching Assistants) including Nurses, Special Education Aides and School Aides:**

Use Frontline to report your absence. Specify “YES Substitute Needed” for your absence. All new hires must complete an Employee Data Record to register in Frontline. Login instructions will be sent to your staff email.

**Speech Therapists, Social Workers, Psychologists and Counselors:**

Use Frontline to report your absence. Unless told otherwise, specify “NO Substitute Needed” for your absence.

**Non-Instructional Staff including Bus Drivers, Facilities and Clerical Staff:**

To report your absences from work, contact your supervisor for procedures.

**Absences may be reported by accessing Frontline online at:**

- <https://login.frontlineeducation.com/login?signin=abb809ef1b243c02f2aeb61e94851580&clientId=superSuit#/login>
- Telephone at 1-800-942-3767

**Absence reasons include:**

- |                            |                     |
|----------------------------|---------------------|
| • Family Illness           | • Vacation          |
| • Personal Illness         | • Testing/Scoring   |
| • Personal Business        | • Field Trip        |
| • Professional Development | • Health Screening  |
| • Meeting                  | • Per Administrator |
| • Bereavement              | • Military Leave    |
| • Jury Duty                | • CSE Meeting       |
| • Leave No Pay             |                     |

**\* Refer to your employment contract as not all absence reasons listed above are relevant to all employees.**

## Procedural Clarification

- Frontline creates an official District record so it is important that you report absences to Frontline in a timely and accurate manner.
- If you will be absent less than one hour before your start time *on the day of your absence* OR have an unplanned departure during the day, you must call BOCES on the day of your absence to request that your absence be entered manually.
- If you are unable to report your absence to Frontline on the day of your absence, you are still required to call BOCES asap to report your absence.
- If you report an absence but later decide to work that day, you must cancel your request in Frontline asap. To delete an absence, go to the "Absence Details" page. The **Delete** button will show whether you are in edit mode or not. Simply click the button to delete the absence. Click the **Yes** button to confirm and delete. If you need assistance contact BOCES.

***Questions related to Frontline/Aesop should first be directed to the office secretary in your building.***

***If you still require help, contact the Teacher Registry at 518-746-3375 or contact Anne Corsale in Human Resources at 518-884-7195 ext. 1327.***

**Please note:** You must enter your personal request (*as well as vacation/sick if you are a 12-month employee and utilize an electronic timesheet*) into WincapWEB in addition to you reporting your absence, in order to use paid time off.

**\*Frontline reports the absence, WincapWEB uses your accruals and/or granted paid time off. These are two separate systems that are used to for two separate purposes.**

## Short Term Disability

Short Term Disability coverage helps protect certain employee's income if they can't work due to their own illness.

This benefit is paid in full by the district and is available to eligible employees who are either (1) recognized by the CSEA unit or (2) employees with independent contracts.

It is the responsibility of the employee to contact the Office of Human Resources at 518-884-7195 and request the disability forms that must be completed in order to apply. Refer to your employment contract for further information.

## Work-Related Injuries

On the job injuries and illnesses are covered by the provisions of the New York State Workers' Compensation Law.

### What To Do If You Are Injured at Work

- Complete an Employee Injury and Illness Report. Forms are available in the nurse's office and Human Resources (HR). Refer to sample below.
- Return your completed report to HR within 48 hours from the date of injury either by email, interoffice mail or Fax to 518-602-0207.
- Report the injury or illness to your supervisor and/or building administrator.
- If you seek outside medical attention from a physician, urgent care center or ER, write the health provider's name and address and date below the "Treated By" section on the form. Be sure to give your health care provider the "tear strip" which you should detach from the bottom of your report.
- If you seek outside medical attention, send copies of any doctor notes you receive to HR.
- If you miss any days from work or seek outside medical attention due to your work-related injury/illness, also advise HR.

If you have any questions, contact Anne Corsale in Human Resources at 518-884-7195, ext. 1327.

<b>EMPLOYER NAME:</b>											
DATE OF INJURY OR ILLNESS MO. DA. YR.			HOUR OF DAY AM. PM.		EMPLOYEE'S TELEPHONE #.			SEX (M OR F)		DATE OF BIRTH MO. DA. YR.	
SOCIAL SECURITY NUMBER				NAME (LAST)			(FIRST)		(M.I.)		
HOME ADDRESS					CITY		STATE	ZIP		JOB TITLE	
WORK STATUS PART OR FULL TIME		TIME EMPLOYEE BEGAN WORK		DATE OF HIRE		HRS/DAY	DAYS/WEEK		DEPT.		AVG. WEEKLY EARNINGS
<b>EMPLOYEE'S STATEMENT</b> (how and why injury occurred, describe injured body part, objects involved in injury, MVA)											
EMPLOYEE SIGNATURE						PLACE OF INJURY					
WAS THIS LOCATION WHERE EMPLOYEE NORMALLY WORKED?										<input type="checkbox"/> YES <input type="checkbox"/> NO	
EMPLOYEE JOB DESCRIPTION: Please attach if available.											
IS THIS A REOCCURRENCE OF A PREVIOUS INJURY OR ILLNESS?										<input type="checkbox"/> YES <input type="checkbox"/> NO	
IF YES, PLEASE GIVE DETAILS: TREATMENT BY WHAT PHYSICIAN(S)											
EMPLOYEE'S SUPERVISOR						DID SUPERVISOR SEE INJURY HAPPEN? <input type="checkbox"/> Y <input type="checkbox"/> N					
DID ANYONE ELSE SEE INJURY HAPPEN? <input type="checkbox"/> Y <input type="checkbox"/> N						IF YES, GIVE NAME(S)					
DID EMPLOYEE LEAVE WORK DUE TO INJURY FOR TREATMENT? <input type="checkbox"/> Y <input type="checkbox"/> N											
WAS EMPLOYEE TREATED IN EMERGENCY ROOM? <input type="checkbox"/> Y <input type="checkbox"/> N						WAS EMPLOYEE IN HOSPITAL OVERNIGHT <input type="checkbox"/> Y <input type="checkbox"/> N					
TREATED BY: NAME				ADDRESS				DATE		MO. DA. YR.	
DID EMPLOYEE STOP WORK DUE TO INJURY? <input type="checkbox"/> Y <input type="checkbox"/> N						DATE OF FIRST FULL DAY OUT					
HAS EMPLOYEE RETURNED TO WORK? <input type="checkbox"/> Y <input type="checkbox"/> N						IF YES, ON WHAT DATE?			<input type="checkbox"/> REGULAR DUTY <input type="checkbox"/> LIMITED DUTY		
IF LIMITED DUTY, AT LOWER WAGES? <input type="checkbox"/> Y <input type="checkbox"/> N						IF YES, AT WHAT AVG. EARNINGS/WEEK?					
HAVE YOU RECEIVED YOUR CLAIMANT INFORMATION PACKET? SIGNATURE						<input type="checkbox"/> Y <input type="checkbox"/> N		DATE OF DEATH		MO. DA. YR.	
DATE EMPLOYER ADVISED OF INJURY				MO. DA. YR.		PREPARER'S NAME (PLEASE PRINT)					
<input type="checkbox"/> VERBAL <input type="checkbox"/> WRITTEN				TELEPHONE #							

TODAY'S DATE

BENETECH, INC. P.O. BOX 348, WYNANTSKILL 12198 1-800-698-4753

CASE NO. FROM LOG

Detach this portion of the form to use as the Pharmacy Benefits Card

<p><b>**MED FOCUS**</b></p> <p><b>IS THE PREFERRED PROVIDER FOR ALL DIAGNOSTIC TESTING. YOUR DOCTOR MAY CONTACT THEM DIRECTLY TO SET UP YOUR APPOINTMENT BY CALLING: 1-800-398-8999.</b></p>	 <p><b>Workers' Compensation ID Card</b></p> <p>Please submit all Workers' Compensation bills, reports and requests for authorization to:</p> <p><b>Benetech, Inc.</b> P.O. Box 348 Wynantskill, NY 12198 Fax: 518.283.8515 Phone: 1.800.698.4753</p> <p>This ID Card Only Valid for Work Related Injuries.</p>	 <p><b>Pharmacy ID Card</b> For </p> <p><b>Workers' Compensation</b></p> <p><b>Employee:</b> Present this card along with your Workers' Compensation prescriptions to your pharmacy.</p> <p><b>Pharmacist:</b> Please submit Workers' Compensation claims to Matrix. BIN: 610208 PCN: NYM GROUP: BENWC</p> <p><b>ID NUMBER: 43888</b></p> <p>Pharmacy Call Center 866.352.5171</p>
--	--	---



## Bloodborne Pathogens and Safe Schools Training

- **Bloodborne pathogens** may cause chronic infections and can enter your body through open cuts, skin abrasions, dermatitis, or accidental injury with a contaminated object such as broken glass, sharp metal, or needles. Not every staff member will be occupationally exposed to body fluids, but everyone should know what to do to minimize the chance of exposure by using universal precautions. Do not touch another individual's blood or body fluids. If unavoidable, wear gloves. Take the student to the school nurse or call for help.
- Annually, all staff members are required to complete mandatory online compliance training. A link to access **SafeSchools Training** will be emailed to staff in September. Training includes courses on:
  - Sexual misconduct
  - Sexual harassment
  - Hazard communication
  - Bloodborne pathogen exposure prevention
  - Cybersecurity
  - Email safety
  - Personal Protective Equipment
  - Bullying

Using your web browser, go to the SafeSchools™ website for Ballston Spa Central School District:  
<http://bscsd.ny.safeschools.com/>

Common and effective universal precautions are:

- Use of Personal Protective Equipment (PPE): gloves, masks and protective eye wear. These must be provided by the employer at no cost to the employee
- Placement of barriers such as tissues or a towel between a caregiver and a bleeding person or ask them, if they're able, to do it themselves, i.e. wipe own nose or apply pressure to wounds
- Hand washing with soap and water or use waterless sanitizing cleansers immediately following body fluid contact and glove removal

All exposures to blood borne pathogens must be reported to the school nurse. Post-exposure follow-up will include:

- Review of the incident
- Medical follow-up
- Complete the *Blood/Body Fluids Occupational Exposure Report form for Workplace Incidents*.  
**Please refer to Appendix.**
- Report the incident to the Office of Human Resources and Professional Development

## Health and Wellness

The Ballston Spa Central School District has made it a priority to create and support excellence in all aspects of workforce development. It is our goal to cultivate and retain employees who are committed to the exemplary delivery of instruction and services. A healthy mind and body, along with smart lifestyle choices, provide a firm foundation for the important work that we do. Healthy employees make the best employees!

Your mental and physical well-being is of utmost importance to your success on the job. To be most effective, you must be feeling well and be able to perform the required duties with a positive attitude. Wellness programs for employees are offered on-site during the year. You are also welcome to utilize the swimming pool at the High School when available.

Please visit the [Health and Wellness](#) page on the [Scottie Net](#) for a comprehensive list of resources.

In addition to preventive health care, we encourage prompt follow-up on any suspected medical condition. If you are not feeling well, and an easily communicable condition is suspected, we recommend use of your sick leave so as not to infect colleagues and students.

### Employee Assistance Program (EAP)

Capital EAP offers assistance to eligible employees (covered under the CSEA, Administrative Council and individual employment contracts) and their eligible dependents to help them prevent or solve personal or work-related problems. EAP services are offered at no cost and include access to confidential, professional counseling and assistance, including:

- Professional counseling (individual, relationship, family)
- Life coaching
- Depression screening
- Legal referrals
- Financial referrals
- Workshops and trainings on personal and professional development topics
- Extensive online information and resources on wellness and mental health topics

Capital EAP's offices are located in Albany, with affiliate services throughout New York State. To learn more about Capital EAP, visit them online at [www.capitaleap.org](http://www.capitaleap.org) or contact Capital EAP anytime at (518) 465-3813 or (800) 777-6531.

### New York State United Teachers (NYSUT)

Teachers and Teaching Assistants should visit NYSUT Social Services at [www.nysut.org/resources/special-resources-sites/social-services](http://www.nysut.org/resources/special-resources-sites/social-services) or call (800) 342-9810 ext. 6206 to access the health and wellness services that are available.

## Technology Support Services

### Responsible Use and Related Policies

The smooth operation of computer resources relies upon the proper conduct of staff and student(s). These guidelines are provided here so that you are aware of your responsibilities. The privilege of using computer technology in school may be revoked at any time if a staff member or student(s) fails to comply with district policy and regulations. Please consult the District Acceptable Use of Electronic Information and Access for a detailed overview.

### Filtering and Network Account Guidelines

BSCSD utilizes an adaptable content filtering system designed to comply with federal and state regulations and safeguard staff and students. Access to sites or resources may be blocked or limited based on this. Since it is impossible to anticipate the need for access or restriction to every online resource, staff should employ best practice and preview resources they intend to use for their role. This includes those they have used in the past, as addresses may change which will affect user access.

To request that a site be opened for access, staff will need to submit a work order, including relevant information such as time frame and site address. **No request to access an online resource will be approved until properly vetted for compliance with district policy, and state/federal regulations.** Requests to open access to an online resource for students should be made by a staff member on their behalf.

### Technology Assistance

The Technology Support Services Department is under the Business and Support Services of the Ballston Spa School District. It is located in the District Office. The staff is responsible for all aspects of technology such as planning, help desk, hardware and software purchasing, repair, staff development and maintaining District standards. The staff strives to provide timely support to all personnel in the District.

To receive assistance, staff will need to make a request through the Electronic Work Order System. There is a shortcut in the Staff-Resource folder on all desktops of all District workstations to access this system. Additionally, it can be found on the Staff Resources page from the Scottie Net on the District Website or from the Scottie Net (District Intranet).

Click here for a link to the Electronic Work Order System <https://bscsd.incidentiq.com/>.

For MFA lockout staff may dial x3610. This extension is only for emergency MFA lockout purposes (and is not to be used for other support requests).

### Account Credentials

Password security is paramount for protecting user accounts and district systems. At no time should any user share their logon credentials with anyone, including students or subs. To do so is a violation of the District Acceptable Use Policy. District accounts have access to confidential information in your home directory, departmental folders, teacher shares, SchoolTool SMS, e-mail and more. If at any time you believe that someone has attained your password, change it immediately.

To change your password type Ctrl, Alt and Delete simultaneously, a window will be displayed with a "Change Password" selection. Thank you for your understanding of the importance of good security within the District.

**Gmail**

Gmail access is provided from a link on the Staff Resources page from the Scottie Net on the District Website. This resource provides access to the Google for Education productivity suite.

**Remote Access Resources**

The District provides all staff access to Google for Education for productivity and file storage. Remote access through our VPN is restricted for security purposes and is limited to those requiring access to resources necessary to their role.

**Technology Support- Roles and Responsibilities**

<p><b><u>Jason LaMora (and team)</u></b>  <b>Director of Technology</b></p>		<p><b><u>Margaret Giller</u></b>  <b>Chief Information Officer/                  Database Management</b></p>
<p><i>Place all requests through an electronic work order unless otherwise indicated below.</i></p>		
<p><b>Administrative Database Management:</b></p> <p>Classlink, Schoology, Active Directory, WinCap</p> <p>Staff and Student Network Accounts</p> <p>Gmail &amp; Google for EDU</p> <p>Deledao Filtering requests</p> <p>Technology Hardware Issues</p> <p>Workstation Software Issues</p>	<p><b>Instructional Technology Assistance:</b></p> <p>Instructional Software/ Database Subscriptions</p> <p>Product Management and Training</p> <p>Software/Application Vetting</p> <p>Scottie Dashboard (Classlink) End User Support</p>	
<p><b><u>Facilities</u></b></p> <p><b><u>Telephone and Voicemail</u></b></p> <p><b><u>Employee Badges</u></b></p> <p><b><u>Reserve District Facilities (use Facilities Request Form)</u></b></p> <p><b><u>Maintenance Repairs (use Maintenance Request Form)</u></b></p> <p><b><u>EasyLobby</u></b> -Visitors</p> <p><b><u>Milestone</u></b>-Security Camera System</p>	<p><b><u>School Guidance</u></b></p> <p><b><u>Naviance – Ashley Osborne</u></b></p>	<p><b><u>District Communications</u></b></p> <p><b><u>Finalsite/Blackboard®</u></b> -Website</p> <p><b><u>Twitter®</u></b>-Social Media</p> <p><b><u>Facebook</u></b></p> <p><b><u>Instagram</u></b></p> <p><b><u>School Messenger</u></b></p> <p><b>Stuart Williams</b></p> <p><b>Kelly Delaney-Elliott</b></p>
<p><b><u>Human Resources</u></b></p> <p><b><u>Staff Trac:</u></b> Pamela Motler</p> <p><b><u>Professional Growth:</u></b> Susan Douglas</p> <p><b><u>WinCapWEB:</u></b> Lori Natale</p> <p><b><u>Scottie Net:</u></b> Lori Natale</p> <p><b><u>Email/login:</u></b> Lori Natale</p> <p><b><u>SafeSchools:</u></b> Lori Natale</p> <p><b><u>Frontline (Aesop):</u></b> Anne Corsale</p>		

## Appendix and Sample Forms

- Blood/Body Fluids Occupational Exposure Report Form for Workplace Incidents
- Request for Excused Medical Leave Form (cancer screening/blood donation)
- Acceptance of Code of Ethics/Conduct for Employees/Officers (required signoff)

**Other forms and documents are available from the Office of Human Resources and Professional Development (most forms can also be located on the Scottie Net) including:**

- Employment Contract
- Election to Defer Compensation Form (10 month staff only)
- Direct Deposit Enrollment Form
- Calendars (payroll/school)
- Substitute Teacher Registry/Employee Data Record Form
- Flexible Spending Account (FSA) Election Form (must be completed to authorize *pre-tax* payroll deductions if enrolling in health and dental benefits)
- New York State Retirement Application for Membership (TRS) or Membership Registration (ERS)
- 403 (b) Tax-Shelter Salary Reduction Agreement Form (SRA)
- Annual Insurance Open Enrollment Election Form
- Health and Dental Insurance Booklets & Enrollment Forms
- Health and Dental Insurance Premiums
- Employee Data Change Form (change in marital status or legal name)



**Blood/Body Fluids Occupational Exposure Report Form for Workplace Incidents**

The accompanying form must be completed by any employee who has had exposure to blood/body fluids. The form must be signed by the school nurse and forwarded to the Office of Human Resources and Professional Development.

**CONFIDENTIAL**

Employee Name \_\_\_\_\_

Home Address \_\_\_\_\_

Position \_\_\_\_\_ Phone \_\_\_\_\_

School \_\_\_\_\_ Supervisor/School Nurse \_\_\_\_\_

**Description of Incident**

**Date of Incident:** \_\_\_\_\_

**Did the individual's body fluid come in contact with your body?** \_\_\_\_\_ Yes \_\_\_\_\_ No

**Briefly describe what happened:**

\_\_\_\_\_  
\_\_\_\_\_

**Complete the following section:**

**Wounds:**

- a. Did the incident involve a wound?  Yes  No
- b. Did the wound result in visible bleeding?  Yes  No
- c. Was the wound caused by  needle  human bite  other sharp instrument  
Specify: \_\_\_\_\_
- d. Was the object causing the wound covered with blood/body fluids?  Yes  No

**Blood/body fluid exposure to mucous membranes:**

- a. Did the individual's blood/body fluids come in contact with your body?  Yes  No
- b. What was the substance were you exposed to?  
 n/a I was not exposed  blood  feces  urine  (vomit)  sputum  
 sexual fluids
- c. If the substance was anything other than blood, was there any blood visible in the fluids?  
 n/a  yes  no  unknown
- d. What part of your body was exposed to the substance? (check all that apply)  
 mouth  eyes  ears  skin (specify location)  none  other (specify) \_\_\_\_\_

**How long was your body part in contact with the substance?** \_\_\_\_\_

- a. If the exposure was to your skin, was your skin bruised in any way?  Yes  No
- b. What was the nature of your skin abrasion?  acne  dermatitis  cracks due to dry skin  
 unhealed cuts or scratches  no skin abrasion  other (specify) \_\_\_\_\_

**Which of the following procedures were being used at the time of the incident?**

(check all that apply)

- cuts/open wounds covered with bandages  mask (vinyl/latex)  gloves
- pocket ventilator/ambu bag  goggles/glasses  other (specify) \_\_\_\_\_

**First line intervention - after exposure, what did you do?**

- washed hands/exposed area    changed clothes    flushed eyes/rinsed mouth    showered  
 other (specify) \_\_\_\_\_

**The supervisor/school nurse was notified as follows:** Date: \_\_\_\_\_ Time: \_\_\_\_\_

Medical Intervention - in the event of contact with blood and/or body fluid, it is suggested that you discuss with school nurse:

- HBV antibody or previous vaccination status for HBV
- The need for HBV/HIV antibody testing
- Immediately notify your health care provider of the exposure to body fluids

**EMPLOYEE: Please return this completed form to the Nurse's Office.**

\_\_\_\_\_  
Signature of Employee

\_\_\_\_\_  
Date

\_\_\_\_\_  
Time

\_\_\_\_\_  
Signature of Nurse

\_\_\_\_\_  
Date

\_\_\_\_\_  
Time

\_\_\_\_\_  
Signature of Supervisor

\_\_\_\_\_  
Date

\_\_\_\_\_  
Time



### Request for Excused Medical Leave

**Directions:**

1. The employee completes PART 1 .
2. Your physician completes PART 2.
3. Mark your timesheet as "Cancer Screening" (CS) or "Blood Donation" (BD) for the time taken.
4. Send the signed form to Human Resources.

**\*\*Please make a copy of this form for your records and EITHER scan OR return the original to Lori Natale in Human Resources prior to the end of the pay period in which the leave was taken\*\***

If you have any questions related to your request for excused medical leave, contact 518-884-7195 x1364.

### PART 1: To be completed by the employee

Employee name *(print)*: \_\_\_\_\_ Date of appointment: \_\_\_\_\_

Building: \_\_\_\_\_

Please check which type of excused medical leave you are requesting:

- **Cancer Screening** (up to 4 hours max annually) →  hours
- **Blood Donation** (up to 3 hours max annually) →  hours

### PART 2: To be completed by the employee's physician or blood donation facility

\_\_\_\_\_  
Employee name *(print)* was seen on \_\_\_\_\_  
Date *(mm/dd/yyyy)*

\_\_\_\_\_  
Time of appointment Physician name or facility and town *(print)*

\_\_\_\_\_  
Phone number of physician or facility Health Care Professional signature

I authorize that I have taken the above medical leave, and request that my absence be covered under this paid leave benefit.

Employee signature: \_\_\_\_\_ Date: \_\_\_\_\_



**Acceptance of Code of Ethics/Conduct for Employees/Officers**

I have read and understand the Ballston Spa Central School District's Code of Ethics/Conduct for Employees/Officers. I understand that if I violate any of the provisions of this code, in addition to any penalty contained in any provision of law, I may be fined, suspended or removed from office or employment, as the case may be, in the manner provided by law.

Print Name: \_\_\_\_\_

Title/Position: \_\_\_\_\_

Signature: \_\_\_\_\_

Date: \_\_\_\_\_

