

REMSEN CENTRAL SCHOOL
BOARD OF EDUCATION MEETING
ELEMENTARY SCHOOL MEDIA CENTER
TUESDAY, DECEMBER 13, 2022– 6:00 PM
SUPERINTENDENT’S MEMORANDUM

- 1.0 Call to Order – Mrs. Mary Lou Allen, Board President, will call the meeting to order at 6:00 p.m. Pledge of Allegiance recited by all present.

- 2.0 Public Participation - We are about to convene into the public comment period of our meeting. Any district resident wishing to speak during public session is required to sign in, stating your full name, address, contact information and the topic that you wish to discuss. If you have not signed in and you wish to speak, the District Clerk will bring the sign-in sheet over to you at this time.

We will insist that all speakers and members of the audience maintain civility and respect. The board will now entertain public comments for up to a maximum of 30 minutes. Each individual speaker will be allotted three minutes. Please be reminded that written comments or concerns to be shared with the Board may also be submitted or emailed to the district clerk, Ms. Olivia Woolheater or to the Superintendent, Mr. Timothy Jenny at any time.

- 2.1 Questions and Concerns from the Public

- 3.0 Consent Agenda – RECOMMENDED ACTION – A single motion to approve the following routine items:
 - 3.1 Preliminary Actions
 - A. Approval of Minutes – November 8, 2022 ENC. 3.1A
 - B. Additions to and Approval of Agenda

 - 3.2 Business Operations
 - A. Warrants for Payment ENC. 3.2A
 - B. Appropriation Status Report ENC. 3.2B
 - C. Treasurer’s Report ENC. 3.2C
 - D. Revenue Status Report ENC. 3.2D
 - F. Budget Transfers ENC. 3.2E

- 4.0 Reports to the Board of Education
 - 4.1 Elementary Principal’s Report ENC. 4.1
 - 4.2 High School Principal’s Report ENC. 4.2
 - 4.3 Athletic Director’s Report ENC. 4.3
 - 4.4 Facilities Report ENC. 4.4
 - 4.5 Transportation Report ENC. 4.5

5.0 Old Business

5.1 Board of Education Policies second read and adoption – RECOMMENDED ACTION – Approve the following: “RESOLVED, that the Board of Education adopt the following policies:

6001	6100	6200	6300	6400	6500
6002	6101	6201	6301	6401	6501
6003	6102		6302		
6004	6103		6303		
6008	6104				
6005	6105				
6007	6106				
6006	6107				

Superintendent’s Regulations for information only:

6003.1	6300.1	6400.1	6401.1
6003.2	6300.2	6400.2	
	6300.3		
	6300.4		
	6300.5		

ENC 5.1

5.2 Discussion of Capital Reserves for Upcoming Capital Project

5.3 Discussion of Capital Project Scope Items

6.0 New Business

6.1 Committee on Special Education – RECOMMENDED ACTION – Approve the following “RESOLVED, that the Board of Education accept recommendations of the Committee on Special Education from meetings held on November 4, November 7, November 9, November 16, November 18, November 22, and December 6, 2022. Please be reminded that discussion of a specific IEP should be referred to Executive Session.”

ENC. 6.1

6.2 Board of Education Policies first read and adoption - RECOMMENDED ACTION – Approve the following: “RESOLVED, that the Board of Education adopt the following policies:

6600	7203	0013
	7204	0015

Superintendent’s Regulations for information only:

6600.1	0013.1	0013.2
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ENC 6.2

- 6.3 2022-2023 Capital Outlay Project Bid Award - RECOMMENDED ACTION - Approve the following: "RESOLVED, that the Board of Education award General Construction Contract to the low bidder, Richard E. Alexander Co., Inc., of Marcy, New York in the following amount: Base Bid: \$91,880.00: Alternates GC-1 - GC-4 - None Taken; Total Bid - \$91,880.00."

ENC 6.3

- 6.4 Remsen School District Professional Learning Plan 2022-2027 – RECOMMENDED ACTION - Approve the following: "RESOLVED, that the Board of Education adopt the Remsen Central School District Professional Learning Plan 2022-2027."

ENC 6.4

- 6.5 Tax Collector's Report – RECOMMENDED ACTION – Approve the following: "RESOLVED, that the Board of Education approve the Tax Collector's Report as submitted and approve the return of unpaid taxes to Oneida County and Herkimer County."

ENC 6.5

7.0 Personnel

- 7.1 Request for Unpaid Leave Day – RECOMMENDED ACTION – Approve the following: "RESOLVED, that the Board of Education approve request of Emily Laurey for unpaid leave day taken November 28, 2022."

ENC. 7.1

- 7.2 Appointment of Long Term Substitute – RECOMMENDED ACTION – Approve the following: "RESOLVED, that the Board of Education appoint Chloe Williams as a long term substitute for Pre-K Teacher Brittany Austin, effective February 27, 2023."

ENC 7.2

- 7.3 NYS Minimum Wage Increase Adjustments - RECOMMENDED ACTION - "RESOLVED, that the Board of Education approve the enclosed hourly rate wage adjustments, effective December 31, 2022, due to the New York State Minimum Wage Increase."

ENC 7.3

- 7.4 Appointment of Mentor – RECOMMENDED ACTION – Approve the following: "RESOLVED, that the Board of Education appoint Jamie Dening as mentor for the HS Special Education Teacher, Erin Muzio at a stipend of \$1,200 prorated for the remainder of the 2022-2023 school year."

- 7.5 Tenure Appointment - "RESOLVED, that in compliance with the provisions of Section 3012(d) of the Education Law and Part 30.3 of the Rules of the Board of

Regents and upon the recommendation of the Superintendent of Schools, that Laura Boyd, teacher of French, be appointed on tenure to the position of teacher in the foreign languages tenure area, who holds a valid New York State Certificate permitting her to teach subjects in the aforesaid tenure area, the Board of Education of the Remsen Central School District does hereby make this appointment effective January 3, 2023.”

8.0 Information & Correspondence

9.0 Soaring to Success – Board of Education Roundtable Remarks

10.0 Executive Session for:

	Matters that will imperil the public safety if disclosed
	Any matter that may disclose the identity of a law enforcement agent or informer
	Information relating to current or future investigation or prosecution of a criminal offense that would imperil effective law enforcement if disclosed.
	Proposed, pending, or current litigation
	Collective negotiations pertaining to the CSEA Union pursuant to article 14 of the Civil Service Law
	The medical, financial, credit, or employment history of a particular person or corporation, or matters leading to the appointment, employment, promotion, demotion, discipline, suspension, dismissal, or removal of a particular person or corporation.
	The preparation, grading, or administration of exams
	The proposed acquisition, sale, or lease of real property or the proposed acquisition, sale, or exchange of securities, but only when publicity would substantially affect the value of these things.
	Discussing student records made confidential by federal law (FERPA or IDEA)
	Hearing an appeal of a student suspension
	Hearing an appeal of an employee grievance
	Seeking legal advice from our attorney, which is made privileged by law

11.0 Adjournment

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 - 2.1 Questions & Concerns from the Public
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- 4.0 Reports to the Board of Education
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 - 4.5 Transportation Report
- 5.0 Old Business
 - 5.1 Second read and adoption of Board of Education Policies – Section 6000
 - 5.2 Discussion of Capital Reserves for Upcoming Capital Project
 - 5.3 Discussion of Capital Project Scope Items
- 6.0 New Business
 - 6.1 Committee on Special Education
 - 6.2 Board of Education Policies –Adoption of Policies 6000, 7203, 7204, 0013, and 0015
 - 6.3 2022-2023 Capital Outlay Project Bid Award
 - 6.4 Remsen Central School District Professional Learning Plan 2022-2027
 - 6.5 Tax Collector's Report
- 7.0 Personnel
 - 7.1 Request for Unpaid Leave Day
 - 7.2 Appointment of Long Term Substitute
 - 7.3 NYS Minimum Wage Increase Adjustments
 - 7.4 Appointment of Mentor
 - 7.5 Tenure Appointment
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Any matter that may disclose the identity of a law enforcement agent or informer
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Proposed, pending, or current litigation
Collective negotiations pertaining to the CSEA Union pursuant to article 14 of the Civil Service Law
The medical, financial, credit, or employment history of a particular person or corporation, or matters leading to the appointment, employment, promotion, demotion, discipline, suspension, dismissal, or removal of a particular person or corporation.
The preparation, grading, or administration of exams
The proposed acquisition, sale, or lease of real property or the proposed acquisition, sale, or exchange of securities, but only when publicity would substantially affect the value of these things.
Discussing student records made confidential by federal law (FERPA or IDEA)
Hearing an appeal of a student suspension
Hearing an appeal of an employee grievance
Seeking legal advice from our attorney, which is made privileged by law

11.0 Adjournment

REMSEN CENTRAL SCHOOL DISTRICT

Professional Learning Plan

2022 - 2027



Learn, Lead, Grow

Adopted by the Board of Education December __, 2022

Soar to Success

ENC 6.4

Table of Contents

District Vision, Mission and Core Value Statements	3
Introduction	4
Remsen Central School District Community	4
Professional Learning Plan Team	5
Philosophy	5
Determining District/Community Needs	5
Steps to Attain Approval of Professional Learning Activities	6
Professional Learning Process	7
Continuing Teacher and Leader Education (CTLE) District Expectations for Participating in Professional Learning	7
Professional Learning Goals	7
Professional Learning Goals 2022-2027	8
Goals and Alignment of Professional Learning	9
New York State Department of Education Requirements	14
First-Time Certificate Holder Registration	14
Certificate Holder Re-registration	15
Continuing Teacher and Leader Education (CTLE) NYSED Requirements	15
CTLE Record Keeping and Documentation Requirements	15
CTLE Language Acquisition Requirement	17
Acceptable CTLE Activities	17
CTLE Sponsor Approval	19
List of Anticipated and Continuing Professional Learning Opportunities	20
Professional Learning Approved Providers	21
Provisions for Teachers Certified in Bilingual and English Language Learner (ELL) Education	22
Provisions for School Violence Prevention and Intervention Training	22
Continuous Evaluation of Professional Learning	22
Appendix A – Continuing Teacher and Leader Education (CTLE) Individual Record	23
Appendix B – Completion of Approved CTLE Hour(s) Certificate	24
Remsen Central School District Mentoring Plan	25
Mentor and New Teacher Information Sheet	32
Mentor Teacher Program Confidentiality Agreement	33
Mentoring Activity Log Form	34



District Vision, Mission and Core Values Statements



Soar to Success

Remsen Central School District Vision Statement

*Remsen Central School District forever aspires to be a unique, distinguished, welcoming learning community that fosters a growth mindset and essential traits of great character. RCS will remain dedicated to cultivating and supporting each student's individual abilities and interests as they confidently work to realize their full potential to lead happy, healthy, successful lives. All Remsen students will **Soar to Success**.*

Remsen Central School District Mission Statement

The mission of Remsen Central School District is to lead by example, instill essential traits of great character, foster a sense of belonging, and provide a solid academic foundation. Students will be empowered to learn and achieve to their individual potential through diverse, challenging, relevant and engaging educational opportunities and differentiated learning experiences.

*A commitment to students first, positive relationships, quality instruction, continuous personal and professional growth, recognition for hard work, as well as a comprehensive system of student supports provided in a safe, encouraging learning environment with consistently high expectations for everyone, will ensure that all Remsen students **Soar to Success**.*

Remsen Central School District Core Values

We are committed to quality student learning, service, and preparation.

Academic excellence and hard work will be valued and recognized.

We will model and instill integrity, kindness, hard work, perseverance, professionalism, commitment, teamwork, respect, independence, self-discipline, humility, responsibility, love, and empathy.

The little things make a big difference.

We will provide a safe, healthy, welcoming and supportive learning environment with clear expectations that motivates students to do their best, solve problems, be creative, think intelligently, understand multiple perspectives, collaborate, and have fun.

Consistency in routines and procedures is essential.

We will enthusiastically embrace and encourage a growth mindset, learn to persevere through challenges, and understand that failure is an opportunity to learn and grow throughout life.

Always strive to improve.

We will utilize student data and feedback, the thoughtful application of knowledge, skills and traits, daily interactions, assessments, projects and state and national standards to measure student growth, learning, and achievement.

Every day is a gift, full of possibilities.

We are grateful for our school community. We will work collectively to ensure we are able to leave our children, for generations to come, with an even better community and school than we have today.

Introduction

The *Leadership and Learning Council* (our professional learning team) at Remsen Central School District was created in the 2021-2022 school year. This highly effective team, made up of teachers, administrators, counselors, and our CSE chair, began this professional adventure by thoughtfully developing the purpose (the why) of the *Leadership and Learning Council*.

Leadership and Learning Council Purpose

- I) *Regularly assess, understand, and serve students' academic and social-emotional needs in pursuit of developing the whole child.*
- II) *Enrich, enhance, and promote curriculum and student opportunities pk-12 and beyond.*
- III) *Continuously grow, improve, and lead as professionals while maintaining the highest of team expectations, collaboration, and respect.*
- IV) *Recognize and empower individual strengths to share knowledge, experiences, and ideas within and across buildings.*
- V) *With a vision to our students' future, our team will strive for excellence.*

With our purpose in place, Remsen's *Leadership and Learning Council* meets at least once a month, working together to accomplish our mission, sharing ideas and feedback, developing, evaluating, and reviewing professional plans, guides, goals, and initiatives to foster continuous quality student/staff/school learning, support, reflection, growth, and improvement.

The *Leadership and Learning Council (LLC)* was charged with the creation of this new Professional Learning Plan to be submitted to the New York State Department of Education. Once adopted, the *Leadership and Learning Council* will meet regularly to review this plan and the associated professional learning initiatives.

The *Leadership and Learning Council* and every team member of the Remsen Central School District will remain dedicated to cultivating and supporting each student's individual abilities and interests as they confidently work to realize their full potential to lead happy, healthy, successful lives. All Remsen students will ***Soar to Success***.

Remsen Central School District Community

Our rural school district is nestled in the foothills of the Adirondacks. Beautiful countryside, family farms, small businesses, the Didymus Thomas Memorial Library, The Arts Center, the Remsen Depot, the Barn Festival of the Arts, and genuinely good, hard-working people, make Remsen a wonderful place to live and work. The Remsen Central School District is approximately 92 square miles and serves the towns of Remsen, Boonville, Forestport, Ohio, Russia, Steuben, and Trenton in two counties; Oneida and Herkimer. Remsen Central School District is classified as a "high needs rural school district". Our enrollment is approximately 420 students, grades pk-12. The district's Free/Reduced lunch rate is over 60%, and for the 2020-2021 school year, the high school graduation rate was 94%. All of our instructional settings are equipped with new Promethean Boards as of March 2022. We are a 1:1 school district. Each student is provided with their own school Chromebook to use.

Great students, outstanding teachers and support staff, a supportive community, an invested Board of Education, beautiful facilities, and wonderful opportunities and experiences for our students describe our unique school district.

Professional Learning Plan Team

In compliance with Commissioner's Regulations (100.2.dd), the Remsen Central School District Professional Learning Plan Team includes a majority of teachers from the elementary and secondary schools, and school district and building administrators.

Leadership and Learning Council

Member's Name	Title
Susan Becker	Elementary Teacher – Grade 1/Parent
Renee Morrison	Elementary Teacher – Grade 6
Jennifer LaBella	Elementary Teacher - Reading Specialist/Teacher/Parent
Janell Tavenner	Elementary Teacher – Grade 4/Parent
Kelly Runninger	Elementary Teacher – Grade 5/RTA President
John Bunker	Jr./Sr. HS Teacher – Spanish and Social Studies
Lauren Carpenter	Jr./Sr. HS Teacher – Mathematics
Daniel O'Bryan	Jr./Sr. HS Teacher – Science
Carlleen Taylor	Jr./Sr. HS Teacher – English
Rayne Ives	Agriculture Teacher, CTE/Work-Based Learning Coordinator
Anthony Dangler	Jr./Sr. HS Teacher – Music
Kathleen Nebush	Jr./Sr. HS School Counselor
Erika Kistowski	Elementary School Counselor
Fay Harper	CSE Chair/School Psychologist/Parent
Gary Winghart	Elementary School Principal/Parent
Sanya Pelrah	Jr./Sr. High School Principal
Timothy Jenny	Superintendent/Parent

Philosophy

Remsen Central School District is committed to high-quality, research-based professional development to provide ongoing growth for practitioners within our organization, as well as to the assessment of ongoing professional development initiatives. Professional development provided to team members is tailored to the needs of the individual, and progresses across grade levels (Pre K-graduation) and when appropriate, is continuous and sustained.

It is the intent of Remsen Central School District to foster ongoing professional growth and development, reflection, and refinement of professional practice for all of its faculty and staff in order to improve teaching and learning. This plan is a framework for a cycle of continuous improvement and efficacy for all faculty and staff.

Determining District/Community Needs

The Commissioner's Regulations require that all professional learning plans articulate professional growth experiences for all teachers, long-term substitutes and level III Teaching Assistants across all grade levels and subject areas. All professional learning will be aligned to teaching, leadership and learning standards as well as be reflective of student assessments, student needs, adult learning theory and current research in education.

The district's Leadership and Learning Council is charged with determining professional learning needs and making recommendations. Over the course of the 2021-2022 school year, the Leadership and Learning Council met, discussed, and analyzed district professional learning needs for 2022-2023 and beyond. The Leadership and Learning Council is comprised of teachers, administrators, and counselors from the elementary and jr./sr. high school buildings to accurately and thoughtfully represent all professional educators within the district.

The following quantitative and qualitative data were utilized to help analyze and identify staff development needs:

- Staff feedback to Leadership and Learning Council members (2021-2022 school year)

- End of Year Professional Staff Needs Assessment and Feedback Surveys from Principals to Staff (June 2022)
- Student, parent, faculty and staff School Climate Surveys (administered at end of 2021-2022 school year)
- Student performance (all students and subgroups)
- School Report Card
- Student attendance
- Graduation and non-completion rates
- COVID Three-Year Pandemic

The needs assessments and analysis of the sources listed above, including teacher surveys, completed in the 2021 - 2022 school year indicated the following areas of focus:

1. Highly Effective Instructional Strategies
2. Student Supports and RTI
3. Curriculum Mapping
4. Implementation/Integration of NYS Next Generation Learning Standards and the NYS Learning Standards for all courses
5. Student Responsive Learning
6. Continuous Technology Integration
7. Language Acquisition (while Remsen qualifies for the language acquisition waiver, we do have several ELL students in our campus and language acquisition pd for staff is important.)
8. Professional Learning Communities (PLCs) – Continue implementation and participation

*****The district, in collaboration with the Leadership and Learning Council, plans to administer professional development needs assessments/analysis each year*****

The primary focus of all Professional learning and growth at Remsen Central School District is to continuously improve our school and strive for excellence to better serve our students. At the end of the 2021-2022 school year, Remsen administered a School Climate Survey created by the National Center for Educational Statistics, specifically developed for schools. This school climate survey asked questions in the areas of engagement (relationships, school participation, and school culture); safety (emotional safety, physical safety, bullying/cyberbullying, substance abuse); and environment (physical environment, instructional environment, mental health, discipline). Remsen students, our entire faculty and staff, and parents were provided the opportunity to share their perceptions, thoughts, and feedback by taking their respective school climate surveys. This information, in addition to the information stated above, will continue to guide our professional learning and growth.

In addition, student responsive practices will continue to be part of our continuous professional learning and growth. Included in student responsive practices are the four principals of culturally responsive-sustaining education: welcoming and affirming environment, high expectations and rigorous instruction, inclusive curriculum and assessment, and as this plan describes, ongoing professional learning

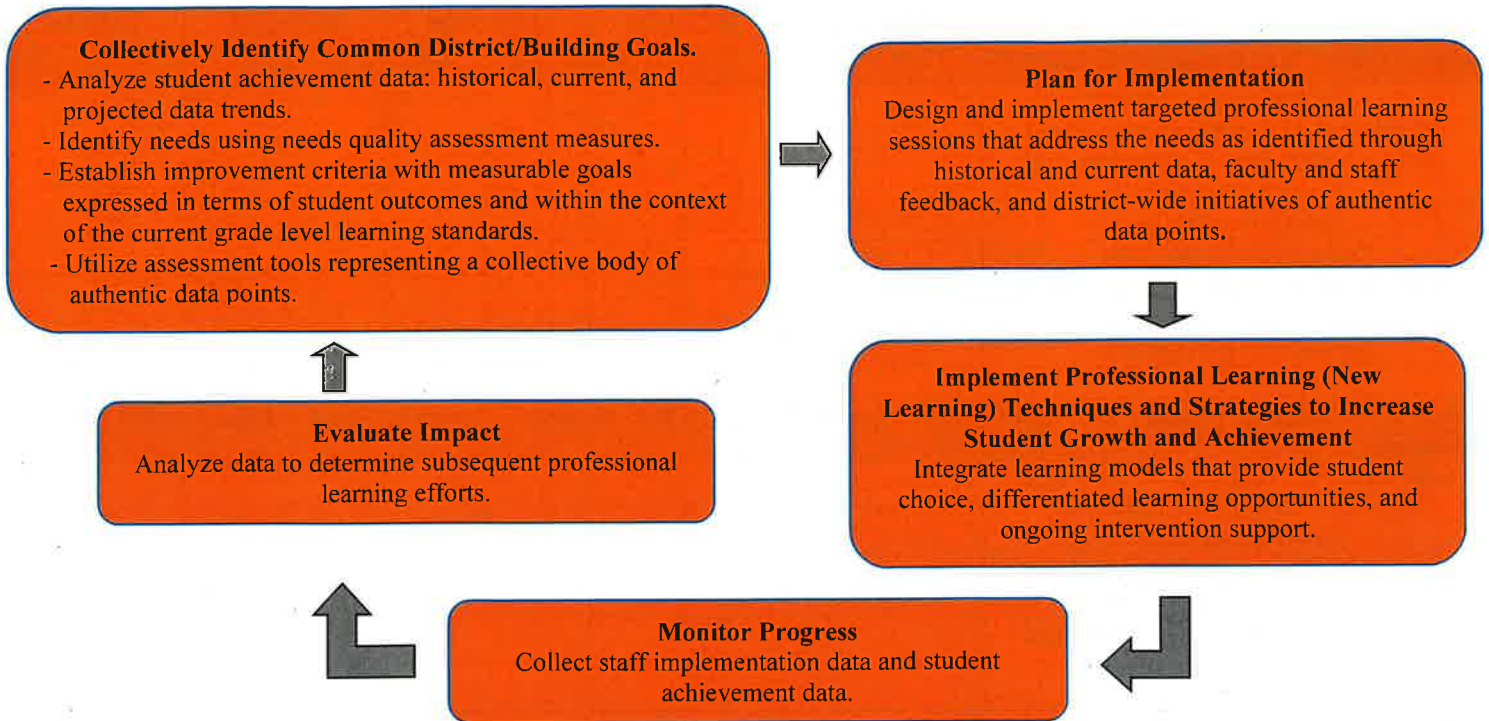
Steps to Attain Approval of Professional Learning Activities

All professional learning opportunities must be pre-approved by the Building Principal and/or Superintendent prior to attendance. Please note that the computation of hours recorded while attending workshops and conferences must be linked to agendas or schedules. For example, travel, lunch, and downtime are not acceptable clock hours. Time spent on the professional learning activity represent acceptable clock hours. For this reason, please be certain to maintain copies of all agendas and conference schedules for documentation purposes.

The steps to maintain professional learning hours are as follows:

- Choose activity to be counted towards maintaining CTLE clock hours
- Have activity approved by Building Principal
- Engage in activity
- Maintain personal records of all professional learning activities
- At the end of each 5-year period, log into the TEACH system to attest completing requirements

Professional Learning Process



Continuing Teacher Leader Education (CTLE) District Expectations for Participating in Professional Learning

Remsen Central School District recognizes the importance of, and need for, professional learning for all staff members, regardless of their certification status. The District is committed to providing/offering quality professional development/learning opportunities, both in and out of the District, for all of its staff members. Professional learning will consistently be an ongoing process that involves sustainable improvement in student learning and instructional practices. Some activities are mandated and others are optional opportunities.

Remsen Central School District's goal is to have all teachers, including long-term substitutes, and professional staff participate in a minimum of twenty (20) hours of professional learning opportunities annually. Those with professional certification, including level III teaching assistants, are advised to participate in at least 20 hours of CTLE-approved professional learning per year in order to comply with the NYSED CTLE requirements.

Professional Learning Goals

The 2022-2027 Professional Learning Goals chart below represents the indicated staff development needs mentioned in the previous section. While our Leadership and Learning Council understands that it may not be possible to have opportunities in each area as frequently as desired, it is our goal to learn, lead, and grow in as many of these areas as possible to help provide our students with highly effective learning experiences each day.



2022-2027 Professional Learning Goals

	2022-2023	2023-2024	2024-2025	2025-2026	2026-2027
Highly Effective Instructional Practices:					
Student Service Guide <i>(Research-Based and Evidenced-Based Instructional Practices, Strategies, and Learning Activities)</i>	x	x	x	x	x
Essential Questions	x	x	x	x	x
Differentiated Instruction	x	x	x	x	x
APPR - Danielson Rubric Training/Review as Needed	x	x	x	x	x
Response to Intervention	x	x	x	x	x
Curriculum Mapping, Including the Implementation/Integration of NYS Next Generation Learning Standards and the NYS Learning Standards:					
Implementation/Integration of NYS Next Generation Learning Standards/NYS Learning Standards	x	x	x	x	x
Curriculum Maps created or revised and used in at one course/classes	x				
Curriculum Maps created or revised and used in at least two additional courses/classes		x			
Curriculum Maps created or revised and used in at least two additional courses/classes			x		
Curriculum Maps created or revised and used in any remaining courses/classes				x	
Continuous Curriculum Map Use: Review, Reflect, Revise, Improve	x	x	x	x	x
Curriculum Map Vertical and Horizontal Alignment		x	x	x	x
Content-Specific Learning/Growth Opportunities	x	x	x	x	x
Student Responsive Learning					
<i>Soaring to Success Skills</i> (Essential Traits of Great Character)	x	x	x	x	x
Welcoming and Affirming Environment, High Expectations and Rigorous Instruction, Inclusive Curriculum and Assessment	x	x	x	x	x
Meeting the Needs of Our Diverse Learners and Diversity Across the Content Areas	x	x	x	x	x
Social Emotional Learning	x	x	x	x	x
Working with Children of Poverty	x	x	x	x	x
Trauma Informed Instruction	x	x	x	x	x
School Culture and Climate Surveys: data-driven instruction and school improvement (Surveys administered Spring 2022)	x	x	x	x	x
Early Intervention Strategies	x	x	x	x	x
Student Mental Health and Wellness	x	x	x	x	x
Strategies for Disruptive Behavior	x	x	x	x	x



	2022-2023	2023-2024	2024-2025	2025-2026	2026-2027
Professional Learning Communities (PLCs)					
Continue Implementation and Participation (District and BOCES PLCs) <i>Including Content-Specific PLC's to Foster Curriculum Growth/Improvement</i>	x	x	x	x	x
Mathematics, Reading and Writing					
Grades pk-8 Math Support, Research, PD Super Kids Pilot and Training Grades K-2 (2021-2022)	x	x	x	x	x
Super Kids Implementation (Grades K-2) and Follow Up Training as Needed	x	x	x	x	x
PreK Reading/Writing Program Research	x				
PreK Reading/Writing Program Implementation		x	x	x	x
Grades 3-6 Reading and Writing Program Research and Discussion	x				
Grades 3-6 Reading and Writing Program Pilot		x			
Grades 3-6 Reading and Writing Program Implementation and Follow Up Training as Needed			x	x	x
Technology Integration					
Promethean Board Integration Refreshers/Enrichment (Initial Training Spring 2022)	x	x	x	x	x
Evolving Google Workspace	x	x	x	x	x
Other Technology Initiatives as Determined by the Districtwide Technology Team	x	x	x	x	x
Language Acquisition					
Addressing the Needs of English Language Learners	x	x	x	x	x

Goals and Alignment of Professional Learning Plan

Remsen Central School District aspires to provide professional learning aligned with our students' needs, district goals, assessment data, student outcomes, teacher needs, adult learning theory, and current research in education including, but not limited to, linguistic, cultural diversity, special needs, and culturally appropriate and responsive practice.

In its commitment to providing quality professional development opportunities for its staff members, the District has adopted the following objectives:

A vision and commitment to improve teaching and learning through:

- Administrative support.
- Communication of professional development initiatives with the whole school community.
- Ownership of professional development initiatives by the whole school community.

A plan for professional development initiatives and activities that is:

- Research-driven.

- Standards-based.
- Developed in collaboration with stakeholders and participants.
- Is fluid and incorporates additions/adaptations based on data, including reflections from participants.

Delivery of professional development programs will be:

- Sustained, intensive, and ongoing.
- Standards- and research-based, including content-specific pedagogy.
- Inquiry-based.
- Focused on student work.
- Job-embedded.
- Facilitated and collegial, and will incorporate peer sharing/coaching.
- Responsive to participants' reflections about delivery and results.

Participants will practice knowledge/strategies/skills acquired through professional development activities by:

- Incorporating new knowledge/strategies/skills into their instruction.
- Allowing participants adequate time and duration for practice.
- Collaborating with other participants through team planning and teaching opportunities.

Implementation of and reflection on knowledge/strategies/skills by

- Practicing over a brief time period.
- Reflecting individually on the impact of implementation on the behavior of teachers and students.
- Encouraging an atmosphere of peer and collegial reflection.
- Reflection of the impact on student work.

Evaluation of the results of implementation of knowledge/strategies/skills by

- Analyzing evidence of changes in classroom practices.
- Analyzing feedback to presenters/planners for the purposes of refining and/or revising the professional development plan.
- Analyzing the impact of professional development on student achievement.

Successive professional development plans and initiatives will be responsive to participant reflections, District data, and continued needs assessments.

Professional development in the Remsen Central School District will be consistent, pervasive, ongoing, and sustainable with the end goal being measurable improvements in attitudes, professional knowledge and understanding, and professional practices. Professional development shall be process oriented and cyclical, from needs assessment through implementation and evaluation.

In addition, RCS intends to use the New York State Professional Development Standards, the New York State Professional Learning Standards, the New York State Teaching Standards, and the Diagnostic Tool for School and District Effectiveness (DTSDE) frameworks listed below as professional learning and development resources for our work. These goals and standards are listed for reference below.

Remsen Central School District Goals

1. Ensure each child has the opportunity to reach his or her full potential in a global society.
2. Hire, support, develop and retain quality staff.
3. Develop, maintain and improve resources within a fiscally sound and responsible budget.
4. Improve the transparency and communication with the district and community.

New York State Professional Development Standards

1. Designing Professional Development: Professional development design is based on data; is derived from the experience, expertise and needs of the recipients; reflects best practices in sustained job-embedded learning; and incorporates knowledge of how adults learn.

2. Content Knowledge and Quality Teaching: Professional development expands educators' content knowledge and the knowledge and skills necessary to provide developmentally appropriate instructional strategies and assess student progress.

3. Research-based Professional Learning: Professional development is research-based and provides educators with opportunities to analyze, apply and engage in research.

4. Collaboration: Professional development ensures that educators have the knowledge, skill and opportunity to collaborate in a respectful and trusting environment.

5. Diverse Learning: Professional development ensures that educators have the knowledge and skill to meet the diverse learning needs of all students.

6. Student Learning Environments: Professional development ensures that educators are able to create safe, secure, supportive, and equitable learning environments for all students.

7. Parent, Family and Community Engagement: Professional development ensures that educators have the knowledge, skill, and opportunity to engage and collaborate with parents, families, and other community members as active partners in children's education.

8. Data-driven Professional Practice: Professional development uses disaggregated student data and other evidence of student learning to determine professional development learning needs and priorities, to monitor student progress, and to help sustain continuous professional growth.

9. Technology: Professional development promotes technological literacy and facilitates the effective use of all appropriate technology.

10. Evaluation: Professional development is evaluated using multiple sources of information to assess its effectiveness in improving professional practice and student learning.

New York State Professional Learning Standards

A. Professional Growth and Collaboration: Professional learning fosters a foundation of continuous professional growth characterized by collaborative relationships, reflection, respect, and commitment to student and educator learning. Professional learning for professional growth and collaboration:

- 1) is ongoing, sustained, and supported from a systemic approach.
- 2) ensures that educators have the tools and opportunity to collaborate in a respectful and trusting environment.
- 3) increases educator effectiveness for all students and occurs within learning communities committed to continuous improvement, collective responsibility, and progress towards goals.
- 4) develops a culture for systemic shifts over time based on vision, growth, and collaboration.
- 5) focuses on the local school culture and individual needs of educators.
- 6) encompasses all stakeholders to create a vision for prioritizing, monitoring, and coordinating professional learning.
- 7) includes a support system for change not only within a school system, but also with relevant stakeholders and professional organizations

B. Expanding Professional Capacity: Professional learning builds individual and collective capacity for deepening and expanding educator expertise and improving outcomes for all students. Professional learning for expanding professional capacity:

- 1) deepens educator knowledge of the local and individual needs of students.
- 2) prepares educators to read, understand, apply, and/or conduct research and use data for informed decision making.
- 3) leads to individual and collective approaches to sustain the long-term importance and relevance of professional learning.
- 4) leads to more effective and sustainable learning communities.
- 5) equips educators to identify and address problems of practice.

- 6) grows educator content and pedagogical content knowledge.
- 7) prepares educators to access and apply available resources.
- 8) encourages educators to reflect, identify and address areas for personal and professional growth.

C. Leadership: Professional learning develops and fosters skillful leaders who cultivate vision, capacity, advocacy, communication, and support systems. Professional learning for leadership:

- 1) includes teachers, teacher leaders, and administrators, at all levels who build a vision for professional learning.
- 2) emphasizes continuous learning, and capacity building to learn and lead for professional learning.
- 3) necessitates a thorough understanding of curriculum and instruction, effective and relevant practices and research, data, management, resources and budget.
- 4) demonstrates a commitment to P-20 collaboration, and coordination among all stakeholders.
- 5) prioritizes resources through a decision making process that engages appropriate stakeholders in determining needs and effectiveness of professional learning.
- 6) coordinates and assesses professional learning in ways that effectively utilize resources and ensure equity.
- 7) uses understandings of policy and complex systems to support change and growth of organizational frameworks for professional learning.
- 8) capitalizes on peer coaching/mentoring to support new educators as they incorporate new strategies into their educational setting.

D. Professional Learning Approaches: Professional learning integrates theories, research, and models of adult learning to achieve intended outcomes. Professional learning approaches:

- 1) are goal oriented and engage in authentic problem solving and decision making.
- 2) provide feedback, ongoing assessment and an opportunity for professional reflection.
- 3) integrate appropriate technology to enhance and expand professional learning experiences.
- 4) are research guided and informed by local needs and demographics, providing context and relevance for all stakeholders.
- 5) incorporate diverse modes of teaching and learning strategies.
- 6) foster participatory engagement.
- 7) provide choice, differentiated instruction, individualized learning, and/or role or content specific options.
- 8) give consideration to alternative opportunities for individual educators to develop further expertise.
- 9) should be aligned to professional and/or content standards and translate theory to practice.
- 10) provide sustained experiences over time with continued support and opportunities.

E. Utilizing Data: Professional learning incorporates a variety of sources and types of student, educator, and system data to monitor student progress, sustain professional growth, and inform, plan, assess, and evaluate professional learning. Professional learning utilizing data:

- 1) emphasizes the use of student pre and post assessments; formal and informal teacher and administrator evaluations; teacher, school, or state collected data; needs assessments; informal surveys; and community input.
- 2) examines disaggregated student data by race, gender, English language learning, special needs, eligibility for free or reduced lunch and other factors.
- 3) needs to be relevant and appropriate to the context and population of students both culturally and demographically and to be evaluated for bias and cultural sensitivity.
- 4) is informed by a needs assessment, shaped by ongoing feedback throughout the experience, and evaluated for the professional learning impact.

F. Cultural Responsiveness: Professional learning responds to a culturally and linguistically diverse population of learners and promotes academic and social-emotional growth by emphasizing and building upon their cultural strengths, knowledge, and skills. Professional learning for enhancing cultural responsiveness:

- 1) reflects on cultural self-awareness to help recognize one's own biases.
- 2) addresses the differing expectations and bias sometimes associated with culturally and linguistically diverse students by holding high expectations for all students accompanied by accessible and meaningful supports.
- 3) provides increased capacity for an on-going commitment to recognize, engage, and incorporate diverse cultures and backgrounds as assets for learning.
- 4) supports educators in developing safe, secure, affirming, supportive, and equitable learning environments for all students.

G. Engagement Among Diverse Communities: Professional learning builds capacity for educators, families, community members, and other stakeholders for shared ownership of student and community success.

Professional learning for engagement among diverse communities:

- 1) fosters dialogue and effective means of communication within and among families, community members and other relevant stakeholders to increase understandings of diversity and culture.
- 2) assists educators with the knowledge, skill, and opportunity to meet the diverse learning needs of all students, and to engage and collaborate with parents, families, and other community members as active partners in the education of children and young adults.
- 3) develops understanding and continued learning about modern society, in which there are ever increasing connections and benefits of cross-cultural and international collaborations.
- 4) appropriately and effectively supports educators with professional learning to tap into resources within the geographic communities to support students, families, and educators.
- 5) promotes a respectful understanding of cultural, language, and socioeconomic issues affecting families in the local community and aligns resources to support unique demographics of community.
- 6) encourages partnerships among schools, higher education, community organizations, and cultural institutions that benefit students and families.
- 7) considers current events and policy to proactively prepare for changes that may raise new challenges and opportunities.

New York State Teaching Standards

The New York State (NYS) Teaching Standards, Elements and Performance Indicators provide a common foundation for important initiatives that aim to improve teaching and learning in New York State. Developed by the State Education Department with input from educators and adopted by the Board of Regents in 2011, the NYS Teaching Standards represent a broad area of knowledge and skills that research and best practices in the classroom have shown to be essential to effective teaching and to positively contribute to student learning and achievement.

I. Knowledge of Students and Student Learning

Teachers acquire knowledge of each student, and demonstrate knowledge of student development and learning to promote achievement for all students.

II. Knowledge of Content and Instructional Planning

Teachers know the content they are responsible for teaching, and plan instruction that ensures growth and achievement for all students.

III. Instructional Practice

Teachers implement instruction that engages and challenges all students to meet or exceed the learning standards.

IV. Learning Environment

Teachers work with all students to create a dynamic learning environment.

V. Assessment for Student Learning

Teachers use multiple measures to assess and document student growth, evaluate instructional effectiveness, and modify instruction.

VI. Professional Responsibilities and Collaboration

Teachers demonstrate professional responsibility and engage relevant stakeholders to maximize student growth, development, and learning.

VII. Professional Growth

Teachers set informed goals and strive for continuous professional growth.

A copy of the NYSED NYS Teacher Standards can be found at:
<http://www.highered.nysed.gov/tcert/pdf/teachingstandards9122011.pdf>.

Diagnostic Tool for School and District Effectiveness (DTSDE) Framework

Tenet 1 – Systems and Organization

Effective schools establish school-wide systems and structures that promote continuous improvement and success for all students.

Tenet 2 – School Leadership

Visionary leaders create a school community and culture that leads to success, well-being, and high academic outcomes for all students.

Tenet 3 – Curriculum

Effective schools provide students with rigorous, coherent, and relevant curricula that prepares all students for success.

Tenet 4 – Instruction

Effective teachers engage with students in a manner that promotes mastery and allows students to stretch their knowledge and deepen their understanding.

Tenet 5 – Social-Emotional Learning

Effective schools develop a systematic approach to Social-Emotional Learning to ensure that all students can develop social-emotional learning skills necessary for success within and beyond school.

Tenet 6 – Parent and Community Engagement

Effective schools develop a systematic approach to Family and Community Engagement to empower parents to effectively advocate for their child's learning and for the improvement of the school.

New York State Department of Education Requirements

This professional development plan is in compliance with Commissioner Regulations 100.2 (dd) that requires each district and BOCES to collaboratively create professional development plans that are reviewed annually. Additionally, professional development activities outlined in this plan will help to provide teachers with the opportunities needed to meet and maintain the Continuing Teacher Leader Education (CTLE) requirements as defined by The Board of Regents in Subpart 80-6 of the Regulations of the Commissioner of Education to implement Chapter 56 of the Laws of 2015 relating to the registration process for any holder of a classroom teaching, school leader and teaching assistant certificate that is valid for life (Permanent, Professional and Level III Teaching Assistant) and the establishment of Continuing Teacher and Leader Education (CTLE) requirements for Professional and Level III Teaching Assistant certificate holders.

Remsen Central School District, Oneida-Herkimer-Madison BOCES, and any other organization where professional development was attended, will provide Professional Certificate holders with certificates acknowledging completion of workshops, trainings, and professional development opportunities qualifying for CTLE credits. Such certificates will include: participant's name, date of workshop, number of hours, topic, and type of activity or program.

First-Time Certificate Holder Registration

Educators who are issued one or more certificates subject to registration on or after July 1, 2016 are automatically registered in the TEACH system. Educators who hold one or more certificates subject to registration, and the certificates were issued prior to July 1, 2016, were required to register during the 2016-2017 school year.

***It is the individual educator's responsibility to ensure that they are appropriately registered and have a "Registered - Active" status in TEACH Online Services. A "Registered – Active" status is required in order to practice in NYS school districts or BOCES. ***

Certificate Holder Re-registration

All educators (including administrators/supervisors) with Permanent or Professional certification and Teaching Assistants with a Level III certification must re-register in TEACH every five years. Educators can register for their next registration period beginning six months before their registration period expiration date. They can view their registration period expiration date by clicking on “View or Change Registration Status” on their TEACH home screen or clicking on “Account Information” on their TEACH home screen and checking the “Registration Information” section. The expiration date is the last day of the month preceding the educator’s month of birth in the final year of the registration period.

Re-registration directions may be found at <https://www.highered.nysed.gov/tcert/reteachers/registration-reregister-cr-direct.html>

Continuing Teacher and Leader Education (CTLE) NYSED Requirements

All educators (including administrators/supervisors) with Professional certification and Teaching Assistants with a Level III certification are subject to the continuing teacher and leader education (CTLE) requirement. Educators who are subject to CTLE must complete 100 clock hours of acceptable CTLE from NYSED-approved CTLE sponsors during each five-year registration period. There is one CTLE requirement per educator regardless of the number of certificates held that are subject to CTLE. The professional learning must occur during the five year professional learning period which is defined in regulation as beginning on July 1st.

The chart found on the next page is taken directly from the NYSED website pertaining to Registration and Continuing Teacher and Leader Education (CTLE) Requirements.

CTLE Recordkeeping and Documentation Requirements

Educators must maintain personal records/documentation of completed continuing teacher and leader education (CTLE), including:

- The title of the activities;
- Total number of hours completed;
- Number of hours completed in content, pedagogy, language acquisition addressing the needs of English language learners;
- Approved CTLE sponsor’s name and number;
- Educators’ identifying information listed on the activities;
- Attendance verification; and
- Date and location of the activities.

A sample CTLE recordkeeping NYSED form is included at the back of this plan in Appendix A. The sample NYSED Certificate of Completion form may be found in Appendix B of this plan.

The district may also choose to offer to record teachers’ professional learning hours and activities through Frontline, however, each educator is ultimately responsible for retaining a record of the CTLE activities attended and the number of hours completed.

Registration & Continuing Teacher and Leader Education (CTLE) Requirements

Certificate Type	Employment Status	Registration Requirements	CTLE Requirements
Permanent Certificate Holders			
PERMANENT Classroom Teacher/School Leader	Practicing in a NYS Public or Non-Public School, Special Act District or BOCES	Active registration is required	NOT subject to CTLE
PERMANENT Classroom Teacher/School Leader	NOT practicing in a NYS Public or Non-Public School, Special Act District or BOCES	May choose "INACTIVE" status for their registration	NOT subject to CTLE
PERMANENT Pupil Personnel Services (PPS) such as School Attendance Teachers, School Counselors, School Psychologists, School Social Workers, School Dental Hygiene Teachers and School Nurse Teachers	Practicing OR NOT practicing in a NYS Public or Non-Public School, Special Act District or BOCES	NOT subject to registration	NOT subject to CTLE
Professional Certificate Holders			
PROFESSIONAL Classroom Teacher/School Leader	Practicing in a NYS Public or Non-Public School, Special Act District or BOCES	Active registration is required	100 hours of CTLE is required during every five-year registration period
PROFESSIONAL Classroom Teacher/School Leader	NOT practicing in a NYS Public or Non-Public School, Special Act District or BOCES	May choose "INACTIVE" status for their registration	NOT subject to CTLE if INACTIVE
Teaching Assistant Certificate Holders			
Level III Teaching Assistant	Practicing in a NYS Public or Non-Public School, Special Act District or BOCES	Active registration is required	100 hours of CTLE is required during every five-year registration period
Level III Teaching Assistant	NOT practicing in a NYS Public or Non-Public School, Special Act District or BOCES	May choose "INACTIVE" status for their registration	NOT subject to CTLE if INACTIVE
Continuing Teaching Assistant	Practicing OR NOT practicing in a NYS Public or Non-Public School, Special Act District or BOCES	NOT subject to registration	NOT subject to CTLE
Level I, Level I Renewal, Level II Teaching Assistants	Practicing OR NOT practicing in a NYS Public or Non-Public School, Special Act District or BOCES	NOT subject to registration	NOT subject to CTLE
Other Certificate Holders			
Initial Classroom Teacher/School Leader	Practicing OR NOT practicing in a NYS Public or Non-Public School, Special Act District or BOCES	NOT subject to registration	NOT subject to CTLE
Provisional Classroom Teacher or Provisional School Administrator/Supervisor	Practicing OR NOT practicing in a NYS Public or Non-Public School, Special Act District or BOCES	NOT subject to registration	NOT subject to CTLE
Provisional Pupil Personnel Services (PPS)	Practicing OR NOT practicing in a NYS Public or Non-Public School, Special Act District or BOCES	NOT subject to registration	NOT subject to CTLE

CTLE Language Acquisition Requirement

The NYSED chart below indicates the CTLE language acquisition requirement by certificate holder. Language acquisition CTLE should address the needs of English language learners (ELLs), including a focus on best practices for co-teaching strategies, and integrating language and content instruction for English language learners. For ESOL and bilingual education teachers, 50% of their required CTLE must be in language acquisition aligned with the core content area of instruction taught, including a focus on best practices for co-teaching strategies, and integrating language and content instruction for ELLs.

Continuing Teacher and Leader Education (CTLE) Language Acquisition Addressing the Needs of English Language Learners Requirements		
Certificate Type	% of 100 Clock Hour CTLE Requirement Devoted to Language Acquisition	Can Exemption* from the Language Acquisition Requirement Apply?
Professional Classroom Teacher other than English to Speakers of Other Languages	15%	Exemption may apply. Exemption does not reduce the 100-clock hour CTLE requirement.
Professional School Leader	15%	Exemption may apply. Exemption does not reduce the 100-clock hour CTLE requirement.
Level III Teaching Assistant	15%	Exemption may apply. Exemption does not reduce the 100-clock hour CTLE requirement.
Professional English to Speakers of Other Languages	50%	Exemption may apply. Exemption does not reduce the 100-clock hour CTLE requirement.
Professional Bilingual Extension Annotation	50%	Exemption may apply. Exemption does not reduce the 100-clock hour CTLE requirement.
Permanent Classroom Teacher other than English to Speakers of Other Languages	Permanent certificate holders are NOT subject to CTLE requirements.	N/A
Permanent School Leader	Permanent certificate holders are NOT subject to CTLE requirements.	N/A
Permanent English to Speakers of Other Languages	Permanent certificate holders are NOT subject to CTLE requirements.	N/A
Permanent Bilingual Extension Annotation	Permanent certificate holders are NOT subject to CTLE requirements.	N/A
Permanent Pupil Services (PPS) such as School Attendance Teachers, School Counselors, School Psychologists, School Social Workers, School Dental Hygiene Teachers and School Nurse Teachers	Permanent certificate holders are NOT subject to CTLE requirements.	N/A
Permanent Bilingual Education (PPS/Admin) Extension	Permanent certificate holders are NOT subject to CTLE requirements.	N/A
*Exemption: A NYS school district or BOCES may be granted a waiver from providing Bilingual Education Programs in languages other than Spanish and Chinese. For additional information, please see the English Language Learner and Multilingual Learner Regulations & Compliance webpage .		

Language Acquisition Exemption

School districts can seek an exemption for the CTLE language acquisition requirement if they have fewer than 30 English Language Learners (ELLs) enrolled, or ELLs comprise less than 5% of the district's total student population as of October 1 of the current school year.

Acceptable CTLE Activities

Acceptable CTLE must be taken from a sponsor approved by the NYS Education Department. Acceptable CTLE shall be studied in the content area of any certificate title held by the individual or in pedagogy, and include any required study in language acquisition addressing the needs of English Language Learners as described in section 80-6.3 of Commissioner's Regulations.

Acceptable CTLE activities are designed to improve the teacher or leader’s pedagogical and/or leadership skills and are targeted at improving student performance. Such activities also shall promote the professionalization of teaching and educational leadership, as applicable, and be closely aligned to district goals for student performance.

Acceptable CTLE learning activities include:	Hours Approved By	Number of CTLE Hours
CTLE-Approved Workshops or Trainings (Content Area-Pedagogy-Language Acquisition)	Building Administrator	Seat Hours
Curriculum Development/Curriculum Mapping	Building Administrator	Seat Hours
Professional Learning Embedded within Team Workshops	Building Administrator	Seat Hours
Teacher Observation of Another Teacher	Building Administrator	Seat Hours
District-led Professional Learning	Building Administrator, Superintendent	Seat Hours
Data Analysis	Building Administrator	Seat Hours
Serving as a Turnkey Trainer	Building Administrator, Superintendent	Length of Training x2
Facilitating or Presenting a Workshop	Building Administrator	Length of Presentation x2
Professional Learning Opportunities from BOCES, Teacher Centers, MORIC, Neighboring School Districts, Model Schools, NYSED, and other CTLE-Approved Sponsors	Building Administrator	Seat Hours
NYS Learning Standards	Building Administrator	Seat Hours
Pedagogy	Building Administrator	Seat Hours
Highly Effective Teaching Methods and Strategies	Building Administrator	Seat Hours
Language Acquisition	Building Administrator	Seat Hours
Classroom Management and Discipline	Building Administrator	Seat Hours
Credit-bearing University or College Courses (must be an approved CTLE sponsor and related to content area, pedagogy, and/or language acquisition)	Superintendent	1 semester hour of credit = 15 CTLE hours
Principals acting as Independent Trained Evaluators (classroom observation as part of 3012-d)	Superintendent	Seat Hours
New Teacher Mentor (as part of Remsen’s mentoring program)	Superintendent	May credit up to 30 hours of mentor time towards CTLE requirement in each five-year period
Participation in Mentor/Mentee Programs	Building Administrator, Superintendent	Seat Hours
Cooperating Teacher (working with a student teacher, at the discretion of the district)	Building Administrator, Superintendent	30 hours/assignment
National Board Certification	Superintendent	Educators who earn certification from the National Board for Professional Teaching Standards have met the CTLE requirement during the registration period in which the National Board Certification is achieved, provided that the educator also meets the CTLE language acquisition requirement.

Speech and Language Disabilities Certificate Holders	Building Administrator	Courses taken from an approved American Speech-Language Hearing Association (ASHA) CE provider are acceptable towards meeting CTLE requirement as long as they are documents with the ASHA CE Registry. 1 ASHA CEU = 10 CTLE hours
Development of New Course/Program	Building Administrator	6 hours per day
Regional Scoring of State Assessments	Building Administrator	Seat Hours
Developing and Presenting Research	Building Administrator, Superintendent	Determination from Building Administrator based on product
Instructional Coaching	Building Administrator	Determination from Building Administrator based on need
Peer Reviews	Building Administrator	Determination from Building Administrator based on need
Service on District-, Building-, or BOCES-Wide Planning or Leadership Teams (APPR, Mentoring, Code of Conduct, Building Teams, Health and Safety Team, Professional Learning Plan Team)	Building Administrator, Superintendent	Seat Hours
Membership on BOCES-Wide or Other Regional Committee	Building Administrator, Superintendent	Seat Hours
Service as an elected officer in related professional organizations	Building Administrator, Superintendent	15 hours
Service as Teacher Center Director	Superintendent	45 hours/semester
Service as Teacher Center Board Member	Superintendent	Seat Hours
Service on the State Professional Standards and Practices Board	Building Administrator, Superintendent	Seat Hours
Published Education Journal Article	Building Administrator, Superintendent	15 Hours
Presentation In Professional Periodical or Journal of Major Paper or Research Project	Building Administrator, Superintendent	45 Hours
Serving on School Leadership Committees	Building Administrator, Superintendent	Seat Hours
NYSED Curriculum Development	Building Administrator, Superintendent	Seat Hours
NYSED Test Development	Building Administrator, Superintendent	Seat Hours
Lead Evaluator Training	Superintendent	Seat Hours

CTLE Sponsor Approval

The content of the Remsen Central School District Professional Learning Plan is being supported and provided in part by Oneida-Herkimer-Madison BOCES, MORIC, The Remsen Teacher Center and other approved professional learning providers and consultants.

List of Anticipated and Continuing Professional Learning Opportunities

Topic	Organization/Provider
IEP's, Confidentiality, and Mandated Reporting	RCS
Unit Curriculum Mapping – Planning for Student Success	RCS
Highly Effective Instructional Strategies	RCS, BOCES
Content-Specific Professional Learning/Growth Opportunities	BOCES, RCS, et. al.
Social Emotional Learning for Elementary Students	RCS, BOCES, et. al.
Social Emotional Learning for Jr./Sr. High School Students	RCS, BOCES, et. al.
Liz Murray Professional Development	BOCES
Elementary Team Workshop Professional Development	RCS
Jr./Sr. HS Team Workshop Professional Development	RCS
Implementation/Integration of NYS Next Generation Learning Standards/NYS Learning Standards	BOCES, RCS
APPR-Danielson Rubric Training/Review	RCS, BOCES
Content-Specific Professional Learning Communities (PLC's)	BOCES, RCS
Professional Learning Communities (PLC's)	BOCES, RCS
Essential Questions	RCS
Response to Intervention	RCS, BOCES
Differentiated Instruction	BOCES
Student Responsive Learning	BOCES, RCS, et. al.
Diversity Across the Content Areas	BOCES, RCS, et. al.
Various Presenters, Workshops, Conferences, Book Studies, Webinars, PLC's and other Professional Learning Opportunities	Remsen Teacher Center
Super Kids Reading and Writing Training	Super Kids Trainers
Elementary Reading and Writing Training	To Be Determined
Promethean Board Technology Integration	Teq Trainers, RCS, BOCES
Student Mental Health and Wellness	BOCES
Trauma Informed Care/Instruction	Certified Trainers, BOCES
Language Acquisition Professional Learning	BOCES
Working with Children of Poverty	BOCES, Poverty Simulation Trainers
Strategies for Disruptive Behavior	BOCES
Curriculum Mapping Vertical and Horizontal Alignment, Review, Revise, Improve	RCS
Data Driven Instruction and School Improvement - School Culture and Climate Survey Analysis	RCS
Early Intervention Strategies	BOCES, et. al.
Instructional Coaching	BOCES, RCS, et. al.
Differentiation	BOCES, RCS
ELL (CR154)	BOCES
Growth Mindset	BOCES, RCS
School Counseling	BOCES
Lead Evaluator Training	BOCES
Instructional Best Practices	BOCES, RCS, et. al.
Librarians	BOCES
LOTE	BOCES
Music, Art	BOCES
New Teacher Mentoring	RCS, BOCES

Provisions for Teachers Certified in Bilingual and English Language Learner (ELL) Education

Teachers possessing a Professional certificate in the certificate title of English to speakers of other languages (all grades) or a holder of a bilingual extension under section 80-4.3 of this Title must complete their CTLE hours with a minimum of 50 percent in language acquisition aligned with the core content area of instruction taught, including a focus on best practices for co-teaching strategies, and integrating language and content instruction for English language learners.

Remsen Central School District teachers will utilize the expertise and trainings provided by the Regional Bilingual Education-Resource Network and/or BOCES to fulfill these requirements. *For all other faculty and staff, Remsen Central School meets and will apply for an exemption from the professional learning requirements in language acquisition for ELLs.

**There are fewer than 30 English language learner students enrolled or English language learners make up less than five percent of the Remsen Central School District total student population as of such date as established by the commissioner.*

Provisions for School Violence Prevention and Intervention Training

The Remsen Central School District is committed to hiring teachers who have fulfilled the requirements of certification, including participation in workshops covering school prevention and intervention, child abuse recognition, the needs of children with autism, and the Dignity for All Students Act (DASA). Such workshops shall consist of at least two clock hours of training that includes but is not limited to, study in the warning signs within a developmental and social context that relate to violence and other troubling behaviors in children; the statutes, regulations, and policies relating to a safe nonviolent school climate; effective classroom management techniques and other academic supports that promote a nonviolent school climate and enhance learning; the integration of social and problem solving skill development for students within the regular curriculum; intervention techniques designed to address a school violence situation; and how to participate in an effective school/community referral process for students exhibiting violent behavior.

Upon request or determination of necessity, the Remsen Central School District will provide refresher coursework on school violence prevention and intervention. Refreshers are provided on DASA and mandated reporting annually. In instructional settings, the Remsen Central School District will also utilize the interpersonal violence prevention education package provided by the State Education Department. These materials will be incorporated as part of the health or other related curricula or programs for students in grades K-12.

Continuous Evaluation of Professional Learning

The district, in collaboration with the Leadership and Learning Council, plans to administer professional development needs assessments/analysis/feedback surveys each year. The Professional Learning Plan will be monitored and evaluated annually.



Appendix B

The University of the State of New York
THE STATE EDUCATION DEPARTMENT
 Office of Teaching Initiatives
www.highered.nysed.gov/tcert

Completion of Approved Continuing Teacher and Leader Education (CTLE) Hour(s) Certificate

All CTLE must be completed with Approved Sponsors and be reported using this form, or an alternative form/format that captures the same information that is requested on this form, in addition to any electronic reporting requirements.

Instructions for the Trainee:

Please complete Section I and retain your copy for at least three years from the end of the registration period in which you completed the CTLE. It is not necessary to send a copy of this form to the Office of Teaching Initiatives unless it is requested by the State Education Department or for use in obtaining an Initial Reissuance. A separate form must be completed for each training.

Instructions for the Approved CTLE Sponsor:

Please complete Sections II and III. These sections must be completed by the Approved CTLE Sponsor authorized individual. Sponsors must verify that the trainee completed the activity, the title, date(s) and number of hours awarded. Records must be retained for a period of eight years. You may use an alternative form or format, however that alternative must capture the same information that is requested on this form.

Section I			
First Name:	Last Name:	Middle Initial:	
Date of Birth:	Last 4 Digits of the Social Security Number:		
Section II			
Name of Venue:			
Street Address:	City:	State:	Zip Code:
CTLE Activity Title: _____ <small>(indicate title/subject/grade level, etc.)</small>			
Select One or More Areas of Activity: _____ Pedagogy _____ Content _____ English Language Learning			
CTLE Date(s): from: _____ to _____		Number of hours awarded _____	
<small>(mm) (dd) (yyyy)</small>		<small>(mm) (dd) (yyyy)</small>	
Section III			
I certify that the individual listed in Section I completed the CTLE cited above pursuant to Subpart 80-6 of the Regulations of the Commissioner of Education.			
Approved Sponsor Name:			
Print Name of Authorized Certifying Officer:			
Signature of Authorized Certifying Officer:			
Approved Sponsor Identification Number:		Date:	
Email:		Phone Number:	

(Rev. 06/2020)

REMSEN CENTRAL SCHOOL DISTRICT

Mentoring Program

2022 - 2027



Support to Succeed

Soar to Success

Mentoring and New Teacher Induction

The Remsen School District recognizes the importance of providing a quality mentoring experience for new teachers. New teachers must participate in a mentoring program in their first year of employment. The mentoring program at Remsen will fulfill the NYSED mentoring requirement for earning a professional certificate.

This program, developed by Remsen Central School District, will help to ensure that our classrooms are staffed with highly effective teachers. Experienced teachers will be assigned to mentor first year teachers to help them improve their skills as a teacher. Remsen Central School supports and encourages trust and respect between beginning teachers and their mentors. The mentor will provide guidance and support to beginning teachers as they transition into the teaching profession.

Goals of the Mentoring Program

- New teachers will understand, embrace, and embody the Vision, Mission, and Core Values of the Remsen Central School District
- To provide a comprehensive system of supports for our new teachers.
- Increase the retention and success of new teachers and ease the transition from teacher preparation to professional practice
- To learn, develop and consistently use highly effective instructional strategies.
- To provide an opportunity for beginning teachers to analyze and reflect on their teaching with coaching from veteran teachers.
- Integrate new teachers into the learning community and provide sharing opportunities
- Increase the skills and improve the ability of new teachers, to assist all students, including students with disabilities, English language learners, gifted and talented and low-literacy to improve student achievement in accordance with New York State Learning Standards and Next Generation Learning Standards.
- To fulfill New York State Teacher Certification and Remsen Central School District requirements.
- To integrate beginning teachers into the social system of the school district by helping them understand Remsen Central School programs and policies.
- To facilitate continuous professional growth that includes:
 - Enhanced instructional effectiveness through sound classroom management.
 - Teaching strategies based on the New York State Standards and student quantitative/qualitative data.
 - The creation of appropriate learning and teaching opportunities for students.
 - Utilization of technology as a tool for teaching and learning.
 - Demonstration of the teacher's professional culture in all areas of teaching, including social and emotional characteristics.
- To be culturally responsive to the needs of the community.

Procedure for Mentor Selection and Operation

A) All certified and tenured Remsen Central School teachers will be offered the opportunity to apply to be a mentor. Mentors must lead by example and embrace and embody the District's Vision, Mission, and Core Values. Mentors must have a history of outstanding evaluations, a history of participating in staff development programs and be willing to take on the professional responsibilities of mentoring.

B) The Superintendent and the President of the RTA will select a mentor candidate for recommendation to the Board of Education. One designee each may also be appointed by the Remsen Teachers Association President and the Superintendent to aid in the selection. 100% agreement by the Superintendent and the President of the Remsen Teachers Association is required in selection of the mentor prior to recommendation to the Board. The selection, recommendation, and when possible, appointment of mentors should be done by June 30, on an annual basis, for the following year.

C) Criteria for the selection of mentors

- Indication of willingness to participate in the program
- Lead by example
- Embrace and embody the District's Vision, Mission, and Core Values.
- Exhibits leadership qualities and enthusiasm for teaching.
- Demonstrated mastery of pedagogical skills and of their own subject matter
- Evidence of superior teaching abilities and interpersonal relationship qualities
- Superior subject matter skills
- Superior communication skills
- Demonstrated ability to be a role model
- Demonstrated ability to provide an environment conducive to learning.
- Tenure must have been granted.
- Currently employed full time in the district

D) Mentors may leave the program at any time, based upon two week notification to the Superintendent. A teacher in the mentoring program may request a change in mentors by submitting a written request to the Superintendent, who will present that request to the selection team for review. Compensation for the mentor will cease immediately upon termination of mentoring duties.

E) The Remsen Central School Superintendent may remove a mentor at any time during the school year, after meeting with the selection team. This action may be taken based upon rationale such as attendance, performance, etc.

F) It is the intention of the Remsen Central School to strive for program continuity when absences occur as a result of requirements to complete the mentoring program. Principals will assure that time is made available for mentors and beginning teachers to confer by providing classroom coverage.

G) Participation in the teacher mentoring program shall in no way interfere with the legitimate right of the Remsen Central School administration to evaluate the teaching performance of the mentor/mentee.

Notification and Assignment of Mentors

- 1) The Superintendent or his/her designee will notify mentors of their selection.
- 2) Assignment of a mentor will be on an annual basis, of each school year. The assignment of a mentor will occur within two weeks of the hiring of a first or second-year teacher.
- 3) Selection one year as a mentor does not guarantee selection as a mentor during subsequent years.

Role of the Mentor

The mentor's role is one of guidance and support, and shall include but not be limited to:

- Complete and submit a log of mentoring activities to the building principal during the month of May each school year, no later than the last day of May. The mentoring log should include the type of activities and the number of clock hours spent on those activities.
- To support, encourage and guide a beginning teacher. Data collected as a result of this process cannot be used for evaluation purposes.
- To set short-term and long-term goals; measure the progress toward achievement by the beginning teacher through feedback discussions.
- To suggest and provide beginning teachers professional skills required to thrive with daily experiences in the profession and to provide demonstration lessons.
- To promote career-wide professional development.
- To provide opportunities for beginning teachers to observe the mentor's classroom, to participate and provide feedback.
- To be a positive role model.
- To sponsor beginning teachers organizationally and professionally.
- To provide emotional support and encouragement to the beginning teacher.
- To be a resource for the beginning teacher.
- To review district, program, building-level policies/procedures and school culture, as well as culture of the community with the beginning teacher.
- To orient beginning teachers to the culture of the community.
- To listen and promote reflective practice through frequent meetings with the teacher.
- To support the teacher in reaching his/her professional goals.
- To participate in ongoing mentor training as well as all mentor teacher workshops
- Mentors will help new teachers understand the Danielson Framework and APPR components.
- Mentors will schedule visits to the new teacher's room including informal observations and/or pop-ins.
- Maintaining confidentiality

Preparation of Mentors

A. Planning and Preparation

The Mentor Teacher will have demonstrated proficient and/or distinguished knowledge of:

- Content and Pedagogy. The mentor teacher will know the content and the structure of the discipline, know prerequisite relationships, and content-related pedagogy.
- Knowledge of students. The mentor teacher will know child and adolescent development, the learning process of students' interests and cultural heritage as well as their special needs.
- Setting instructional outcomes including value, sequence and alignment, clarity, balance, and suitability for diverse learners.
- Resources for classroom use and to extend content knowledge and pedagogy.
- Designing coherent instruction through learning activities, materials and resources, instructional grouping, and lesson and unit structure.
- Designing student assessments that are congruent with instructional outcomes, clearly defined criteria and standards, the design of formative assessments, and data-driven instruction.

B. The Classroom Environment

The Mentor Teacher will have demonstrated proficient and/or distinguished knowledge of:

- Creating an environment of respect and rapport by managing relationships with students through positive interactions, including both words and actions in teacher to student and student to student interactions.
- Establishing a culture for learning through content and learning, expectations for learning and achievement, and fostering student pride in their work.
- Managing classroom procedures through instructional grouping, transitions, materials and supplies, and performance of non-instructional duties.
- Managing student behavior through clear expectations, monitoring of student behavior, and response to student misbehavior.
- Organizing physical space so that the room is safe and accessible and that the arrangement of furniture and use of physical resources provide opportunities to advance learning.

C. Instruction

The Mentor Teacher will have demonstrated proficient and/or distinguished knowledge of:

- Communicating with students through clear expectations for learning, directions and procedures, explanations of content and accurate use of oral and written language.
- Questioning and discussion techniques including the quality of questions and prompts, varied discussion techniques, and high levels of student participation in the discussions.
- Engaging students in learning through engaging activities and assignments, intentional grouping of students, original instructional materials and resources, and appropriate structure and pacing.
- Using assessment in instruction by informing students of assessment criteria, monitoring student learning, giving timely feedback to students, and engaging in student self-assessment and the monitoring of progress.
- Demonstrating flexibility and responsiveness through lesson adjustment, response to students and persistence.

D. Professional Responsibilities

The Mentor Teacher will have demonstrated proficient and/or distinguished knowledge of:

- The accurate reflection on teaching and the use of those reflections in future teaching.
- Maintaining accurate records including student completion of assignments, student progress in learning, and other non-instructional records.
- Communicating with families regarding the instructional program, individual student progress, and engagement of families in the instructional program.
- Participation in a professional community including maintaining collegial relationships with colleagues, involvement in a culture of professional inquiry, service to the school, and participation in school and district projects.
- Growing and developing professionally through the enhancement of content knowledge and pedagogical skill, receptivity to feedback from colleagues, and service to the profession.
- The culture of the community and its impact on instruction, classroom needs and student needs.

Type of Mentoring Activities

Mentoring Activities may include (but are not limited to):

- Attending professional development activities
- Schooltool gradebook and attendance assistance
- Creating appropriate learning opportunities for the teacher
- Modeling instruction for the beginning teacher
- Observation visitations for the beginning teacher
- Planning instruction with the beginning teacher
- Orientating the beginning teacher
- Weekly meetings with assigned beginning teacher
- Providing oral and written feedback toward goals by the mentor and mentee
- Instructional coaching
- Providing constructive feedback that will lead to improved instructional practices
- Sharing materials and resources with the beginning teacher
- Familiarize the new teacher with the district and building resources, guidelines, policies, procedures, and expectations.
- Facilitate interaction with colleagues
- Guiding the new teacher in the areas of classroom management and design, discipline, scheduling, planning and organization.
- Promotion of self-reflection and self-analysis by the new teacher.
- Assistance in goal-setting activities.
- Nonjudgmental and supportive listening.
- Confidentiality and professionalism.
- Complete a log of mentoring activities
- Attending extracurricular activities

Role of the New Teacher

The New Teacher participates in a collaborative relationship with a highly regarded and experienced mentor. The role includes:

- Assuming responsibility for becoming a highly skilled professional practitioner
- Meeting with a mentor on a regular basis according to the guidelines prescribed in the mentor program
- Attending training workshops
- Actively participating in district initiatives
- Observing lessons presented by the mentor and other teachers
- Being observed by the mentor for purposes of feedback
- All 1st year teachers will participate in this program. 2nd year of participation will be at the discretion of the Administration.
- All new teachers are required to attend New Teacher Orientation.
- All new teachers will review the APPR Rubric with their mentor to establish goals for the school year.
- All new teachers will maintain a professional development log.
- Reviewing district, building, and program policies and procedures
- Follow and complete all requirements to maintain certification

Suggested Time Allotted for Mentoring Activities

***** Mentors are encouraged to check in with their mentee at least weekly *****

- Before and/or after school
- Scheduled lunch conversations
- Summer sessions.
- Superintendent Conference Days

- Release for training, mentor/mentee classroom observations and instructional coaching, in-service/staff development, planning, visitations, related activities

Confidentiality

Confidentiality is a critical component of the mentoring program. Establishing a safe and trusting environment is essential. If any new teacher is to grow, then having a trusting relationship with the mentor is vital. Trust is knowing that your actions and words will not be public knowledge.

Role of the Principal/Administrator

- Make mentoring a priority
- Provide time for mentor and mentee to meet as mutually assigned
- Keep supervision and evaluation a separate entity from mentoring
- Recognize efforts of mentors, mentees and staff
- Review the role of the mentor/mentee by meeting at a minimum of 3 times throughout the year
- Be available to problem solve

Mentee/Mentor Meetings with Building Principals

New teachers and their mentors will be required to attend the New Teacher Orientation Day 1 in August. New teachers (not mentors) will also be required to attend the New Teacher Professional Development Day 2 in August. Throughout the school year, after school meetings will be scheduled for new teachers with the building principals to check in, and to provide additional information, strategies, and support. Mentors will also be required to attend select meetings with their mentees as scheduled by the building principals.

Mentoring Program Structure

Books	Summer	School Year	Time for Learning and Growth
<p><i>The First Days of School – How To Be An Effective Teacher 5th Edition</i> - Harry and Rosemary Wong</p> <p><i>Your First Year – How to Survive and Thrive as a New Teacher</i> - Todd Whitaker</p>	<p style="text-align: center;"><u>Day 1</u> Mentee and Mentor New Teacher Orientation</p> <p style="text-align: center;"><u>Day 2</u> New Teachers Only Professional Development - Highly Effective Instructional Strategies - Student Service Guide - Curriculum Mapping</p>	<p>Mentor – In addition to principal approved time afforded to them, they will work with their mentee on a regular basis (appropriate to the mentee’s individualized needs) to ensure a smooth transition to the practice of teaching.</p> <p>Mentees will be required to attend bi-monthly check-in meetings facilitated by the admin team. Mentors will be required to attend check-in meetings selected by the principals</p>	<p>At the discretion of the building principal, the mentor and mentee will be afforded up to one day per quarter for observation of instructional practices and instructional coaching.</p>

Mentor and New Teacher Information



Mentor Name: _____

Certification Area: _____

Mentee Name: _____

Your signature below indicates that you have both received and read the policies and procedures of the RCS Mentoring Program. It also indicates your willingness to participate in the program.

Signature: _____ Date: _____

New Teacher Name: _____

Certification Area: _____

Mentor Name: _____

Your signature below indicates that you have both received and read the policies and procedures of the RCS Mentoring Program. It also indicates your willingness to participate in the program.

Signature: _____ Date: _____

Your commitment is greatly appreciated. Thank you. If you have any questions about this form or the program, please contact your building administrator.

Please submit this signed form to your building principal. Thank you!

Mentor Teacher Program Confidentiality Agreement



The mentoring program of the Remsen Central School District has been developed to ensure that each teacher new to the district be afforded the support of experienced teachers for orientation and instructional coaching. For mentoring to meet its goal of aiding new teachers in effective instructional practices, the environment must be risk-free and non-threatening; new teachers need to avail themselves of such help and willingly open their classrooms to their mentors. With this understanding as the foundation, the relationship between the mentor and new teacher will remain confidential and non-evaluative.

Mentors will refrain from sharing any information regarding mentees with the mentee's colleagues or students.

At their discretion, new teachers may wish to share personal or evaluative information with their mentors as a means of seeking help/advice.

Should a new teacher leave the district, professional ethics require the mentor to maintain confidentiality.

It is important to recognize the positive potential in the mentor-new teacher relationship. The confidentiality and trust built into the partnership needs to prevail if it is to work to the benefit of the mentee, mentor, students, and the district.

CONFIDENTIALITY VERIFICATION STATEMENT

I understand the confidentiality requirements of my position as mentor of _____

Signature _____ Date _____

Please submit this signed form to your building principal. Thank you!

Policy #	As Presented, Delete, Additional Revisions	New Policy #
6001	As presented	
6002	As presented	
6003	As presented (Remove highlighted area and blue writing)	
6003.1	DELETE	
6003.1 renumber 6003.2	DELETE	
6004	KEEP - Do not Delete	
6004 renumber 6008	DELETE	
6005	DELETE	
6005 renumber 6007	As presented	
6006	DELETE	
6100	DELETE	
6101	DELETE	
6102	DELETE	
6103	DELETE	
6104	As presented	6100
6105	As presented	6101
6106	DELETE	
6107	DELETE	
6200	DELETE	
6201	Additional Revisions = revisions highlighted in yellow on draft	6200
6300	As presented	
6300.1	As presented	
6300.2	As presented	
6300.3	As presented	
6300.4	As presented	
6300.5	As presented	
6301	As presented	
6302	DELETE	
6303	DELETE	
6400	As presented	
6400.1	As presented	
6400.2	DELETE	
6401	DELETE	
6401.1	DELETE	
6401 Replace 6401	Additional Revisions = revisions highlighted in yellow on draft	
6401.1 Replace 6401.1	As presented	
6500	As presented	
6501	DELETE	

EMC 5.1

PERSONNEL

RECRUITMENT, SELECTION AND APPOINTMENT OF PERSONNEL

I. Statement of Policy

The quality of an education program is highly dependent on the abilities and dedication of its staff. The Board of Education (the Board) seeks to recruit, select, and employ the best qualified candidates available. Consideration is given to professional preparation and educational achievements, prior professional experience, general cultural background, character and the Remsen Central School District's (the District) needs. The Board is committed to recruiting and hiring the best qualified candidates available while striving to develop a diverse workforce.

II. Recruitment of Instructional Staff

- A. The Superintendent or designee should become acquainted with the relevant labor pools. For certified positions, they should maintain a close working relationship with colleges and universities with teacher training programs known to produce quality candidates.
- B. Lines of communication should be established with Building Principals and Personnel Directors in adjacent districts, as well as with other employers with similar positions.
- C. Contact should be developed with professional associations which periodically advertise position vacancies. The readership of local newspapers, periodicals and other forms of media should also be investigated for potential job applications.
- D. Care should be taken, however, to avoid any action that could appear to encourage a prospective employee to default on obligations to another school district or employer.

III. Hiring of Instructional Staff

- A. A thorough review process is required, including careful documentation and verification of claimed credentials and required licenses.
- B. Administrative and management positions cannot be filled unless the Superintendent and the Board of Education concur on the appointment.
- C. The Superintendent or designee will promptly notify the selected candidate and seek acceptance, and promptly inform the unsuccessful applicants. The Board may reserve the right to conditional employment upon the passing of a physical examination and/or completion of other requirements such as certification.

PERSONNEL

RECRUITMENT, SELECTION AND APPOINTMENT OF PERSONNEL

IV. Non-Instructional Staff

The success of the support services program is highly dependent on the quality and abilities of those employed to carry out this mission. Recruitment and hiring of support staff is governed by the Civil Service Law. Candidates for competitive class positions must pass a civil service examination and appear on the eligible list provided to the school District by the Oneida County Personnel Department.

Remsen Central School District

Legal Ref: NYS Education Law §§1709, 1804, 3001, 3004 Sections 23, subdivision 4-a, New York State Civil Service Law

Adopted: 10/12/82 Readopted: 12/15/92

Revised: 10/12/86, 06/20/17, _____

Policy

Draft 02/03/2022
6002

PERSONNEL

OATH OF ALLEGIANCE

All personnel, excluding employees in the labor class, shall be required to take an oath of allegiance to the Constitution of the United States of America and the State of New York before the effective date of their appointment; or to comply with this requirement by subscribing and filing a written affirmation attesting to the loyalty oath, with the District Clerk.

Remsen Central School District

Legal Ref: NYS Education Law Section § 3002

Adopted: 08/08/89 Readopted: 12/15/92

Revised: 06/20/17, _____

PERSONNEL

EVALUATION, RESIGNATION AND TERMINATION

I. Evaluation:

- A. All personnel in the Remsen Central School District shall be subject to a continuous program of supervision and evaluation in order to promote improved performance and to make decisions regarding the occupancy of positions.
- B. The process of evaluation during the probationary period shall be intensified and adequately documented to support the administrative recommendations regarding continued employment.
- C. The Superintendent shall establish procedures for evaluation of all professional and non-professional staff.
- D. The supervision and evaluation of the instructional staff shall be guided by the contractual agreement and the Annual Professional Performance Review Plan adopted by the Board of Education.

II. Resignation:

Employee resignations should be submitted in writing to the Superintendent with a minimum of thirty (30) days. Resignation notices of a shorter duration may be accepted and approved when mutually agreed upon.

III. Termination:

Termination of employment will be carried out in compliance with applicable laws, regulations and negotiated agreements.

Remsen Central School District
Adopted: 06/20/17
Revised: _____

INSTRUCTIONAL STAFF EVALUATION

- I. The evaluation of instructional staff shall be conducted according to the following procedures:
 - A. All monitoring or observation of the work of a teacher shall be conducted openly and with full knowledge of the teacher. The use of eavesdropping, closed circuit television, public address or audio systems, and similar surveillance devices shall be strictly prohibited.
 - B. All evaluations shall be reduced to writing within three (3) days of the evaluation. If the teacher disagrees with the evaluation, he may submit a written answer which shall be attached to the file copy of the evaluation in question and/or submit any complaints through the grievance procedure.
 - C. Each observation of a teacher in teaching situations shall be for one full period in the secondary area and one full lesson in the elementary area.
 - D. Each observation of a teacher shall be followed by a personal conference between the teacher and his evaluator for purposes of clarifying the written evaluation report.
 - E. If an evaluator finds a teacher lacking, the reasons therefore shall be set forth in clear and accurate terms, as shall an identification of the ways in which the teacher is to improve and of assistance to be given by the administrator and other staff members. In subsequent evaluation reports, failure to again note a deficiency shall be interpreted to mean that adequate improvement has taken place.
 - F. No evaluation shall unduly interfere with the normal teaching-learning process.
 - G. Probationary teachers shall be observed and evaluated between two and five times yearly. Tenured teachers shall be observed and evaluated between one and three times every three years. Teachers will be notified of the week(s) during which their evaluation will take place.
 - H. Each teacher, upon ~~his~~ their employment or at the beginning of the school year, whichever is later, shall be appraised of the specific criteria on which ~~he~~ they will be evaluated.

INSTRUCTIONAL STAFF EVALUATION

- I. All evaluations shall be done by the Superintendent or trained and qualified designee.

Remsen Central School District

Approved by the Superintendent: 06/20/17, _____

Adopted: 11/09/76 Readopted: 12/15/92

Revised: 08/08/89

Regulation

Draft 02/03/2022

PERSONNEL

6003.1 Revise/Renumber 6003.2 **DELETE**

NON-INSTRUCTIONAL EVALUATION

I. _____

_____ ~~The purpose of the non-teaching personnel evaluation program is to provide employees with a fair and objective evaluation of their performance, identify strengths and weaknesses, and agree upon a practical improvement program.~~

II. Evaluation Forms

- A. Evaluation forms will be completed by the employee's supervisor annually. The supervisor will review the evaluation results with the employee during a post evaluation conference, and the employees will be given the opportunity to agree or disagree with the evaluation results.
- B. Completed and signed evaluation forms will be maintained as confidential records in the employee's personnel file in the Remsen Central School District office (original), the immediate supervisor's office (copy), and the employee is to be given a copy. Evaluation results will not be released to anyone other than the employee involved, without written permission from that employee.
- C. An employee who disagrees with ~~his/her~~ their evaluation results may appeal such evaluation. The employee has the right to file, in writing, ~~his/her~~ their complaints to ~~his/her~~ their immediate supervisor within ten (10) working days after the evaluation has been reviewed. If the complaint cannot be satisfactorily resolved at this level, the employee may proceed to the Superintendent of Schools, and if necessary, the Board of Education.

Remsen Central School District

Approved by the Superintendent: 06/20/17, _____

Adopted: 10/12/86

Revised: 12/15/92

Policy

Draft 02/03/2022

6004

PERSONNEL

EXPECTATIONS FOR INSTRUCTIONAL STAFF PERFORMANCES

Classroom teachers shall be responsible for performing the following duties:

1. Teach such subjects or grades as qualified and appointed to teach.
2. Write lesson plans in a manner which can be understood by a substitute as well as the classroom teacher and administration.
3. Continually strive to promote understanding between parents, students and community.
4. Assist in the supervision of such school day activities as called upon to do by their immediate supervisor.
5. Keep adequate student records and make such reports as are necessary on a timely basis.
6. Adhere to all policies, rules and regulations, local and/or state law.
7. Provide opportunities for students to learn the duties of democratic citizenship by assumption of responsibilities in their daily school living.
8. Support the program and activities of the school and in every way possible help build and maintain a high morale on the part of both faculty and student body.
9. Attend all professional meetings which are called by the Superintendent and/or Building Administration.
10. Maintain an inventory of all equipment and supplies assigned to their custody and see that they are properly used and safeguarded.
11. Requisition supplies, equipment, and services within budget allocations.
12. The teacher shall strive to maintain complete control of the class at all times. Discipline situations which may arise should be handled by the teacher, who may, if necessary, call upon the administration for assistance.
13. The teacher's dress and manner should be applicable to their professional responsibilities.
14. The teacher shall be knowledgeable in all areas of child development and conduct the class in an atmosphere of friendliness, warmth, and good mental health.
15. Perform all other duties that properly come within the scope of employment.

Remsen Central School District

Adopted: 08/09/77 Readopted: 12/15/92

Revised: 06/20/17, _____

SEPARATION INTERVIEWS

Would the District like the term **Exit** or **Separation** Interview? Both or used and we can either use both with a slash or pick one term. District decision.

~~I. Honest separation interviews require only a small investment of time, and can result in better utilization of personnel, improved employee relations, and more effective management of our human resources. They are also a method of insuring the fairness and consistency of our policies and procedures on dismissals as well as voluntary quits.~~

II. Statement of Policy

~~A.~~ All Remsen Central employees terminating their services shall be given an exit interview prior to final salary payment. The School Business Administrator will conduct the interview and ~~both she/he~~ the School Business Administrator and employee shall complete and sign the exit interview form.

A. Letters of resignation shall accompany the exit interview forms for all voluntary quits. The completed form shall be forwarded to the Superintendent of Schools, signed by ~~him/her~~ the Superintendent of Schools, and filed in the employee's personnel folder.

B. The form is in two parts. Part A is to be filled out by the employee prior to the interview. Part B is to be completed by the School Business Administrator during or after the interview. Correspondence regarding dismissal should accompany the completed forms.

III. Analysis

An analysis of separation interviews should be conducted jointly by the Superintendent and the School Business Administrator. Problem areas in morale or supervision or in misclassification of positions may then be acted upon without delay.

Remsen Central School District

Adopted: 06/12/79

Revised: 12/15/92, 06/20/17, _____

Policy

Draft 02/03/2022

6005 DELETE

PERSONNEL

DUTIES OF NON-INSTRUCTIONAL STAFF

I. Supervision

All employees shall be under the supervision of the Superintendent who shall have the authority to assign duties within the scope of employment of each employee. Direct supervision of specific groups of non-instructional employees may be designated to other members of the administrative staff.

II. Work Day

Employees engaged on a twelve-month basis shall work eight hours per day from Monday-Friday during school vacation periods, other than those days previous designated as legal holidays, unless prior arrangements are made with the Superintendent.

Remsen Central School District

Adopted: 08/08/89

Revised: 12/15/92, 06/20/17

Policy

Draft 02/03/2022

6005 Revise/Renumber 6007

PERSONNEL

RELATIVES AS CO-WORKERS

In the event that the Remsen Central School District (the District) employs individuals who are related to each other by either blood or marriage, the ~~Remsen Central School~~ District will make every effort to ensure that neither of those individuals is responsible for the evaluation or supervision of the other.

Remsen Central School District

Adopted: 07/12/05

Revised: 06/20/17, _____

Policy

Draft 02/03/2022
6006 DELETE

PERSONNEL

CONVERTING FULL-TIME TO PART-TIME STATUS: ACCUMULATED DAYS

- I. When an employee changes status from being full-time to being part-time, or from being part-time to full-time, it will be the policy of the Remsen School District to use an established formula for the transfer of accumulated days.
 - A. For a transfer from part-time to full-time, it will involve the multiplying of the percentage of the time worked as a part-time employee times the number of accumulated days as a part-time employee to arrive at the number of full days credited.
 - I.E. With a fifty percent employee with six accumulated days going to full-time, multiply six times .50 which equals three full-time days.
 - B. For a transfer from full-time to part-time, it will involve the dividing of the number of accumulated days by the percentage of time the employee works as a part-time employee to arrive at the number of part-time days credited.
 - I.E. With a full-time employee with six accumulated days, going from full-time to .50 time, divide six by .50 which equals 12 half days.
 - C. In a case of an uneven number, the numbers should be rounded off.

Remsen Central School District

Adopted: 08/14/84 Readopted: 12/15/93

Revised: 06/20/17

PERSONNEL

CERTIFICATION AND INCIDENTAL TEACHING

I. Certification

All Remsen Central School District employees filling positions for which certification is required shall meet certification requirements of the Commissioner of Education as implemented through the State Education Department Office of Teaching Initiatives (Teacher Education and Certification).

II. Incidental Teaching

- A. The Superintendent may assign a teacher to teach a subject not covered by the teacher's certificate for a period not to exceed five classroom hours per week **OPTIONAL LANGUAGE** and due to the COVID-19 crisis during the school year for a period not to exceed ten classroom hours a week, when, after extensive recruitment, no certified teacher is available.
- B. Upon making such an assignment, the Superintendent shall file an application within twenty business days ~~promptly apply~~ to the Commissioner of Education for approval of the assignment, in accordance with the Commissioner's regulations.

Remsen Central School District

Legal Ref: 8 NYCRR §80-5.3, NYS Education Law, ~~Section~~ § 3004

Adopted: 06/20/17

Revised: _____

Policy

Draft 02/03/2022

PERSONNEL

6101 ~~DELETE~~

PROBATION AND TENURE (EDUCATIONAL POSITIONS)

I. Scope of Policy

This Policy applies to all appointments of professional educators to full-time service in one or more positions in which tenure may be acquired in accordance with the provisions of the Education Law. This includes Remsen Central School District (the District) administrators, teachers in the classroom service, teachers in pupil personnel services, and teaching assistants.

II. Board Appointments

A. Appointments of professional educators are made by a majority vote of the Board of Education (the Board) upon recommendation of the Superintendent. The Board shall appoint and assign a full-time professional educator so that at least 40% of the educator's time is devoted to a designated tenure area.

B. Each resolution of the Board making a probationary appointment or an appointment on tenure to a full-time position shall set forth:

1. The name of the appointee,
2. Each tenure area in which the professional educator will devote at least 40 % of their time,
3. The beginning date of the appointment,
4. The expiration date of the appointment, if probationary, ~~and The resolution must state:~~
 - a. to receive tenure, the individual must receive composite or overall APPR ratings of effective or highly effective in at least three of the four preceding years; and
 - b. if the professional educator receives an ineffective composite or overall APPR rating in their final year of probation, they will not be eligible for tenure at that time;
5. the certification status of the appointee in reference to the position(s) to which appointed.

C. Tenure Areas

1. The tenure area designated in each Board resolution of appointment to a full-time teacher or teaching assistant position shall be in conformance

PERSONNEL

PROBATION AND TENURE (EDUCATIONAL POSITIONS)

with Part 30 of the Regents' Rules. Administrative tenure areas shall be determined by the Board, upon recommendation from the Superintendent.

2. If, at the time of initial appointment, the Board proposes to assign an educator to devote 40% of their time to more than one tenure area, the Board resolution shall designate each such tenure area.
3. After initial appointment, no professional educator may be assigned to devote 40% or more of their time to a different tenure area without their written consent. When an educator consents to such an assignment, a separate resolution of probationary appointment in the new area shall be adopted by the Board.

D. Probationary Period

1. It is the policy of the Board to provide responsible administrators with the maximum allowable time to evaluate each professional educator before a tenure determination is made. Therefore, appointments will be made for a full four (4) ~~three (3)~~-year period except where a shorter period is provided for by law.
2. The probationary period will not exceed three (3) years for professional educators previously appointed to tenure in this or another school district within the state, provided that professional educator was not dismissed from the prior district and met the required annual professional performance review (APPR) rating in their final year of service there.
3. Jarema credit may be applied towards probationary service up to two (2) years for a regular substitute teacher.
4. If the professional educator received an APPR rating of ineffective in their final probation year, the Board may not award tenure, but may extend that professional educators probationary time by an additional year.

III. Tenure Determinations

A. Superintendent Recommendation

With respect to each professional educator serving under a probationary appointment, the Superintendent shall provide the Board with a written recommendation as to whether that person should be awarded an appointment with tenure. The recommendation shall be provided in time for Board action on the recommendation to be taken at least thirty (30) days before the end of the probationary appointment.

PERSONNEL

PROBATION AND TENURE (EDUCATIONAL POSITIONS)

B. Board Action

1. Where the Superintendent recommends an appointment upon tenure, the Board may accept that recommendation and make such an appointment by majority vote.
2. Where the Superintendent recommends an appointment upon tenure, the Board may nevertheless vote to deny tenure, which shall be considered a tentative action by the Board and shall be reconsidered at a second Board meeting, and the educator shall be provided at least thirty (30) days notice of the Board's intent to deny tenure and the date set for final action.
3. Where the Superintendent recommends against an award of tenure, the Board shall adopt a resolution removing the individual from service with the District.
4. Where a professional educator has been appointed to devote 40% of their time to more than one tenure area, tenure shall be separately conferred or denied in each area.

Remsen Central School District

Legal Ref: New York State Education Law Sections §§ 3012, ~~3014 and 2509~~;
8 N.Y.C.R.R. 30; Matter of Griswold, Ed. Rept. 527 (1960).

Adopted: 11/09/76 Readopted: 12/15/92

Revised: 10/12/86, 06/20/17, _____

PERSONNEL

OUTSTANDING TEACHER AWARD

- I. The Remsen Central School Board of Education has developed an Outstanding Teacher Award to focus attention on the appreciation of accomplished teachers of our district. This is an effort to recognize the dedication, creativity, and professionalism of our faculty.
- II. The award is to be presented at the end of the school year during an assembly.
- III. Written nominations will be sought from the Student Council, Remsen Teachers Association, and the Remsen Central School Alumni Association. Additional nominations from community sources are also welcome.
- IV. All written nominations must be submitted to the District Clerk by May 1st of each year.

Remsen Central School District
Adopted: 04/84
Revised: 12/15/92, 06/20/17

PERSONNEL

SUBSTITUTE TEACHERS

- I. Itinerant Substitute: One who is assigned on a daily basis to take the place of a regularly employed teacher.
 - a. Base Rate - \$_____ per day for uncertified substitutes and \$_____ per day for certified substitutes.

- II. Regular Substitute: One who is assigned to take the place of a regularly employed teacher who is absent for an extended period of time (more than three months).
 - a. Base Rate - Step 1-A of base salary on the current salary schedule.

- III. Staff Substitute: A current member of the teaching staff covering an individual class period.
 - a. Base Rate: _____ per class period.

Remsen Central School District

Adopted: 11/09/76

Revised: 01/22/85, 08/08/89, 12/15/92, 09/18/01, 06/20/17

PERSONNEL

APPOINTMENT OF ATHLETIC COACHES

I. Statement of Policy

- A. It is the Policy of the Remsen Central School District (the District) to appoint interschool athletic coaches in conformance with Sections 135.4 and 135.5 of the Commissioner's Regulations. This includes all head coaches and assistants for varsity, junior varsity, freshman and junior high (modified) teams.
- B. Interschool athletic coaches shall be appointed by the Board of Education (the Board), upon recommendation of the Superintendent.
- C. This Policy governs the appointment of all interschool athletic coaches, whether serving in a paid or unpaid (volunteer) capacity.

II. Minimum Qualifications To Be Appointed An Interschool Athletic Coach

- A. To be considered for appointment by the Board as an athletic coach, an individual must:
 - 1. Be a certified physical education teacher with valid first aid and CPR certification, as described in Section 135.5 of the Commissioner's Regulations, or
 - 2. Be a teacher certified in an area other than physical education who
 - a. possesses coaching qualifications and experience, and
 - b. has a valid first aid and CPR certification, as described in Section 135.5 of the Commissioner's Regulations, and
 - c. has completed the education program for coaches described in Section 135.4(c)(7)(i)(c)(2), or has demonstrated a plan and intention to complete such a program within the time frame described there, and
 - d. on a biennial basis, completes a course of instruction relating to mild traumatic brain injuries; or
 - 3. Hold a professional coaching certificate issued by the Commissioner and, if that certificate was issued before August 7, 2014, complete two-hours of coursework or training in child abuse and maltreatment in compliance with Section 3036 of the Education Law, or

APPOINTMENT OF ATHLETIC COACHES

4. If no one holding the qualifications described in subsections 1 through 3 above is a candidate, hold a temporary coaching license issued by the Commissioner and, if that license was issued before August 7, 2014, complete two-hours of coursework or training in child abuse and maltreatment in compliance with Section 3036 of the Education Law, or
 5. Have been employed as a coach in New York State schools on or before September 1, 1974.
- B. When the District is unable to obtain the services of a teacher with coaching qualifications and experience, and a person with coaching qualifications and experience satisfactory to the Superintendent is available, the Superintendent is authorized to support that person's application for a temporary coaching license by submitting to the Commissioner the statement described in Section 135.4(c)(7)(i)(c)(3)(i) of the Commissioner's Regulations.
- C. No one shall serve as an athletic coach in the District who has not undergone fingerprinting and received clearance from the State Education Department.
- III. Evaluation of Coaches Holding A Professional Coaching Certificate
- A. Each person who serves in the District as a coach pursuant to a professional coaching certificate shall be evaluated in writing each year. The evaluation shall be performed by the athletic director or principal who has been responsible for the supervision of the coach that year.
- B. Each evaluation of a person holding a professional coaching certificate shall include an assessment of the following components:
1. communication and interpersonal skills, including interactions with colleagues, students, parents, and the general public,
 2. supervisory capabilities,
 3. organizational capabilities,
 4. leadership capabilities,
 5. knowledge and proficiency in first aid, CPR, sexual abuse guidelines, and athlete injury-related protocols and procedures,

PERSONNEL

APPOINTMENT OF ATHLETIC COACHES

6. compliance with District requirements and guidelines for purchasing equipment, uniforms, and related supplies, and for storing and maintaining sports equipment.

IV. Compliance and Recordkeeping

- A. The Superintendent shall establish procedures to ~~insure~~ ensure that all appointed coaches complete any necessary courses and maintain current first aid skill and knowledge.
- B. Permanent records of persons who serve in the District as athletic coaches shall be maintained.

Remsen Central School District

Legal Ref.: 8 NYCRR §§ 80-1.4, 135.4 and 135.5; NYS Education Law § 3036

Adopted: 06/20/17

PERSONNEL

Policy Is Required If District Has Mentoring Program
MENTORING PROGRAMS FOR FIRST YEAR TEACHERS

I. Statement of Policy

All new teachers in the Remsen Central School District (the District) holding an initial certificate must complete a mentored teaching experience within their first year of employment as a teacher. The District must incorporate the design and planning of such mentored experiences for all first year teachers in its employer into the District Professional Development Plans.

II. Policy Purpose

The purpose of the mentoring program is to provide support for new teachers in order to ease the transition from teacher preparation to practice, thereby increasing the retention of teachers, and to increase the skills of new teachers in order to improve student achievement in accordance with the New York State learning standards. The Professional Development Plan shall describe how the District will provide a mentoring program for teachers who must participate in a mentoring program to meet teaching experience requirement for the professional certificate as prescribed by Commissioner's Regulations.

III. Development and Implementation

The mentoring program shall be developed and implemented consistent with any collective bargaining obligation required by Article 14 of the Civil Service Law (i.e., the Taylor Law); however, Commissioner's Regulation does not impose a collective bargaining obligation that is not required by Taylor Law.

In accordance with Commissioner's Regulations, the Professional Development Plan shall describe the following elements of the mentoring program:

- A. The procedure for selecting mentors, which shall be published and made available to staff of the District and, upon request, to members of the public;
- B. The role of mentors, which shall include but not limited to providing guidance and support to the new teacher;
- C. The preparation of mentors, which may include but shall not be limited to the study of the theory of adult learning, the theory of teacher development, the elements of the mentoring relationship, peer coaching techniques, and time management methodology;
- D. Types of mentoring activities, which may include but shall not be limited to modeling instruction for the new teacher, observing instructional planning with the new teacher, peer coaching, team teaching, and orienting the new teacher to the school culture; and

PERSONNEL

Policy Is Required If District Has Mentoring Program
MENTORING PROGRAMS FOR FIRST YEAR TEACHERS

- E. Time allotted for mentoring, which may include but shall not be limited to scheduling common planning sessions; releasing the mentor and the new teacher from a portion of their instructional and/or non-instructional duties; and providing time for mentoring during Superintendent conference days, before and after the school day, and during summer orientation sessions.

IV. Confidentiality of Mentor – New Teacher Interaction

The information obtained by a mentor through interaction with the new teacher while engaged in the mentoring activities of the program shall not be used for evaluating or disciplining the new teacher unless:

- A. Withholding such information poses a danger to the life, health, or safety of an individual including, but not limited to, students and staff of the school; or
- B. Such information indicates that the new teacher has been convicted of a crime, or has committed an act which raises a reasonable question as to the new teacher’s moral character or
- C. The District has entered into an agreement, negotiated pursuant to Article 14 of the Civil Service Law whose terms are in effect, that provides that the information obtained by the mentor through interaction with the new teacher while engaged in the mentoring activities of the program may be used for evaluating or disciplining the new teacher.

V. Exemptions to above Mentoring Requirements

Pursuant to Commissioner’s Regulations, teachers holding initial certificates who have two (2) or more prior years of teaching experience do not need to be provided a mentored experience as enumerated in this policy.

VI. Recordkeeping Requirements

The District shall maintain documentation of the implementation of the mentoring program described in the Professional Development Plan for at least seven (7) years from the date of completion of the mentoring activity; and it shall be available for review by the State Education Department. Such documentation will include the information enumerated in Commissioner’s Regulations.

Remsen Central School District

Legal Ref: NYS Education Law §§ 3004 and 3006, 8 NYCRR §§ 52.21, 80-3.4, 80-5.13, 80-5.14 and 100.2

Adopted: 06/20/17

Revised: _____

PERSONNEL

JOB DESCRIPTIONS

The Superintendent shall be responsible for the establishment of all District job descriptions, with the exception of the position of Superintendent. He/She shall report to the Board the contents of such job descriptions.

Remsen Central School District

Adopted: 12/15/92

Revised: 06/20/17

PERSONNEL

EMPLOYEE HEALTH INSURANCE TERMINATION

- I. It is the policy of the Remsen Central School Board of Education to terminate health insurance coverage for any employee the last day of the month in which employment terminates.

Example:

Termination date 1/10; health insurance terminates 1/31.

- II. This policy includes employees giving both immediate termination notices and advance termination notices.
- III. Exceptions to this policy will require Board of Education approval.

Remsen Central School District

Adopted: 06/12/84 Readopted: 12/15/92

Revised: 06/20/17

Law pertains to examination as to the physical or mental capacity of such person to perform his or her duties may be referred to and considered for the evaluation of service of the person examined or for disability retirement.

Policy

Draft 02/03/2022
6200 DELETE

PERSONNEL

HEALTH EXAMINATIONS

I. Physical Examinations

- A. All new employees of the will be required to have a physical examination upon employment, including such diagnostic testing as may legally be required which is deemed necessary by the school physician.
(Does the District do this?)
- B. Bus Drivers are required to have an annual physical examination to be conducted during the month of August. (Already required to maintain CDL-“S”)

II. Proof Of Exam

New employees will submit proof of a physical examination which physical examination will be at the individual employee's expenses. The employee will be responsible to submit a physical form, signed and dated by the physician stating that said employee is physically able to conduct their day-to-day duties and responsibilities.

III. Protracted Or Recurring Illness(s)

Individuals who show protracted or recurring illness(s), or where frequent absenteeism because of illness has been a factor, may be required to submit to interim physical examinations. Such examinations may be arranged with the school physician at Board of Education expense, or completed by the individual's physician, the cost of which is to be assumed by the individual. (Will have to check legal language if policy is kept)

Remsen Central School District
Legal Ref: NYS Education Law 913
Adopted: 11/09/76
Revised: 08/08/89, 01/17/95, 06/20/17

PERSONNEL

Policy is Required
DRUG-FREE WORKPLACE POLICY

I. Statement of Policy

- A. The Remsen Central School District (the District) is committed to maintaining a drug free work environment and adopts this policy to ensure compliance with the *Drug Free Workplace Act of 1988*.
- B. Penalties for violations of this Policy shall be administered in a manner consistent with applicable statutes, collective bargaining agreements that relate to employee discipline, and the District's Code of Conduct, and any applicable laws.
- C. The unlawful manufacture, distribution, dispensation, possession, or use of a "controlled substance" (any substance listed in any schedule of 21 U.S.C. Section 812) is prohibited on District property and at District-sponsored events. The use or possession of a prescribed medication in any manner other than as prescribed is also prohibited on District property and at District-sponsored events.

II. Drug-Free Awareness Program

- A. Each new employee shall be given a copy of this Policy.
- B. The Superintendent shall adopt a procedure that will ensure that each District employee is informed about:
 - 1. This Policy,
 - 2. The dangers of drug use/abuse in the workplace,
 - 3. Available drug counseling and rehabilitation services and the District's employee assistance program, and
 - 4. The penalties that may be imposed upon District employees for violations of this Policy.

III. Special Rules Relating to Employees Working under a Federal Grant

- A. The District will notify each employee working under a federal grant that as a condition of working under the grant, the employee will abide by the terms of this policy.
- B. When a District employee working under a federal grant is convicted of a violation of a criminal drug statute:

POLICY

Draft 02/03/2022

6201

PERSONNEL

Policy is Required
DRUG-FREE WORKPLACE POLICY

1. The Employee must notify the District of the conviction no later than five days after the conviction; and
2. The Superintendent (or designee) will notify the federal agency providing the grant of the employee's conviction no later than ten days after it learns of the conviction; and
3. The District will initiate appropriate disciplinary action and/or will require the employee to participate in an appropriate rehabilitation program no later than 30 days after it learns of the conviction.

Remsen Central School District

Legal Ref: 41 USCA 8103; 20 USC 7104; 21 CFR 1308.11, 1308.15; 34 CFR 85

Cross Ref: 1004, Code of Conduct

Adopted: 12/15/92

Revised: 04/14/15, 01/14/20, _____

LEAVES OF ABSENCE FOR SERIOUS
HEALTH CONDITIONS OR FAMILY CARE

I. Statement of Policy

- A. It is the policy of the Remsen Central School District (the District) to allow an employee to be absent from his/her duties for the reasons stated in the Family and Medical Leave Act (“FMLA”), as amended. This includes absence for the following purposes:
1. The employee’s own serious health condition that renders the employee unable to work at all, or unable to perform at least one of the essential functions of the employee’s job;
 2. To care for a son, daughter, spouse, or parent with a serious health condition;
 3. To adopt a child, or to receive a child into foster care;
 4. The birth of a child, and to care for the employee’s newborn child;
 5. To care for a son, daughter, spouse, parent, or next of kin who is a member of the armed services and who has a serious injury or illness incurred in the line of duty; or,
 6. To respond to certain qualifying exigencies when a family member is on active duty or is called to active duty with the armed services.
- B. An employee absent for a purpose within the scope of this Policy and compliant with obligations under this Policy will be reinstated to their same or an equivalent position at the end of the absence, provided the employee continues to meet the qualifications for the position and the employee’s employment would not have been terminated or altered had the employee not been absent.
- C. This Policy and any administrative regulations or procedures approved by the Superintendent shall be implemented so as to comply with the FMLA and any applicable provisions of the District’s collective bargaining agreements.

LEAVES OF ABSENCE FOR SERIOUS
HEALTH CONDITIONS OR FAMILY CARE

II. Employee Eligibility

A. Length of Service

To be eligible for an allowed absence under this Policy, an employee must have been employed by the District for a minimum of twelve (12) months (52 weeks). Nonconsecutive periods of employment will be counted together to determine eligibility, provided no break in employment exceeds seven (7) years. Time spent fulfilling a Reserve or National Guard obligation after initial employment with the District will be considered as time employed by the District.

B. Hours Worked

To be eligible for an allowed absence under this Policy, an employee must have worked a minimum of 1,250 hours for the District over the previous 12 months. Satisfaction of this requirement shall be calculated using the definition of "hours worked" under the Fair Labor Standards Act ("FLSA"). An employee who is away from work to fulfill a Reserve or National Guard obligation will be credited with "hours worked" as though the employee had performed their normal duties for the District during that time.

C. Serious Health Condition

An employee qualifies for an allowed absence under this Policy when the employee experiences an illness, injury, impairment, or physical or mental condition that involves inpatient care or continuing treatment by a health care provider; and when the employee's presence is necessary to care for a parent, son, daughter, or spouse who experiences such a condition.

D. Care of a Newborn Infant

An employee who is the mother or father of a newborn infant qualifies for an allowed absence to care for the newborn during the 12 months following the birth.

E. Adoption or Foster Care

An employee who has a son or daughter placed with them for adoption or foster care qualifies for an allowed absence during the 12 months following the placement, as well as prior to the placement for purposes related to the placement (e.g., court appearances, counseling sessions).

LEAVES OF ABSENCE FOR SERIOUS
HEALTH CONDITIONS OR FAMILY CARE

F. Military Caregiver

An employee who is the son, daughter, spouse, parent, or next of kin of a current member of the Regular Armed Forces, the National Guard, or the Reserves, or of a veteran, qualifies for an allowed absence under this Policy if the military member is on the temporary disability retired list because of a serious injury or illness incurred in the line of duty for which they are undergoing medical treatment, recuperation, or therapy; is otherwise in outpatient status; or is otherwise on the temporary disability retirement list. In the case of a veteran, leave is available if the injury or illness manifested itself within five years of the treatment, recuperation, or therapy.

G. Active Duty Qualifying Exigency

If the spouse, son, daughter, or parent of an employee is a member of the National Guard or Reserves, and is on active military duty, or is called to active duty, then the employee is allowed to be absent for one or more of these qualifying exigencies:

1. Short-notice deployment,
2. Military events and ceremonies, including family assistance or support meetings,
3. Childcare and school activities,
4. To make financial and legal arrangements related to the deployment,
5. Counseling services for the employee, covered military member, or a child in the required degree of relationship to the covered military member,
6. Rest and recuperation,
7. Post-deployment activities, and
8. Additional activities that arise out of the covered military member's active duty or call to active duty, provided the District and the employee agree that the activities qualify as an exigency.

If the spouse, son, daughter, or parent of an employee is a member of the Regular Armed Forces and is deployed to a foreign country, then the employee is allowed to be absent for one or more of the above contingencies.

LEAVES OF ABSENCE FOR SERIOUS
HEALTH CONDITIONS OR FAMILY CARE

III. Duration of Excused Absence

- A. An employee who qualifies for leave under any combination of purposes 1, 2, 3, 4, and 6 in Section I.A. of this Policy is allowed an absence of up to twelve (12) weeks in a school year (July 1 – June 30).
1. Where both the mother and the father of a newborn, adopted, or foster placed child are employees of the District, the total absence allowed under this Policy to the two parents for purposes 3 and 4 in section I.A. of this Policy shall be 12 weeks.
- B. An employee who qualifies for leave to care for an injured or ill service member (purpose 5 in Section I.A.) is allowed a single absence of up to 26 weeks in a single 12 month time period. The single 12 month time period used for this purpose begins when the employee is first absent for this purpose.
1. During the 12 month time period used for this purpose, the employee's total absence for all FMLA purposes may not exceed 26 weeks.
 2. If the employee requests leave to care for more than one injured or ill service member, or requests leave due to more than one injury or illness of the same service member, the absence allowed by this Policy shall be calculated in accordance with the limitations and allowances of applicable federal regulations.

IV. Intermittent or Reduced Schedule Absence

- A. Intermittent absences, or a reduced schedule, will be classified as an allowable leave under this Policy where it is certified as medically necessary because of the serious health condition of the employee, a covered family member of the employee, or a covered service member to whom the employee has the required relationship.
1. Intermittent leave shall be taken and recorded in increments of time consistent with the practice for other absences.
- B. An employee will also be allowed intermittent absences related to a qualifying exigency arising from the active duty, or call to active duty, of a qualified military member.

PERSONNEL

LEAVES OF ABSENCE FOR SERIOUS
HEALTH CONDITIONS OR FAMILY CARE

- C. An employee will not generally be allowed intermittent absences related to the birth, adoption, or foster placement of a child, but such absence may be allowed at the discretion of the Superintendent.
- V. Information Provided by District to Employees
- A. A notice explaining the FMLA, and providing other required information, shall be posted physically in District buildings in a manner that complies with federal regulations. A copy of this general notice shall also be provided to each new employee.
- B. When an employee requests a leave of absence, or the District acquires knowledge that an employee's absence may be for a purpose covered by this Policy and FMLA, the District shall, within five (5) business days, provide the employee with written notice of:
1. Whether the District considers the employee eligible for leave under FMLA and this Policy, and, if not, the reason; and
 2. The employee's rights and obligations, and the consequences of not fulfilling those obligations.
- C. The District shall notify the employee in writing that the employee's absence is designated as allowable leave under this Policy and FMLA, or it is not. This notice shall be given within five (5) business days of the District having sufficient information to make this determination.
1. The District's requirement that the employee's accumulated paid leave be applied to the absence shall be described in the determination notice.
- D. The District shall responsively answer questions from employees regarding their rights and responsibilities under FMLA and this Policy.
- VI. Information Provided by Employees to District
- A. Where the reason for an employee's absence is foreseeable, the employee is required by this Policy and FMLA to give 30 days notice of the intended absence and the reason for it. Where 30 days notice is not possible, the employee must give as much notice as is practicable. This will apply to many cases of planned medical procedures (for the employee or a family member), adoptions and foster placements, and births.

LEAVES OF ABSENCE FOR SERIOUS
HEALTH CONDITIONS OR FAMILY CARE

1. An employee should provide this notice to their immediate supervisor or to Superintendent of Schools.
 2. Employees must consult with the District when planning medical treatment, and make a reasonable effort to schedule the treatment so as not to disrupt District operations.
- B. Where the need for an employee's absence is not foreseeable, the employee must provide the District with as much notice as is practicable under the circumstances. The employee should provide enough information to establish that the purpose of the absence fits the requirements of this Policy and FMLA, and the expected duration of the absence.
- C. Employees shall responsively answer District questions intended to clarify whether an absence qualifies as an allowable absence, and to allow planning for the employee's absence.

VII. Coordination with Paid Leave

The general rule is that an employee is not paid for time spent away from work for one of the purposes covered by this Policy. However, if the employee has accrued paid benefit time, the employee may elect to apply that accrued time to the allowable absence, so that the employee is paid during the absence and the balance of accrued time is reduced accordingly. The amount of benefit time, and the category of benefit time used, is determined by the terms and conditions of applicable Board of Education policies, established District practices, and applicable collective bargaining agreements. An employee electing this option shall so indicate in the employee's notice to the District of the need for leave.

VIII. Continuation of Health Care Insurance

- A. During any absence that qualifies for treatment under this Policy and FMLA, the District shall maintain the employee's coverage under a group health insurance plan on the same conditions as coverage was provided prior to the absence. In addition,
1. Any changes made to the scope or terms of coverage provided to active employees under the group health plan will be made available to an employee absent from work in accordance with this Policy, and
 2. Notice of any opportunity to change plans or benefit levels that occurs while the employee is absent will be given to the employee.

PERSONNEL

LEAVES OF ABSENCE FOR SERIOUS
HEALTH CONDITIONS OR FAMILY CARE

3. The District's continuation of group health plan benefits will end if circumstances occur that end, or would have ended, the employment relationship with the absent employee.
- B. During an allowable absence under this Policy and FMLA, an employee's obligation to pay group health insurance premiums continues. Notice of this obligation will be given at the time that the absence is designated as coming under this Policy.
1. If paid leave is applied to an allowable absence, employee premium obligations shall be deducted from payroll in the usual manner.
 2. If the allowable absence is unpaid, the employee is required to make payment to the District at the time that a payroll deduction would otherwise have been processed by the District.
 - a. If the employee's payment is more than 30 days late, the Superintendent shall decide whether the District will exercise its right under FMLA to discontinue the employee's coverage.
 - b. If an employee fails to make a payment, the Superintendent shall decide whether the District will exercise its right under FMLA to recover the amount from the employee.

IX. Required Certifications

- A. An employee's request that an absence for medical reasons be treated as an allowable absence under this Policy shall be supported by a medical certification sufficient to allow the District to determine that the absence is related to a serious health condition of the employee, a family member, or a qualifying member of the armed services. Unless an alternate form is promulgated by the Superintendent, the certification shall be provided to the Superintendent within fifteen (15) calendar days from receipt of notice on the form included in the FMLA regulations of the U.S. Department of Labor.
1. If the District finds a submitted certification to not be complete and sufficient, it will notify the employee in writing what additional information is required and provide at least seven (7) calendar days for the employee to provide additional information.

PERSONNEL

LEAVES OF ABSENCE FOR SERIOUS HEALTH CONDITIONS OR FAMILY CARE

- 2. The District may invite the employee to authorize direct communication with the employee’s health care provider, but may not require such authorization as a precondition of determining whether the absence qualifies as FMLA leave.
- 3. Recertifications will be requested as permitted by FMLA and applicable regulations.
- B. The first time an employee requests that an absence be classified as allowable because of a qualifying exigency arising out of active duty (or call to active duty) of a covered military member, the employee shall provide a copy of the covered military member’s active duty orders or other documentation issued by the military sufficient to allow the District to determine that the absence qualifies for treatment under this Policy.
- C. At the discretion of the Superintendent, the District shall require an employee absent pursuant to this Policy and FMLA to periodically report on the employee’s status and intent to return to work.
- D. An employee whose allowable absence was related to the employee’s own serious health condition shall be required to submit a fitness-for-duty certification, addressing only the conditions described in previously submitted medical certifications, before returning to work.
- X. Superintendent Responsibility

The Superintendent shall ~~insure~~ ensure that required notices are properly posted in District buildings, that required information is distributed to staff members, and that supervisory personnel are familiar with the District’s obligations under FMLA and the internal procedures for meeting those obligations.

Remsen Central School District
 Legal Ref: FMLA of 1993; 29 CFR 825
 Adopted: 06/15/11
 Revised: 06/20/17, _____

Regulation

Draft 02/03/2022

6300.1

PERSONNEL

REQUEST FOR FAMILY/MEDICAL LEAVE

Employee Name: _____ Date of Request: _____

Department: _____ Position Title: _____

Hire Date: _____

I request a Family/Medical Leave for the following reason (check one):

- _____ 1. The employee’s own serious health condition that renders the employee unable to work at all, or unable to perform at least one of the essential functions of the employee’s job;
- _____ 2. To care for a son, daughter, spouse, or parent with a serious health condition;
- _____ 3. To adopt a child, or to receive a child into foster care;
- _____ 4. To care for the employee’s newborn child;
- _____ 5. To care for a son, daughter, spouse, parent, or next of kin who is a member of the armed services and who has a serious injury or illness incurred in the line of duty; or,
- _____ 6. To respond to certain qualifying exigencies when a family member is on active duty or is called to active duty with the armed services.

Method of Leave Requested

- _____ 1. Consecutive Leave
- _____ 2. Intermittent or Reduced Leave Schedule (Specify Schedule Below)

Date leave is to begin: _____ Expected duration of leave: _____

Renssen Central School District
Superintendent Approved: 06/15/2011, 06/20/17, _____

**Notice of Eligibility & Rights and Responsibilities
under the Family and Medical Leave Act**
**DO NOT SEND TO THE DEPARTMENT OF LABOR.
PROVIDE TO EMPLOYEE.**

U.S. Department of Labor
Wage and Hour Division

6300.2



OMB Control Number: 1235-0003

Expires: 6/30/2023

In general, to be eligible to take leave under the Family and Medical Leave Act (FMLA), an employee must have worked for an employer for at least 12 months, meet the hours of service requirement in the 12 months preceding the leave, and work at a site with at least 50 employees within 75 miles. While use of this form is optional, a fully completed Form WH-381 provides employees with the information required by 29 C.F.R. §§ 825.300(b), (c) which must be provided within five business days of the employee notifying the employer of the need for FMLA leave. Information about the FMLA may be found [on the WHD website at www.dol.gov/agencies/whd/fmla](http://www.dol.gov/agencies/whd/fmla).

Date: _____ (mm/dd/yyyy)

From: _____ (Employer) To: _____ (Employee)

On _____ (mm/dd/yyyy), we learned that you need leave (beginning on) _____ (mm/dd/yyyy) for one of the following reasons: (Select as appropriate)

- The birth of a child, or placement of a child with you for adoption or foster care, and to bond with the newborn or newly-placed child
- Your own serious health condition
- You are needed to care for your family member due to a serious health condition. Your family member is your:
 - Spouse Parent Child under age 18 Child 18 years or older and incapable of self-care because of a mental or physical disability
- A qualifying exigency arising out of the fact that your family member is on covered active duty or has been notified of an impending call or order to covered active duty status. Your family member on covered active duty is your:
 - Spouse Parent Child of any age
- You are needed to care for your family member who is a covered servicemember with a serious injury or illness. You are the servicemember's:
 - Spouse Parent Child Next of kin

Spouse means a husband or wife as defined or recognized in the state where the individual was married, including in a common law marriage or same-sex marriage. The terms "child" and "parent" include *in loco parentis* relationships in which a person assumes the obligations of a parent to a child. An employee may take FMLA leave to care for an individual who assumed the obligations of a parent to the employee when the employee was a child. An employee may also take FMLA leave to care for a child for whom the employee has assumed the obligations of a parent. No legal or biological relationship is necessary.

SECTION I – NOTICE OF ELIGIBILITY

This Notice is to inform you that you are:

- Eligible** for FMLA leave. (See Section II for any Additional Information Needed and Section III for information on your Rights and Responsibilities.)
- Not eligible** for FMLA leave because: (Only one reason need be checked)
 - You have not met the FMLA's 12-month length of service requirement. As of the first date of requested leave, you will have worked approximately: _____ towards this requirement.
(months)
 - You have not met the FMLA's 1,250 hours of service requirement. As of the first date of requested leave, you will have worked approximately: _____ towards this requirement.
(hours of service)

Employee Name: _____

- You are an airline flight crew employee and you have not met the special hours of service eligibility requirements for airline flight crew employees as of the first date of requested leave (i.e., worked or been paid for at least 60% of your applicable monthly guarantee, and worked or been paid for at least 504 duty hours.)
- You do not work at and/or report to a site with 50 or more employees within 75-miles as of the date of your request.

If you have any questions, please contact: _____ (Name of employer representative)
at _____ (Contact information).

SECTION II – ADDITIONAL INFORMATION NEEDED

As explained in Section I, you meet the eligibility requirements for taking FMLA leave. Please review the information below to determine if additional information is needed in order for us to determine whether your absence qualifies as FMLA leave. Once we obtain any additional information specified below we will inform you, **within 5 business days**, whether your leave will be designated as FMLA leave and count towards the FMLA leave you have available. **If complete and sufficient information is not provided in a timely manner, your leave may be denied.**

(Select as appropriate)

- No additional information requested. If no additional information requested, go to Section III.
- We request that the leave be supported by a certification, as identified below.
- | | |
|--|--|
| <input type="checkbox"/> Health Care Provider for the Employee | <input type="checkbox"/> Health Care Provider for the Employee's Family Member |
| <input type="checkbox"/> Qualifying Exigency | <input type="checkbox"/> Serious Illness or Injury (Military Caregiver Leave) |

Selected certification form is attached / not attached.

If requested, medical certification must be returned by _____ (mm/dd/yyyy) (Must allow at least 15 calendar days from the date the employer requested the employee to provide certification, unless it is not feasible despite the employee's diligent, good faith efforts.)

- We request that you provide reasonable documentation or a statement to establish the relationship between you and your family member, including *in loco parentis* relationships (as explained on page one). The information requested must be returned to us by _____ (mm/dd/yyyy). You may choose to provide a simple statement of the relationship or provide documentation such as a child's birth certificate, a court document, or documents regarding foster care or adoption-related activities. Official documents submitted for this purpose will be returned to you after examination.
- Other information needed (e.g. documentation for military family leave): _____
The information requested must be returned to us by _____ (mm/dd/yyyy).

If you have any questions, please contact: _____ (Name of employer representative)
at _____ (Contact information).

SECTION III – NOTICE OF RIGHTS AND RESPONSIBILITIES

Part A: FMLA Leave Entitlement

You have a right under the FMLA to take unpaid, job-protected FMLA leave in a 12-month period for certain family and medical reasons, including up to **12 weeks** of unpaid leave in a 12-month period for the birth of a child or placement of a child for adoption or foster care, for leave related to your own or a family member's serious health condition, or for certain qualifying exigencies related to the deployment of a military member to covered active duty. You also have a right

Employee Name: _____

under the FMLA to take up to **26 weeks** of unpaid, job-protected FMLA leave in a single 12-month period to care for a covered servicemember with a serious injury or illness (*Military Caregiver Leave*).

The 12-month period for FMLA leave is calculated as: *(Select as appropriate)*

- The calendar year (January 1st - December 31st)
- A fixed leave year based on _____
(e.g., a fiscal year beginning on July 1 and ending on June 30)
- The 12-month period measured forward from the date of your first FMLA leave usage.
- A "rolling" 12-month period measured backward from the date of any FMLA leave usage. *(Each time an employee takes FMLA leave, the remaining leave is the balance of the 12 weeks not used during the 12 months immediately before the FMLA leave is to start.)*

If applicable, the single 12-month period for *Military Caregiver Leave* started on _____ *(mm/dd/yyyy)*.

You (are / are not) considered a key employee as defined under the FMLA. Your FMLA leave cannot be denied for this reason; however, we may not restore you to employment following FMLA leave if such restoration will cause substantial and grievous economic injury to us.

We (have / have not) determined that restoring you to employment at the conclusion of FMLA leave will cause substantial and grievous economic harm to us. Additional information will be provided separately concerning your status as key employee and restoration.

Part B: Substitution of Paid Leave – When Paid Leave is Used at the Same Time as FMLA Leave

You have a right under the FMLA to request that your accrued paid leave be substituted for your FMLA leave. This means that you can request that your accrued paid leave run concurrently with some or all of your unpaid FMLA leave, provided you meet any applicable requirements of our leave policy. Concurrent leave use means the absence will count against both the designated paid leave and unpaid FMLA leave at the same time. If you do not meet the requirements for taking paid leave, you remain entitled to take available unpaid FMLA leave in the applicable 12-month period. Even if you do not request it, the FMLA allows us to require you to use your available sick, vacation, or other paid leave during your FMLA absence.

(Check all that apply)

- Some or all of your FMLA leave will not be paid.** Any unpaid FMLA leave taken will be designated as FMLA leave and counted against the amount of FMLA leave you have available to use in the applicable 12-month period.
- You have requested to use some or all of your available paid leave** *(e.g., sick, vacation, PTO)* during your FMLA leave. Any paid leave taken for this reason will also be designated as FMLA leave and counted against the amount of FMLA leave you have available to use in the applicable 12-month period.
- We are requiring you to use some or all of your available paid leave** *(e.g., sick, vacation, PTO)* during your FMLA leave. Any paid leave taken for this reason will also be designated as FMLA leave and counted against the amount of FMLA leave you have available to use in the applicable 12-month period.
- Other:** *(e.g., short- or long-term disability, workers' compensation, state medical leave law, etc.)* _____
Any time taken for this reason will also be designated as FMLA leave and counted against the amount of FMLA leave you have available to use in the applicable 12-month period.

The applicable conditions for use of paid leave include: _____.

For more information about conditions applicable to sick/vacation/other paid leave usage please refer to _____

_____ available at: _____.

Employee Name: _____

Part C: Maintain Health Benefits

Your health benefits must be maintained during any period of FMLA leave under the same conditions as if you continued to work. During any paid portion of FMLA leave, your share of any premiums will be paid by the method normally used during any paid leave. During any unpaid portion of FMLA leave, you must continue to make any normal contributions to the cost of the health insurance premiums. To make arrangements to continue to make your share of the premium payments on your health insurance while you are on any unpaid FMLA leave, contact _____ at _____.

You have a minimum grace period of (30-days or _____ *indicate longer period, if applicable*) in which to make premium payments. If payment is not made timely, your group health insurance may be cancelled, provided we notify you in writing at least 15 days before the date that your health coverage will lapse, or, at our option, we may pay your share of the premiums during FMLA leave, and recover these payments from you upon your return to work.

You may be required to reimburse us for our share of health insurance premiums paid on your behalf during your FMLA leave if you do not return to work following **unpaid** FMLA leave for a reason other than: the continuation, recurrence, or onset of your or your family member's serious health condition which would entitle you to FMLA leave; or the continuation, recurrence, or onset of a covered servicemember's serious injury or illness which would entitle you to FMLA leave; or other circumstances beyond your control.

Part D: Other Employee Benefits

Upon your return from FMLA leave, your other employee benefits, such as pensions or life insurance, must be resumed in the same manner and at the same levels as provided when your FMLA leave began. To make arrangements to continue your employee benefits while you are on FMLA leave, contact _____ at _____.

Part E: Return-to-Work Requirements

You must be reinstated to the same or an equivalent job with the same pay, benefits, and terms and conditions of employment on your return from FMLA-protected leave. An equivalent position is one that is virtually identical to your former position in terms of pay, benefits, and working conditions. At the end of your FMLA leave, all benefits must also be resumed in the same manner and at the same level provided when the leave began. You do not have return-to-work rights under the FMLA if you need leave beyond the amount of FMLA leave you have available to use.

Part F: Other Requirements While on FMLA Leave

While on leave you (will be / will not be) required to furnish us with periodic reports of your status and intent to return to work every _____.

(Indicate interval of periodic reports, as appropriate for the FMLA leave situation).

If the circumstances of your leave change and you are able to return to work earlier than expected, you will be required to notify us at least two workdays prior to the date you intend to report for work.

PAPERWORK REDUCTION ACT NOTICE AND PUBLIC BURDEN STATEMENT

It is mandatory for employers to provide employees with notice of their eligibility for FMLA protection and their rights and responsibilities. 29 U.S.C. § 2617; 29 C.F.R. § 825.300(b), (c). It is mandatory for employers to retain a copy of this disclosure in their records for three years. 29 U.S.C. § 2616; 29 C.F.R. § 825.500. Persons are not required to respond to this collection of information unless it displays a currently valid OMB control number. The Department of Labor estimates that it will take an average of 10 minutes for respondents to complete this collection of information, including the time for reviewing instructions, searching existing data sources, gathering and maintaining the data needed, and completing and reviewing the collection of information. If you have any comments regarding this burden estimate or any other aspect of this collection information, including suggestions for reducing this burden, send them to the Administrator, Wage and Hour Division, U.S. Department of Labor, Room S-3502, 200 Constitution Avenue, N.W., Washington, D.C. 20210.

DO NOT SEND THE COMPLETED FORM TO THE DEPARTMENT OF LABOR. EMPLOYEE INFORMATION.

PERSONNEL

Certification of Health Care Provider for Employee's Serious Health Condition under the Family and Medical Leave Act

U.S. Department of Labor
Wage and Hour Division



DO NOT SEND COMPLETED FORM TO THE DEPARTMENT OF LABOR. RETURN TO THE PATIENT.

OMB Control Number: 1235-0003
Expires: 6/30/2023

The Family and Medical Leave Act (FMLA) provides that an employer may require an employee seeking FMLA protections because of a need for leave due to a serious health condition to submit a medical certification issued by the employee's health care provider. 29 U.S.C. §§ 2613, 2614(c)(3); 29 C.F.R. § 825.305. The employer must give the employee **at least 15 calendar days** to provide the certification. If the employee fails to provide complete and sufficient medical certification, his or her FMLA leave request may be denied. 29 C.F.R. § 825.313. Information about the FMLA may be found on the WHD website at www.dol.gov/agencies/whd/fmla.

SECTION I – EMPLOYER

Either the employee or the employer may complete Section I. While use of this form is optional, this form asks the health care provider for the information necessary for a complete and sufficient medical certification, which is set out at 29 C.F.R. § 825.306. **You may not ask the employee to provide more information than allowed under the FMLA regulations, 29 C.F.R. §§ 825.306-825.308.** Additionally, you **may not** request a certification for FMLA leave to bond with a healthy newborn child or a child placed for adoption or foster care.

Employers must generally maintain records and documents relating to medical information, medical certifications, recertifications, or medical histories of employees created for FMLA purposes as confidential medical records in separate files/records from the usual personnel files and in accordance with 29 C.F.R. § 1630.14(c)(1), if the Americans with Disabilities Act applies, and in accordance with 29 C.F.R. § 1635.9, if the Genetic Information Nondiscrimination Act applies.

- (1) Employee name: _____
First
Middle
Last
- (2) Employer name: _____ Date: _____ (mm/dd/yyyy)
(List date certification requested)
- (3) The medical certification must be returned by _____ (mm/dd/yyyy)
(Must allow at least 15 calendar days from the date requested, unless it is not feasible despite the employee's diligent, good faith efforts.)
- (4) Employee's job title: _____ Job description (is / is not) attached.
 Employee's regular work schedule: _____
 Statement of the employee's essential job functions: _____

(The essential functions of the employee's position are determined with reference to the position the employee held at the time the employee notified the employer of the need for leave or the leave started, whichever is earlier.)

SECTION II - HEALTH CARE PROVIDER

Please provide your contact information, complete all relevant parts of this Section, and sign the form. Your patient has requested leave under the FMLA. The FMLA allows an employer to require that the employee submit a timely, complete, and sufficient medical certification to support a request for FMLA leave due to the serious health condition of the employee. For FMLA purposes, a "serious health condition" means an illness, injury, impairment, or physical or mental condition that involves *inpatient care* or *continuing treatment by a health care provider*. For more information about the definitions of a serious health condition under the FMLA, see the chart on page 4.

You may, but are **not required** to, provide other appropriate medical facts including symptoms, diagnosis, or any regimen of continuing treatment such as the use of specialized equipment. Please note that some state or local laws may not allow disclosure of private medical information about the patient's serious health condition, such as providing the diagnosis and/or course of treatment.

Employee Name: _____

Health Care Provider's name: (Print) _____

Health Care Provider's business address: _____

Type of practice / Medical specialty: _____

Telephone: () _____ Fax: () _____ E-mail: _____

PART A: Medical Information

Limit your response to the medical condition(s) for which the employee is seeking FMLA leave. Your answers should be your **best estimate** based upon your medical knowledge, experience, and examination of the patient. **After completing Part A, complete Part B to provide information about the amount of leave needed.** Note: For FMLA purposes, "incapacity" means the inability to work, attend school, or perform regular daily activities due to the condition, treatment of the condition, or recovery from the condition. Do not provide information about genetic tests, as defined in 29 C.F.R. § 1635.3(f), genetic services, as defined in 29 C.F.R. § 1635.3(e), or the manifestation of disease or disorder in the employee's family members, 29 C.F.R. § 1635.3(b).

- (1) State the approximate date the condition started or will start: _____ (mm/dd/yyyy)
- (2) Provide your **best estimate** of how long the condition lasted or will last: _____
- (3) Check the box(es) for the questions below, as applicable. For all box(es) checked, the amount of leave needed must be provided in Part B.
- Inpatient Care:** The patient (has been / is expected to be) admitted for an overnight stay in a hospital, hospice, or residential medical care facility on the following date(s): _____
- Incapacity plus Treatment:** (e.g. outpatient surgery, strep throat)
Due to the condition, the patient (has been / is expected to be) incapacitated for *more than three* consecutive, full calendar days from _____ (mm/dd/yyyy) to _____ (mm/dd/yyyy).
The patient (was / will be) seen on the following date(s): _____
- The condition (has / has not) also resulted in a course of continuing treatment under the supervision of a health care provider (e.g. prescription medication (other than over-the-counter) or therapy requiring special equipment)
- Pregnancy:** The condition is pregnancy. List the expected delivery date: _____ (mm/dd/yyyy).
- Chronic Conditions:** (e.g. asthma, migraine headaches) Due to the condition, it is medically necessary for the patient to have treatment visits at least twice per year.
- Permanent or Long Term Conditions:** (e.g. Alzheimer's, terminal stages of cancer) Due to the condition, incapacity is permanent or long term and requires the continuing supervision of a health care provider (even if active treatment is not being provided).
- Conditions requiring Multiple Treatments:** (e.g. chemotherapy treatments, restorative surgery) Due to the condition, it is medically necessary for the patient to receive multiple treatments.
- None of the above:** If none of the above condition(s) were checked, (i.e., inpatient care, pregnancy) no additional information is needed. Go to page 4 to sign and date the form.

Employee Name: _____

(4) If needed, briefly describe other appropriate medical facts related to the condition(s) for which the employee seeks

FMLA leave. (e.g., use of nebulizer, dialysis) _____

PART B: Amount of Leave Needed

For the medical condition(s) checked in Part A, complete all that apply. Several questions seek a response as to the frequency or duration of a condition, treatment, etc. Your answer should be your **best estimate** based upon your medical knowledge, experience, and examination of the patient. Be as specific as you can; terms such as "lifetime," "unknown," or "indeterminate" may not be sufficient to determine FMLA coverage.

(5) Due to the condition, the patient (had / will have) **planned medical treatment(s)** (scheduled medical visits) (e.g. psychotherapy, prenatal appointments) on the following date(s): _____

(6) Due to the condition, the patient (was / will be) **referred to other health care provider(s)** for evaluation or treatment(s).

State the nature of such treatments: (e.g. cardiologist, physical therapy) _____

Provide your **best estimate** of the beginning date _____ (mm/dd/yyyy) and end date _____ (mm/dd/yyyy) for the treatment(s).

Provide your **best estimate** of the duration of the treatment(s), including any period(s) of recovery (e.g. 3 days/week) _____

(7) Due to the condition, it is medically necessary for the employee to work a **reduced schedule**.

Provide your **best estimate** of the reduced schedule the employee is able to work. From _____ (mm/dd/yyyy) to _____ (mm/dd/yyyy) the employee is able to work: (e.g., 5 hours/day, up to 25 hours a week)

(8) Due to the condition, the patient (was / will be) **incapacitated for a continuous period of time**, including any time for treatment(s) and/or recovery.

Provide your **best estimate** of the beginning date _____ (mm/dd/yyyy) and end date _____ (mm/dd/yyyy) for the period of incapacity.

(9) Due to the condition, it (was / is / will be) medically necessary for the employee to be absent from work on an **intermittent basis** (periodically), including for any episodes of incapacity i.e., episodic flare-ups. Provide your **best estimate** of how often (frequency) and how long (duration) the episodes of incapacity will likely last.

Over the next 6 months, episodes of incapacity are estimated to occur _____ times per (day / week / month) and are likely to last approximately _____ (hours / days) per episode.

Employee Name: _____

PART C: Essential Job Functions

If provided, the information in Section I question #4 may be used to answer this question. If the employer fails to provide a statement of the employee’s essential functions or a job description, answer these questions based upon the employee’s own description of the essential job functions. An employee who must be absent from work to receive medical treatment(s), such as scheduled medical visits, for a serious health condition is considered to be *not able* to perform the essential job functions of the position during the absence for treatment(s).

(10) Due to the condition, the employee (was not able / is not able / will not be able) to perform *one or more* of the essential job function(s). Identify at least one essential job function the employee is not able to perform:

Signature of Health Care Provider _____ Date _____ (mm/dd/yyyy)

Definitions of a Serious Health Condition (See 29 C.F.R. §§ 825.113-.115)
Inpatient Care
<ul style="list-style-type: none"> • An overnight stay in a hospital, hospice, or residential medical care facility. • Inpatient care includes any period of incapacity or any subsequent treatment in connection with the overnight stay.
Continuing Treatment by a Health Care Provider (any one or more of the following)
<p><u>Incapacity Plus Treatment:</u> A period of incapacity of more than three consecutive, full calendar days, and any subsequent treatment or period of incapacity relating to the same condition, that also involves either:</p> <ul style="list-style-type: none"> ○ Two or more in-person visits to a health care provider for treatment within 30 days of the first day of incapacity unless extenuating circumstances exist. The first visit must be within seven days of the first day of incapacity; or, ○ At least one in-person visit to a health care provider for treatment within seven days of the first day of incapacity, which results in a regimen of continuing treatment under the supervision of the health care provider. For example, the health provider might prescribe a course of prescription medication or therapy requiring special equipment.
<p><u>Pregnancy:</u> Any period of incapacity due to pregnancy or for prenatal care.</p>
<p><u>Chronic Conditions:</u> Any period of incapacity due to or treatment for a chronic serious health condition, such as diabetes, asthma, migraine headaches. A chronic serious health condition is one which requires visits to a health care provider (or nurse supervised by the provider) at least twice a year and recurs over an extended period of time. A chronic condition may cause episodic rather than a continuing period of incapacity.</p>
<p><u>Permanent or Long-term Conditions:</u> A period of incapacity which is permanent or long-term due to a condition for which treatment may not be effective, but which requires the continuing supervision of a health care provider, such as Alzheimer’s disease or the terminal stages of cancer.</p>
<p><u>Conditions Requiring Multiple Treatments:</u> Restorative surgery after an accident or other injury; or, a condition that would likely result in a period of incapacity of more than three consecutive, full calendar days if the patient did not receive the treatment.</p>
PAPERWORK REDUCTION ACT NOTICE AND PUBLIC BURDEN STATEMENT
<p>If submitted, it is mandatory for employers to retain a copy of this disclosure in their records for three years. 29 U.S.C. § 2616; 29 C.F.R. § 825.500. Persons are not required to respond to this collection of information unless it displays a currently valid OMB control number. The Department of Labor estimates that it will take an average of 15 minutes for respondents to complete this collection of information, including the time for reviewing instructions, searching existing data sources, gathering and maintaining the data needed, and completing and reviewing the collection of information. If you have any comments regarding this burden estimate or any other aspect of this collection information, including suggestions for reducing this burden, send them to the Administrator, Wage and Hour Division, U.S. Department of Labor, Room S-3502, 200 Constitution Avenue, N.W., Washington, D.C. 20210.</p>

DO NOT SEND COMPLETED FORM TO THE DEPARTMENT OF LABOR. RETURN TO THE PATIENT.



PERSONNEL

Certification for Military Family Leave for Qualifying Exigency under the Family and Medical Leave Act

U.S. Department of Labor
Wage and Hour Division

DO NOT SEND FORM TO THE DEPARTMENT OF LABOR.
RETURN THE COMPLETED FORM TO THE EMPLOYER.

OMB Control Number: 1235-0003
Expires: 6/30/2023

The Family and Medical Leave Act (FMLA) provides that eligible employees may take FMLA leave for a qualifying exigency while the employee's spouse, child, or parent (the military member) is on covered active duty or has been notified of an impending call or order to covered active duty. The FMLA allows an employer to require an employee seeking FMLA leave due to a qualifying exigency to submit a certification. 29 U.S.C. §§ 2613, 2614(c)(3). The employer must give the employee **at least 15 calendar days** to provide the certification. 29 C.F.R. § 825.305(b). If the employee fails to provide complete and sufficient certification, the employee's FMLA leave request may be denied. 29 C.F.R. § 825.313. Information about the FMLA may be found [on the WHD website at http://www.dol.gov/agencies/whd/fmla](http://www.dol.gov/agencies/whd/fmla).

SECTION I - EMPLOYER

Either the employee or the employer may complete Section I. While use of this form is optional, it asks the employee for the information necessary for a complete and sufficient qualifying exigency certification, which is set out at 29 C.F.R. § 825.309. **You may not ask the employee to provide more information than allowed under the FMLA regulations, 29 C.F.R. § 825.309.**

- (1) Employee name: _____
First Middle Last
- (2) Employer name: _____ Date: _____ (mm/dd/yyyy)
(List date certification requested)
- (3) This certification must be returned by _____ (mm/dd/yyyy).
(Must allow at least 15 calendar days from the date requested, unless it is not feasible despite the employee's diligent, good faith efforts.)

SECTION II - EMPLOYEE

Please complete all Parts of Section II and sign the form before returning it to your employer. The FMLA allows an employer to require that you submit a timely, complete, and sufficient certification to support a request for FMLA leave due to a qualifying exigency. If requested by your employer, your response is required to obtain the benefits and protections of the FMLA. 29 C.F.R. § 825.309. Failure to provide a complete and sufficient certification may result in a denial of your FMLA leave request. A complete and sufficient certification to support a request for FMLA leave due to a qualifying exigency includes written documentation confirming a military member's covered active duty or call to covered active duty status. **You are responsible for making sure the certification is provided to your employer within the time frame requested, which must be at least 15 calendar days.** 29 C.F.R. § 825.313.

- (1) Provide the name of the military member on covered active duty or call to covered active duty status:

First Middle Last

- (2) Select your relationship of the military member. The military member is your:

Spouse Parent Child, of any age

Spouse means a husband or wife as defined or recognized in the state where the individual was married, including a common law marriage or same-sex marriage. The terms "child" and "parent" include *in loco parentis* relationships in which a person assumes the obligations of a parent to a child. An employee may take FMLA leave for a qualifying exigency related a military member who assumed the obligations of a parent to the employee when the employee was a child. An employee may also take FMLA leave for a qualifying exigency related a military member for whom the employee has assumed the obligations of a parent. No legal or biological relationship is necessary.

Employee Name: _____

PART A: COVERED ACTIVE DUTY STATUS

Covered active duty or call to covered active duty in the case of a member of the Regular Armed Forces means duty during the deployment of the member with the Armed Forces to a foreign country. Covered active duty or call to covered active duty in the case of a member of the Reserve components means duty during the deployment of the member with the Armed Forces to a foreign country under a Federal call or order to active duty in support of a contingency operation pursuant to: Section 688 of Title 10 of the United States Code; Section 12301(a) of Title 10 of the United States Code; Section 12302 of Title 10 of the United States Code; Section 12304 of Title 10 of the United States Code; Section 12305 of Title 10 of the United States Code; Section 12406 of Title 10 of the United States Code; chapter 15 of Title 10 of the United States Code; or, any other provision of law during a war or during a national emergency declared by the President or Congress so long as it is in support of a contingency operation. 10 U.S.C. § 101(a)(13)(B).

An employer may require the employee to provide a copy of the military member's active duty orders or other documentation issued by the military which indicates that the military member is on covered active duty or call to covered active duty status, and the dates of the military member's covered active duty service. **This information need only be provided to the employer once, unless additional leave is needed for a different military member or different deployment.**

(3) Provide the dates of the military member's covered active duty service: _____

(4) Please check one of the following and attach the indicated written document to support that the military member is on covered active duty or call to covered active duty status:

- A copy of the military member's covered active duty orders
- Other documentation from the military indicating that the military member is on covered active duty or has been notified of an impending call to covered active duty, such as official military correspondence from the military member's chain of command
- I have previously provided my employer with sufficient written documentation confirming the military member's covered active duty or call to covered active duty status

PART B: APPROPRIATE FACTS

Under the FMLA, leave can be taken for a number of qualifying exigencies. 29 C.F.R. § 825.126(b). Complete and sufficient certification to support a request for FMLA leave due to a qualifying exigency includes available written documentation which supports the need for leave such as a copy of a meeting announcement for informational briefings sponsored by the military, a document confirming the military member's Rest and Recuperation leave, or other documentation issued by the military which indicates that the military member has been granted Rest and Recuperation leave, or a document confirming an appointment with a third party (e.g., a counselor or school official, or staff at a care facility, a copy of a bill for services for the handling of legal or financial affairs). Please provide appropriate facts related to the particular qualifying exigency to support the FMLA leave request, including information on the type of qualifying exigency and any available written documentation of the exigency event.

(5) Select the appropriate **Qualifying Exigency Category** and, if needed, provide additional information related to the event:

- Short notice deployment (i.e., deployment within seven or fewer days of notice)
- Military events and related activities (e.g., official ceremonies or events, or family support and assistance programs):

- Childcare related activities for the child of the military member (e.g., arranging for alternative childcare):

Employee Name: _____

- Care for the military member's parent (*e.g., admitting or transferring the parent to a new care facility*):

- Financial and legal arrangements related to the deployment (*e.g., obtaining military identification cards*)
- Counseling related to the deployment (*i.e., counseling provided by someone other than a health care provider*)
- Military member's short-term, temporary Rest and Recuperation leave (R&R) (leave for this reason is limited to 15 calendar days for each instance of R&R)
- Post deployment activities (*e.g., arrival ceremonies, or reintegration briefings and events*): _____

- Any other event that the employee and employer agree is a qualifying exigency: _____

- (6) Available written documentation supporting this request for leave is (attached / not attached / not available).

PART C: AMOUNT OF LEAVE NEEDED

Provide information concerning the amount of leave that will be needed. Several questions in this section seek a response as to the frequency or duration of the qualifying exigency leave needed. Be as specific as you can; terms such as "unknown" or "indeterminate" may not be sufficient to determine FMLA coverage.

- (7) List the approximate date exigency started or will start: _____ (mm/dd/yyyy)
- (8) Provide your best estimate of how long the exigency lasted or will last:
From _____ (mm/dd/yyyy) to _____ (mm/dd/yyyy)
- (9) Due to a qualifying exigency, I need to work a **reduced schedule**. Provide your **best estimate** of the reduced schedule you are able to work:
From _____ (mm/dd/yyyy) to _____ (mm/dd/yyyy)
I am able to work _____
(*e.g., 5 hours/day, up to 25 hours a week*)
- (10) Due to a qualifying exigency, I will need to be absent from work for a **continuous period of time**. Provide your **best estimate** of the beginning and ending dates for the period of absence:
From _____ (mm/dd/yyyy) to _____ (mm/dd/yyyy)

Employee Name: _____

(11) Due to a qualifying exigency, I will need to be absent from work on an **intermittent basis** (periodically).

Provide your **best estimate** of the frequency (how often) and duration (how long) of each appointment, meeting, or leave event, including any travel time.

Over the next 6 months, absences on an **intermittent basis** are estimated to occur: _____ times per
(day / week / month) and are likely to last approximately _____ (hours / days) per episode.

(12) My leave is due to a qualifying exigency that involves **Rest and Recuperation leave (R & R)** of the military member (leave for this reason is limited to 15 calendar days for each instance of R & R leave).

List the dates of the military member's R &R leave:

From _____ (mm/dd/yyyy) to _____ (mm/dd/yyyy)

PART D: THIRD PARTY INFORMATION

If applicable, please provide information below that may be used by your employer to verify meetings or appointments with a third party related to the qualifying exigency. Examples of meetings with third parties include: arranging for childcare or parental care, to attend non-medical counseling, to attend meetings with school, childcare or parental care providers, to make financial or legal arrangements, to act as the military member's representative before a federal, state, or local agency for purposes of obtaining, arranging or appealing military service benefits, or to attend any event sponsored by the military or military service organizations. This information may be used by your employer to verify that the information contained on this form is accurate.

Individual (e.g., name and title) or Entity / Organization: _____

Address: _____

Telephone: () _____ Fax: () _____ E-mail: _____

Describe purpose of meeting: _____

Employee
Signature _____ Date _____ (mm/dd/yy)

PAPERWORK REDUCTION ACT NOTICE AND PUBLIC BURDEN STATEMENT

If submitted, it is mandatory for employers to retain a copy of this disclosure in their records for three years. 29 U.S.C. § 2616; 29 C.F.R. § 825.500. Persons are not required to respond to this collection of information unless it displays a currently valid OMB control number. The Department of Labor estimates that it will take an average of 15 minutes for respondents to complete this collection of information, including the time for reviewing instructions, searching existing data sources, gathering and maintaining the data needed, and completing and reviewing the collection of information. If you have any comments regarding this burden estimate or any other aspect of this collection information, including suggestions for reducing this burden, send them to the Administrator, Wage and Hour Division, U.S. Department of Labor, Room S-3502, 200 Constitution Avenue, N.W., Washington, D.C. 20210.

**DO NOT SEND THE COMPLETED FORM TO THE DEPARTMENT OF DEPARTMENT OF LABOR.
RETURN FORM TO THE EMPLOYER.**

Certification of Health Care Provider for Family Member's Serious Health Condition under the Family and Medical Leave Act

U.S. Department of Labor
Wage Hour Division



**DO NOT SEND COMPLETED FORM TO THE DEPARTMENT OF LABOR.
RETURN TO THE PATIENT.**

OMB Control Number: 1235-0003
Expires: 6/30/2023

The Family and Medical Leave Act (FMLA) provides that an employer may require an employee seeking FMLA leave to care for a family member with a serious health condition to submit a medical certification issued by the family member's health care provider. 29 U.S.C. §§ 2613, 2614(c)(3); 29 C.F.R. § 825.305. The employer must give the employee **at least 15 calendar days** to provide the certification. If the employee fails to provide complete and sufficient medical certification, his or her FMLA leave request may be denied. 29 C.F.R. § 825.313. Information about the FMLA may be found [on the WHD website at www.dol.gov/agencies/whd/fmla](http://www.dol.gov/agencies/whd/fmla).

SECTION I - EMPLOYER

Either the employee or the employer may complete Section I. While use of this form is optional, this form asks the health care provider for the information necessary for a complete and sufficient medical certification, which is set out at 29 C.F.R. § 825.306. **You may not ask the employee to provide more information than allowed under the FMLA regulations, 29 C.F.R. §§ 825.306-825.308.** Additionally, you **may not** request a certification for FMLA leave to bond with a healthy newborn child or a child placed for adoption or foster care.

Employers must generally maintain records and documents relating to medical information, medical certifications, recertifications, or medical histories of employees or employees' family members created for FMLA purposes as confidential medical records in separate files/records from the usual personnel files and in accordance with 29 C.F.R. § 1630.14(c)(1), if the Americans with Disabilities Act applies, and in accordance with 29 C.F.R. § 1635.9, if the Genetic Information Nondiscrimination Act applies.

(1) Employee name: _____
First Middle Last

(2) Employer name: _____ Date: _____ (mm/dd/yyyy)
(List date certification requested)

(3) The medical certification must be returned by _____ (mm/dd/yyyy)
(Must allow at least 15 calendar days from the date requested, unless it is not feasible despite the employee's diligent, good faith efforts.)

SECTION II - EMPLOYEE

Please complete and sign Section II before providing this form to your family member or your family member's health care provider. The FMLA allows an employer to require that you submit a timely, complete, and sufficient medical certification to support a request for FMLA leave due to the serious health condition of your family member. If requested by your employer, your response is required to obtain or retain the benefit of the FMLA protections. 29 U.S.C. §§ 2613, 2614(c)(3). **You are responsible for making sure the medical certification is provided to your employer within the time frame requested, which must be at least 15 calendar days.** 29 C.F.R. §§ 825.305-825.306. Failure to provide a complete and sufficient medical certification may result in a denial of your FMLA leave request. 29 C.F.R. § 825.313.

(1) Name of the family member for whom you will provide care: _____

(2) Select the relationship of the family member to you. The family member is your:
 Spouse Parent Child, under age 18
 Child, age 18 or older and incapable of self-care because of a mental or physical disability

Spouse means a husband or wife as defined or recognized in the state where the individual was married, including in a common law marriage or same-sex marriage. The terms "child" and "parent" include *in loco parentis* relationships in which a person assumes the obligations of a parent to a child. An employee may take FMLA leave to care for an individual who assumed the obligations of a parent to the employee when the employee was a child. An employee may also take FMLA leave to care for a child for whom the employee has assumed the obligations of a parent. No legal or biological relationship is necessary.

Employee Name: _____

- (3) Briefly describe the care you will provide to your family member: *(Check all that apply)*
 - Assistance with basic medical, hygienic, nutritional, or safety needs
 - Physical Care
 - Psychological Comfort
 - Other: _____
 - Transportation

(4) Give your **best estimate** of the amount of leave needed to provide the care described: _____

(5) If a **reduced work schedule** is necessary to provide the care described, give your **best estimate** of the reduced schedule you are able to work. From _____ (mm/dd/yyyy) to _____ (mm/dd/yyyy), I am able to work _____ (hours per day) _____ (days per week).

Employee Signature _____ Date _____ (mm/dd/yyyy)

SECTION III - HEALTH CARE PROVIDER

Please provide your contact information, complete all relevant parts of this Section, and sign the form below. A family member of your patient has requested leave under the FMLA to care for your patient. The FMLA allows an employer to require that the employee submit a timely, complete, and sufficient medical certification to support a request for FMLA leave to care for a family member with a serious health condition. For FMLA purposes, a "serious health condition" means an illness, injury, impairment, or physical or mental condition that *involves inpatient care or continuing treatment by a health care provider*. For more information about the definitions of a serious health condition under the FMLA, see the chart at the end of the form.

You also may, but are **not required** to, provide other appropriate medical facts including symptoms, diagnosis, or any regimen of continuing treatment such as the use of specialized equipment. Please note that some state or local laws may not allow disclosure of private medical information about the patient's serious health condition, such as providing the diagnosis and/or course of treatment.

Health Care Provider's name: *(Print)* _____

Health Care Provider's business address: _____

Type of practice / Medical specialty: _____

Telephone: (____) _____ Fax: (____) _____ E-mail: _____

PART A: Medical Information

Limit your response to the medical condition for which the employee is seeking FMLA leave. Your answers should be your **best estimate** based upon your medical knowledge, experience, and examination of the patient. **After completing Part A, complete Part B to provide information about the amount of leave needed.** Note: For FMLA purposes, "incapacity" means the inability to work, attend school, or perform regular daily activities due to the condition, treatment of the condition, or recovery from the condition. Do not provide information about genetic tests, as defined in 29 C.F.R. § 1635.3(f), genetic services, as defined in 29 C.F.R. § 1635.3(e), or the manifestation of disease or disorder in the employee's family members, 29 C.F.R. § 1635.3(b).

(1) Patient's Name: _____

(2) State the approximate date the condition started or will start: _____ (mm/dd/yyyy)

(3) Provide your **best estimate** of how long the condition lasted or will last: _____

(4) For FMLA to apply, care of the patient must be medically necessary. Briefly describe the type of care needed by the patient *(e.g., assistance with basic medical, hygienic, nutritional, safety, transportation needs, physical care, or psychological comfort)*.

Employee Name: _____

(5) Check the box(es) for the questions below, as applicable. For all box(es) checked, the amount of leave needed must be provided in Part B.

Inpatient Care: The patient (has been / is expected to be) admitted for an overnight stay in a hospital, hospice, or residential medical care facility on the following date(s): _____

Incapacity plus Treatment: (e.g. outpatient surgery, strep throat)
Due to the condition, the patient (has been / is expected to be) incapacitated for *more than* three consecutive, full calendar days from _____ (mm/dd/yyyy) to _____ (mm/dd/yyyy).
The patient (was / will be) seen on the following date(s): _____

The condition (has / has not) also resulted in a course of continuing treatment under the supervision of a health care provider (e.g. prescription medication (other than over-the-counter) or therapy requiring special equipment)

Pregnancy: The condition is pregnancy. List the expected delivery date: _____ (mm/dd/yyyy).

Chronic Conditions: (e.g. asthma, migraine headaches) Due to the condition, it is medically necessary for the patient to have treatment visits at least twice per year.

Permanent or Long Term Conditions: (e.g. Alzheimer's, terminal stages of cancer) Due to the condition, incapacity is permanent or long term and requires the continuing supervision of a health care provider (even if active treatment is not being provided).

Conditions requiring Multiple Treatments: (e.g. chemotherapy treatments, restorative surgery) Due to the condition, it is medically necessary for the patient to receive multiple treatments.

None of the above: If none of the above condition(s) were checked, (i.e., inpatient care, pregnancy) no additional information is needed. Go to page 4 to sign and date the form.

(6) If needed, briefly describe other appropriate medical facts related to the condition(s) for which the employee seeks FMLA leave. (e.g., use of nebulizer, dialysis) _____

PART B: Amount of Leave Needed

For the medical condition(s) checked in Part A, complete all that apply. Several questions seek a response as to the frequency or duration of a condition, treatment, etc. Your answer should be your **best estimate** based upon your medical knowledge, experience, and examination of the patient. Be as specific as you can; terms such as "lifetime," "unknown," or "indeterminate" may not be sufficient to determine if the benefits and protections of the FMLA apply.

(7) Due to the condition, the patient (had / will have) **planned medical treatment(s)** (scheduled medical visits) (e.g. psychotherapy, prenatal appointments) on the following date(s): _____

(8) Due to the condition, the patient (was / will be) **referred to other health care provider(s)** for evaluation or treatment(s).

State the nature of such treatments: (e.g. cardiologist, physical therapy) _____

Provide your **best estimate** of the beginning date _____ (mm/dd/yyyy) and end date _____ (mm/dd/yyyy) for the treatment(s).

Provide your **best estimate** of the duration of the treatment(s), including any period(s) of recovery _____ (e.g. 3 days/week)

Employee Name: _____

(9) Due to the condition, the patient (was / will be) **incapacitated for a continuous period of time**, including any time for treatment(s) and/or recovery.

Provide your **best estimate** of the beginning date: _____ (mm/dd/yyyy) and end date _____ (mm/dd/yyyy) for the period of incapacity.

(10) Due to the condition it, (was / is / will be) medically necessary for the employee to be absent from work to provide care for the patient on an **intermittent basis** (periodically), including for any episodes of incapacity i.e., episodic flare-ups. Provide your **best estimate** of how often (frequency) and how long (duration) the episodes of incapacity will likely last.

Over the next 6 months, episodes of incapacity are estimated to occur _____ times per (day / week / month) and are likely to last approximately _____ (hours / days) per episode.

Signature of Health Care Provider _____ Date _____ (mm/dd/yyyy)

Definitions of a Serious Health Condition (See 29 C.F.R. §§ 825.113-.115)
<p style="text-align: center;">Inpatient Care</p> <ul style="list-style-type: none"> • An overnight stay in a hospital, hospice, or residential medical care facility. • Inpatient care includes any period of incapacity or any subsequent treatment in connection with the overnight stay.
<p style="text-align: center;">Continuing Treatment by a Health Care Provider (any one or more of the following)</p>
<p><u>Incapacity Plus Treatment:</u> A period of incapacity of more than three consecutive, full calendar days, and any subsequent treatment or period of incapacity relating to the same condition, that also involves either:</p> <ul style="list-style-type: none"> ○ Two or more in-person visits to a health care provider for treatment within 30 days of the first day of incapacity unless extenuating circumstances exist. The first visit must be within seven days of the first day of incapacity; or, ○ At least one in-person visit to a health care provider for treatment within seven days of the first day of incapacity, which results in a regimen of continuing treatment under the supervision of the health care provider. For example, the health provider might prescribe a course of prescription medication or therapy requiring special equipment.
<p><u>Pregnancy:</u> Any period of incapacity due to pregnancy or for prenatal care.</p>
<p><u>Chronic Conditions:</u> Any period of incapacity due to or treatment for a chronic serious health condition, such as diabetes, asthma, migraine headaches. A chronic serious health condition is one which requires visits to a health care provider (or nurse supervised by the provider) at least twice a year and recurs over an extended period of time. A chronic condition may cause episodic rather than a continuing period of incapacity.</p>
<p><u>Permanent or Long-term Conditions:</u> A period of incapacity which is permanent or long-term due to a condition for which treatment may not be effective, but which requires the continuing supervision of a health care provider, such as Alzheimer’s disease or the terminal stages of cancer.</p>
<p><u>Conditions Requiring Multiple Treatments:</u> Restorative surgery after an accident or other injury; or, a condition that would likely result in a period of incapacity of more than three consecutive, full calendar days if the patient did not receive the treatment.</p>

PAPERWORK REDUCTION ACT NOTICE AND PUBLIC BURDEN STATEMENT

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DO NOT SEND COMPLETED FORM TO THE DEPARTMENT OF LABOR. RETURN TO THE PATIENT.

PERSONNEL

LEAVE FOR CANCER SCREENING

I. Statement of Policy

Each employee of the District shall have, upon request, a paid leave of absence for a sufficient period of time, not to exceed four (4) hours on an annual basis, to undergo ~~screening for breast cancer~~ screening.

~~Each employee of the District shall have, upon request, a paid leave of absence for a sufficient period of time, not to exceed four (4) hours on an annual basis, to undergo screening for prostate cancer.~~

Leave taken pursuant to this policy shall be excused leave, and shall not be charged against any other leave to which the employee may be entitled.

II. Responsibility of Superintendent

The Superintendent shall inform all building principals, directors, and other staff members who are responsible for responding to employee leave requests of this policy; and shall institute a system for recording leave taken pursuant to this policy.

Remsen Central School District
Legal Ref: Civil Service Law §159-b
Adopted: 06/20/17
Revised: _____

PERSONNEL

JURY DUTY

I. Statement of Policy

Any Remsen Central School District (the District) employee called upon by court to serve on jury duty shall be compensated at full pay for time served, subject to the following conditions.

II. Such compensation for time served on jury duty is subject to the following conditions:

- A. The employee returns to the District all compensation received, if any, except mileage paid by the county, state, federal and/or local government for serving jury duty.
- B. In departments where work schedules may be adjusted, the employee's work schedule may be adjusted.
- C. If the employee's work schedule is adjusted for this period, and he/she completes a normal workweek, provision (A) above shall not prevail.
- D. The employee shall notify ~~his/her~~ their supervisor, or appropriate person, promptly of ~~his/her~~ their notice to appear for jury duty.

Remsen Central School District

Legal Ref: Judiciary Law Section 521(b)

Adopted: 058/08/89 Readopted: 12/15/92

Revised: 06/20/17, _____

NON-INSTRUCTIONAL STAFF SICK LEAVE BENEFITS

- I. Accumulated sick leave time shall be determined using the following standards:
- A. Full-time non-teaching Remsen Central School District employees are defined as twelve (12) month employees who work a minimum of six and one half (6 ½) hours per day, with a minimum work week of thirty-seven and one half (37 ½) hours, and a minimum yearly time of one thousand nine hundred fifty (1950) hours.
- B. Part-time non-teaching employees shall have their accumulated sick leave time pro-rated on the basis of a six and one half (6 ½) hour day. (Full-time). For the purpose of determining the amount of sick day payment credit to be given at retirement, the following ratio will be used:
- 6 1/2 hour day = 1 sick day Ex. - 10 days at end of year = 10 days
- 4 hours to 6 1/4 = 3/4 sick day Ex. - 10 days at end of year = 7 ½ days
- 2 hours to 3 3/4 = 1/2 sick day Ex. - 10 days at end of year = 5 days
- 1 1/2 hour day = 1/4 sick day Ex. - 10 days at end of year = 2 ½ days
- C. Upon retirement, and provided ninety (90) days prior notice of intent to retire, paid employees shall be granted by the Board of Education eleven dollars and fifty cents (**\$11.50**) per accumulated sick day time, with part-time employees' payment determined by the above ratio, up to a maximum of thirty (30) days credit.

Remsen Central School District

Adopted: 08/11/81

Revised: 11/09/82, 12/15/92, 06/20/17, _____

Policy is Required

**FINGERPRINTING AND CRIMINAL HISTORY RECORD
CHECKS FOR PROSPECTIVE EMPLOYEES**

I. Statement of Policy

- A. The Remsen Central School District (the District) shall not employ or utilize a prospective school employee unless that person has been granted a clearance for employment by the State Education Department (SED), or an emergency conditional appointment has been made in a manner consistent with this Policy and applicable Regulations of the Commissioner.
- B. The term “prospective school employee” means any individual who is reasonably expected to provide services that will involve direct contact with students under the age of 21 and who is:
1. seeking a compensated position with the District and is not currently employed by the District or a student enrolled in the instructional program of a grade level in such covered school;
 2. an employee of a provider of contracted services to the District who is to be placed within the District; or
 3. a worker who is to be placed within the District under a public assistance employment program pursuant to title 9-B of article V of the Social Services Law, directly or through contract.
- C. The term “prospective school employee” does not include any individual who:
1. is seeking a position as a school bus driver or school bus attendant and is cleared for employment pursuant to sections 509-cc, 509-d and/or 1229-d of the Vehicle and Traffic Law after fingerprinting and a criminal history record check and whose fingerprints remain on file with DCJS;
 2. has provided services for the District in the previous school year either: in a compensated position, or as an employee of a provider of contracted services to such covered school, or as a worker placed within the covered school under a public assistance employment program pursuant to title 9-B of article V of the Social Services Law directly or through contract; or
 3. is reasonably expected to provide services for the District on no more than five days in the school year in which services are to be performed, provided that the District will be providing in-person supervision of such individual while that individual is providing such services. Individuals

Policy is Required**FINGERPRINTING AND CRIMINAL HISTORY RECORD
CHECKS FOR PROSPECTIVE EMPLOYEES**

providing such time-limited and supervised services may include but shall not be limited to: artists, guest lecturers and speakers, and sports officials.

II. Procedure For Clearance

- A. In situations where a prospective school employee has been previously fingerprinted and entered into the State Education Department's (SED) criminal history file, the individual shall notify the District that a file exists at SED, and the District shall notify SED of that fact and request clearance.
- B. In situations where a prospective school employee has not previously been fingerprinted and entered into the SED records, the District shall notify the prospective school employee of the fingerprinting requirement, and provide instructions regarding how and when the individual may arrange to complete the fingerprinting, including providing copies of necessary forms.
- C. In situations where a prospective school employee has not previously been fingerprinted and entered into the SED records, the individual shall be advised of the amount of the fee associated with the fingerprint clearance process, and the procedure for paying that fee to SED or any authorized State vendor, and shall also be advised that:
 1. the fee may not be charged if:
 - a. the fee is associated with the employee's participation in an authorized public assistance employment program, or
 - b. the individual is receiving certain employment services through the Federal Temporary Assistance for Needed Families Block Grant.

The fee shall be paid by the social services district making such employment placement or assignment and the cost of such fees.

2. the individual may submit a request to the Board of Education (the Board), ~~on a form provided by SED,~~ for a waiver of the fee based on financial hardship.

III. Notification of Employment/Separation from Employment

When a prospective employee who was fingerprinted and cleared for employment is initially employed or leaves employment the District is required to notify SED on the mandated forms.

PERSONNEL

Policy is Required

FINGERPRINTING AND CRIMINAL HISTORY RECORD
CHECKS FOR PROSPECTIVE EMPLOYEES

IV. Employment Based on Conditional Clearance

- A. To the extent permitted by law, the Superintendent may recommend that the Board make a conditional appointment pending notification from SED of clearance. Before making such a recommendation, the Superintendent shall ~~insure~~ ensure that the prospective school employee has signed a statement indicating whether to the best of their knowledge they are not the subject of a pending criminal charge or a conviction in any jurisdiction outside New York State, and shall submit a request for conditional clearance to the Commissioner.
- B. If the Board makes a conditional appointment, the appointment shall not be effective until the Commissioner has notified the District that conditional clearance has been granted.
- C. If a conditional appointment becomes effective, it shall terminate 45 days later, or when the Commissioner notifies the District as to whether clearance has been granted, whichever is earlier. If the Commissioner notifies the District that clearance for employment has been granted, the conditional appointment shall continue as a regular appointment.

V. Employment Based on Emergency Conditional Appointment

- A. To the extent permitted by law, the Superintendent may recommend that the Board make an emergency conditional appointment when the following conditions exist:
- a vacancy occurred less than ten (10) business days before the start of school or during any school session, including summer school, without sufficient notice to allow for clearance or conditional clearance; and
 - no other qualified person is available to fill the vacancy temporarily; and
 - to maintain services which the District is legally required to provide or services necessary to protect the health, education or safety of students or staff.
- B. Before making such a recommendation, the Superintendent shall ~~insure~~ ensure that the prospective school employee has signed a statement indicating whether to the best of their knowledge they are not the subject of a pending criminal charge or a conviction in any jurisdiction, including New York State. The Superintendent shall also ~~insure~~ ensure that a request for conditional clearance is promptly submitted to the Commissioner.

POLICY

Draft 02/03/2022
6400

PERSONNEL

Policy is Required

FINGERPRINTING AND CRIMINAL HISTORY RECORD
CHECKS FOR PROSPECTIVE EMPLOYEES

- C. If the Board makes a conditional appointment, the appointment may be made effective prior to notice from the Commissioner of conditional clearance.
 - D. If an emergency conditional appointment becomes effective, it shall terminate 20 business days later, or when the Commissioner notifies the District as to whether conditional clearance or clearance has been granted, whichever is earlier. If the Commissioner notifies the District that conditional clearance for employment has been granted, the emergency conditional appointment shall terminate and the appointment shall continue as a conditional appointment.
- VI. Safety of Students who have Contact with Conditionally Employed Employees
- A. The District affirms its commitment to the safety of students who have contact with an employee holding a conditional or emergency conditional appointment.
 - B. Supervisors of any employee holding a conditional or emergency conditional appointment shall be informed of the basis of such appointment and be directed to supervise such employee closely. If feasible, supervisors shall be asked to assign conditionally employed individuals in a manner where they do not work alone with children.

Remsen Central School District

Legal Ref: ~~Chapter 179 of the Laws of 2009, 8 NYCRR 80-1.1 and Part 87; NYS Correction Law Sections 752 and 753 Article 23-A; and Executive Law Section 296(16).~~ NYS Education Law §§1604(39)(d), 1709(39)(d), 1804(9)(d), 3004-b, 3004-c and 3035 (30); NYS Executive Law §296(16);

Adopted: 108/09/01

Revised: 10/14/03, 06/20/17, _____

Regulation

Draft 02/03/2022
6400.1

PERSONNEL

STATEMENT FOR EMERGENCY CONDITIONAL OR CONDITIONAL APPOINTMENT

I. I, _____ (applicant's name), have been advised and understand that New York State law requires, as part of the clearance process for this position, that I be fingerprinted for the purposes of a criminal history records search. Pending such clearance I make the following representations:

A. If a conditional appointment.

I, _____ (applicant's name), certify that, to the best of my knowledge, I

do
do not

have a pending criminal charge or criminal conviction in any jurisdiction outside of New York State.

B. If an emergency conditional appointment.

I, _____ (applicant's name), certify that, to the best of my knowledge, I

do
do not

have a pending criminal charge or criminal conviction in New York State or any jurisdiction outside of New York State.

If my answer above is affirmative, I provide the following information listing such charge or conviction, including the nature of the offense, the date of the charge/ conviction and the jurisdiction.

I hereby certify that my statement is, to the best of my knowledge and belief, true and correct and that any omission and/or misrepresentation of any material fact may be cause for the Remsen Central School District to refuse to hire me or revoke an offer of conditional employment, or to terminate my employment if employed.

Date: _____

Name: _____

Remsen Central School District

Approved by the Superintendent: 06/20/17, _____

Adopted: 10/09/01

Regulation

PERSONNEL

Draft 02/03/2022
6400.2 **DELETE**

PAYROLL DEDUCTION AUTHORIZATION

Is this still an option with the District? If not, then we will delete.

I have received information in the fingerprinting packet supplied by the NYS Education Department that explains the obligation of the Remsen Central School District to fingerprint prospective employees who are appointed on or after July 1, 2001.

I understand that the fees for the required fingerprinting/criminal background check are the responsibility of the employee, unless exempted by law.

I elect the following option for the payment of the required fingerprinting fee:

- Pay the NYSED directly by ~~MorphoTrust~~ IdentoGO.
- Authorize the District to make such payment and authorize payroll deduction to repay the fingerprinting fee per payroll for six (6) payroll periods.

If electing salary reduction, I understand that if I leave paid employment with the District before full repayment is made that the remaining balance due will be deducted from my final paycheck. If a substitute employee, I understand that if the entire amount is not repaid by April 1st of the first year of employment, the remaining balance will be deducted from the next paycheck of that year.

Employee Signature

Date

Central Business Office Use Only

Received By

Date

Remsen Central School District
Approved by the Superintendent: 06/20/17, _____
Adopted: 12/09/03

PERSONNEL

POLICY IS REQUIRED DRUG AND ALCOHOL TESTING

I. Purpose

To establish a District-based alcohol and drug testing program to help prevent accidents and injuries resulting from the misuse of alcohol and drugs by covered drivers of commercial motor vehicles in compliance with the Department of Transportation regulations and pursuant to the Omnibus Transportation Employee Testing Act of 1991 (the Act) and 49 CFR Part 40.

II Applicability

This policy applies to all District employees or applicants who have been extended a conditional offer of employment who operate commercial motor vehicles and are subject to the commercial drivers license (CDL) requirements established by the DOT.

III. Objectives

To establish rules and procedures to deter all illegal drug use, and deter on-duty, pre-duty and post-accident alcohol use, as well as on-duty alcohol impairment stemming from pre-duty use, for all covered drivers who perform safety sensitive functions;

To detect and eliminate the possibility that District covered drivers will perform safety-sensitive functions after testing positive for alcohol or drugs;

To comply with applicable federal and state laws, including the Omnibus Transportation Employee Testing Act of 1991;

To provide reasonable measures for the early detection of personnel not fit to perform activities within the scope of this policy;

To maintain a workplace free of drugs and alcohol; and

To inform employees through education, in service training and other appropriate forums, about illegal drugs, and alcohol abuse, their use, possession, distribution, and the effects of such substances;

IV. Testing

There are several occasions when an individual will be subject to drug and alcohol tests pursuant to this policy. Prior to the administration of the following tests, the District or its testing agent will notify the covered driver that the test is required under the Code of Federal Regulations.

The testing occasions shall include:

DRUG AND ALCOHOL TESTING**1. Pre-duty testing**

- a. Pre-duty testing is testing for drugs that the District will administer after a conditional offer of employment has been extended and prior to any covered driver's performance of a safety-sensitive function. The District will not allow any covered driver to commence the performance of any safety-sensitive function unless the drug testing reveals a verified negative test result.
- b. The District may, in its sole discretion, forego pre-duty testing where the exceptions promulgated by the regulations relating to drug and alcohol testing of covered drivers by their previous employers, are satisfied.

2. Reasonable Suspicion testing

- a. Reasonable suspicion testing is alcohol and drug testing that the District will conduct when it has reasonable suspicion to believe that a covered driver has engaged in conduct prohibited by this policy. Reasonable suspicion must be based upon specific, contemporaneous, articulable observations concerning the appearance, behavior, speech, or body odors of a covered driver by the Director of Special Education, Occupational Education, Assistant Directors of such programs or any other supervisor as determined by the District who is specially trained to recognize alcohol misuse or drug use. The observations may include indications of the chronic and withdrawal effects of controlled substances.
- b. A written record shall be made of observations leading to reasonable suspicion, signed by the supervisor or person who made the observations, within twenty-four (24) hours of the observed behavior or before the results of drugs test are released, whichever is earlier.
- c. The District shall not administer a reasonable suspicion alcohol test more than eight (8) hours following a determination that reasonable suspicion exists to believe that the alcohol prohibitions of this policy have been violated. Covered drivers are subject to reasonable suspicion alcohol testing as follows: Immediately prior to performing safety sensitive functions, while performing safety sensitive functions, or immediately following the performance of safety sensitive functions. Reasonable suspicion drug testing may be conducted at any time the covered driver is on duty for the district.

3. Random testing

- a. Random testing is unannounced testing for alcohol and drugs administered

DRUG AND ALCOHOL TESTING

in a statistically random manner throughout the year to covered drivers employed by the District in ratios as required by the DOT regulations, so that all covered drivers have an equal probability of selection each time a random test is administered.

- b. Covered drivers are subject to random alcohol testing as follows: immediately prior to performing safety sensitive functions, or while performing safety sensitive functions, or immediately following the performance of safety sensitive functions. Random drug testing may be conducted at any time the covered driver is on duty for the district.

4. **Post Accident testing**

- a. A post-accident test is a test for alcohol and drugs administered following an accident involving a commercial motor vehicle to each surviving covered driver:
 - 1. who was performing safety sensitive functions with respect to the vehicle, if the accident involved the loss of human life; OR
 - 2. who receives a citation under state or local law for a moving violation arising from the accident; AND
 - i. if the accident resulted in one or more motor vehicles incurring substantial structural damages as a result of the accident; OR
 - ii. if the accident resulted in bodily injury to a person who as a result of the injury immediately receives medical treatment away from the scene of the accident.
- b. The District will not administer a post-accident alcohol test more than eight hours following the accident and will not administer a post-accident drug test more than 32 hours following the accident. A covered driver who is subject to post-accident testing shall remain readily available for such testing or may be deemed by the District to have refused to submit to testing. This shall not be construed to require the delay of necessary medical attention for injured individuals following an accident or to prohibit a covered driver from leaving the scene of an accident for the period necessary to obtain assistance in responding to the accident or to obtain necessary emergency medical care.
- c. The results of a breath or blood test for the use of alcohol or a urine test for the use of drugs, conducted by federal, state, or local officials having independent authority for the test, shall be considered to meet the

DRUG AND ALCOHOL TESTING

requirements of the policy concerning post-accident testing, provided such tests conform to applicable federal, state, or local requirements and that the results of the test are obtained by the District. If such a test results in an alcohol concentration below 0.02, a 24 hour out-of-service order may be issued by the law enforcement official.

5. **Return to duty testing**

Return to duty testing is alcohol and/or drug testing conducted after a covered driver has engaged in prohibited conduct under this policy prior to the employee's return to the performance of a safety-sensitive function. The alcohol test result must indicate an alcohol concentration of less than .02 and/or a drug test must indicate a verified negative result for illegal drugs.

6. **Follow-up testing**

Follow-up tests are given following a determination by the Substance Abuse Professional (SAP) that a driver is in need of assistance in resolving problems associated with misuses of alcohol and/or drugs. This is an unannounced test, given at least six (6) times within twelve (12) months with the actual frequency and number of tests determined by the substance abuse professional (SAP), but in no event may the follow up testing continue for a period beyond 60 months from the covered driver's return to duty. The substance abuse professional may terminate the requirement of follow-up testing at any time after the first six (6) tests have been administered if he or she determines that follow-up testing is no longer necessary.

Covered drivers are subject to follow-up alcohol testing as follows: immediately prior to performing safety sensitive functions, or while performing safety sensitive functions, or immediately following the performance of safety sensitive functions. Follow-up drug testing may be conducted at any time the covered driver is on duty for the district.

V. Testing Procedures

The District shall retain an approved company to perform collection and testing, to ensure chain of custody requirements, and to ensure the correct employee is tested and matched with the correct test results. Such company will be required to follow the federal regulations to ensure compliance with the blind sample, calibration of the EBT, laboratory certification and proper training of the Breath Alcohol Technician (BAT). Testing for alcohol and/or controlled substances will be taken on-site or at the laboratory, in a secure location that affords visual and aural privacy and with the proper safeguards to ensure the integrity of the specimens collected. The Drug and Alcohol Coordinator (see appendix) can be contacted to request the name of the company hired to perform the drug and alcohol testing services.

DRUG AND ALCOHOL TESTING

If the test comes back positive dilute, that shall be considered a positive verified test and the covered driver shall not be allowed to take another test.

If the test comes back negative dilute for (can limit to pre-employment testing, return to duty testing and follow up testing or extend to all forms of testing covered by policy), then the covered driver shall (shall not) be required to take another test. If re-tested, there will be a fee for the second test. Employees to be re-tested must be given the minimum possible advance notice that he or she must go to the collection site. The result of the second test becomes the test of record. If an employee is directed to take another test, and the employee declines to do so, the employee has refused the test for the purpose of this policy and the federal drug and alcohol testing regulations. If the test comes back canceled, neither positive nor negative for drugs or alcohol, the employee shall not be allowed to perform safety sensitive functions if a negative result is required by the regulations. District shall order a recollection in the case of a canceled test for the purpose of re-testing in the case of pre-employment, return to duty or follow up testing.

1. **Alcohol**

Alcohol testing will be administered by a trained and qualified BAT. The evidential breath testing device (EBT) used for testing shall meet the standards promulgated by the DOT and have a quality assurance plan developed by the manufacturer to insure proper calibration.

If the initial test reveals an alcohol concentration of .02 or greater, a confirmatory test must be performed. The confirmatory test result is the final test result for the purposes of this policy.

2. **Drugs**

A Department of Health and Human Services certified laboratory will perform drug testing on urine samples provided by covered drivers. The drugs for which tests will be conducted are: Marijuana (THC), Cocaine, Phencyclidine (PCP), Opiates, and Amphetamines. The cutoff levels for these drugs will be those set forth in the DOT regulation.

3. **Uncompleted testing**

If a screening or confirmation test cannot be completed, or if an event occurs that would invalidate the test, the BAT, shall, if practicable begin a new screening or confirmation test, as applicable, e.g., using a new breath alcohol testing form with a new sequential test number.

VI. Requirements Prior to Commencing Safety Sensitive Position

DRUG AND ALCOHOL TESTING**1. Pre-duty request for prior employment drug and alcohol testing**

In the case of all new safety sensitive employees, the District shall request the following written information, after obtaining the prospective employee's written consent, from DOT regulated employers who have employed the employee at any time during the two years prior to the date of the employee's application or transfer:

- a. Alcohol tests with a result of 0.04 or higher alcohol concentration
- b. Verified positive drug test
- c. Refusal to be tested
- d. Other violations of DOT agency drug and alcohol testing; and
- e. With respect to any employee who violated a DOT drug and alcohol regulation, documentation of the employee's successful completion of DOT return to duty requirements.

The above listed information should be obtained and reviewed before the prospective employee commences performing any safety sensitive functions. However, the District has a 30 day grace period from the day the employee starts to perform safety sensitive functions in which to obtain or make and document a good faith effort to obtain this information. The District must not allow any employee to continue performing safety sensitive functions after 30 days if District has not obtained or made and documented a good faith effort to obtain this information.

The District must ask the prospective employee whether he/she has tested positive, or refused to test, on any pre-employment drug or alcohol test administered by an employer to which the employee applied for but did not obtain safety sensitive transportation work covered by DOT agency drug and alcohol testing rules during the past two years.

If the prospective employee admits that he/she has tested positive or a refusal to test then the District may choose not to hire the prospective employee. However, if the District does choose to hire a prospective employee that has admitted that he/she has tested positive or refused to test, the District must not use the employee to perform safety sensitive functions, until and unless the employee documents successful completion of return to duty process.

VII. Prohibited Conduct

1. No covered driver shall report for duty or remain on duty requiring the performance of safety sensitive functions while having an alcohol concentration of 0.02 or greater.
2. A covered driver shall not be on duty or operate a commercial motor vehicle while the covered driver possesses alcohol.

PERSONNEL

DRUG AND ALCOHOL TESTING

3. A covered driver shall not use alcohol while performing safety sensitive functions.
4. No covered driver shall perform safety-sensitive functions within six (6) hours after using alcohol.
5. A covered driver required to take a post accident alcohol test shall not use alcohol for eight (8) hours following the accident, or until he/she undergoes a post accident alcohol test, whichever is first.
6. A covered driver shall not report for duty or remain on duty requiring the performance of safety sensitive functions when the driver is using drugs, except when the use is pursuant to the instructions of a physician who has advised the driver that the drug does not affect the driver's ability to safely operate a commercial motor vehicle.
7. No driver shall report for duty, remain on duty or perform a safety-sensitive function, if the driver tests positive for controlled substances.
8. Independent of the requirements of the Act and the regulations promulgated thereunder, the covered driver must provide written notice from the physician to the Drug and Alcohol Coordinator that he or she is using controlled substances pursuant to the instructions of the physician and that he or she advised the driver that the substance does not adversely affect the driver's ability to safely operate a commercial motor vehicle.
9. A covered driver shall not refuse to submit to an alcohol or drug test required under this policy.
10. An applicant for employment, who has been given a conditional offer of employment may not refuse to sign a release authorizing the District to request from all former employer's, where the employee was a covered driver, his or her drug and alcohol testing records.

VIII. Consequences for covered drivers

Pursuant to the Act and the regulations:

1. A covered driver who has an alcohol concentration of at least 0.02 shall be removed immediately from his/her performing safety sensitive position for at least 24 hours and shall not return until he/she is evaluated by a substance abuse professional, completes any other steps required by the SAP and takes a return to duty test.
2. A covered driver who has an alcohol concentration of at least 0.04 shall be removed immediately from his/her safety sensitive position and may not return until he or she is evaluated by a substance abuse professional, completes any other steps required by the SAP and takes a return to duty test.
3. A covered driver who has a verified positive result on a drug test shall be prohibited from performing safety sensitive functions until the employee is evaluated by a substance abuse professional, completes any other steps required by the SAP and takes a return to duty test.
4. A covered driver who refuses to submit to a test shall be prohibited from

DRUG AND ALCOHOL TESTING

performing safety sensitive functions until the employee is evaluated by substance abuse professional, completes any other steps required by the SAP and takes a return to duty test.

5. A covered driver may not perform safety-sensitive functions, if there exists a reasonable suspicion that the driver is under the influence of, or impaired by, alcohol as shown by the behavioral, speech, and performance indicators of alcohol misuse, until an alcohol test is administered and the driver's alcohol concentration measures less than .02 or 24 hours have elapsed following a determination that reasonable suspicion exists to believe that the alcohol prohibitions of this policy have been violated.
6. A covered driver may not perform safety-sensitive functions even if his or her alcohol concentration is less than 0.02, or the alcohol concentration is unknown, if the employer detects the presence of alcohol in the driver by other means.

Independent of the requirements of the Act and the regulations promulgated thereunder, a covered driver may not perform safety-sensitive functions, if there exists a reasonable suspicion that the driver is under the influence of, or impaired by, drugs as shown by the behavioral, speech, and performance indicators of drug abuse, until a drug test is administered and there is a verified negative result.

Independent of the requirements of the Act and the regulations promulgated thereunder, covered drivers who have been found to have violated the prohibited conduct under this policy will be immediately suspended from their safety-sensitive function without pay pending a complete review of the test results and what led to the test results, if appropriate. After review, if the covered driver was found to have an alcohol concentration of 0.04 or greater, a positive drug test, or refused to submit to a test, the employee shall be terminated. If the covered driver was found to have an alcohol concentration between 0.02 and 0.04, he or she shall be required to be evaluated by a substance abuse professional, complete any other steps required by the SAP and take a return to duty test before returning to work.

A covered driver who is an applicant for employment who has been extended a conditional offer of employment shall have such conditional offer revoked if:

1. He/she undergoes a drug test which reveals a verified positive test result, or
2. He/she admits, during the pre-duty request for prior employment drug and alcohol testing, they had a positive test or refused to test on any pre-employment drug or alcohol testing administered by the employer to which the employee applied for, but did not obtain safety sensitive transportation work covered by DOT agency drug and alcohol testing rules during the past two years and the Board chooses not to hire the prospective employee, or
3. He/she previously failed to successfully complete a rehabilitation program (return to duty process) established by a substance abuse professional resulting from a violation of that employer's policy or the Act, or

PERSONNEL

DRUG AND ALCOHOL TESTING

4. He/she fails to provide a release for the District to request from former employer's where the individual was a covered driver.
5. The above actions shall be taken in accordance with the provisions of the employee's collective bargaining agreement, §75 of the Civil Service Law and/or §3020-a of Education Law, whichever is applicable.

IX. Referral, evaluation, and treatment

The requirements of this section do not apply to applicants who refuse to submit to a pre-duty drug test or who have a pre-duty drug test with a verified positive test result.

1. The District shall make available to a covered driver who has violated this policy, information regarding the resources available for evaluating and resolving problems associated with the misuse of alcohol and use of drugs, including the names, addresses, and telephone numbers of substance abuse professionals and counseling and treatment programs. The District shall ensure that the listed substance abuse professionals do not refer the covered driver to the substance abuse professional's private practice, or to a person or organization from which the substance abuse professional receives remuneration, or in which the substance abuse professional has a financial interest.
2. The District requires that each covered driver who engages in conduct prohibited by this policy shall be evaluated by a substance abuse professional who shall determine what assistance, if any, the employee needs in resolving problems associated with alcohol misuse and drug use. The substance abuse professional shall also determine if follow up testing is necessary and if so, the number and frequency of such testing. The costs associated with this evaluation shall be the responsibility of the covered driver.
3. Before a covered driver returns to duty requiring the performance of a safety-sensitive function after engaging in conduct prohibited by this policy, the covered driver shall undergo a return to duty test.
4. The substance abuse professional will determine if the covered driver has properly followed any rehabilitation program prescribed following the evaluation.

X. Employee Notification

The District shall provide a copy of this policy to each covered driver and to his/her collective bargaining agent. Each covered driver is required to sign a statement certifying that (s)he has received this information. The District shall maintain the original signed certification for the duration of the employee's employment or two (2) years, whichever is longer. The District will provide a copy of the certification to the covered driver upon

PERSONNEL

DRUG AND ALCOHOL TESTING

request.

XI. Savings Clause

If any provision of this policy is, or shall at any time be contrary to the law, then such policy provision shall be considered modified or deleted so as to comply with the superseding legal requirements, without any effect on the remaining policy provisions.



Renssen Central School District

Legal Ref: U.S. Constitution, 4th Amendment
Omnibus Transportation Employee Testing Act of 1991, 49 USC §§31136; 31306
Americans with Disabilities Act, 42 USC §§12111-12117
49 CFR Parts 40, 382 and §§395.20 and 521(b)
New York Vehicle and Traffic Law, §§509-1; 1192; 1193
New York Labor Law, §201-d

Adopted: 12/19/95

Revised: 07/12/05, 06/20/17

DRUG AND ALCOHOL TESTINGAppendix A
Drug and Alcohol Testing Definitions

Alcohol: The intoxicating agent in beverage alcohol, ethyl alcohol, or other low molecular weight alcohol's, including methyl and isopropyl alcohol.

Alcohol use: The consumption of any beverage, mixture, or preparation, including any medication containing alcohol.

Breath Alcohol Technician (BAT):

An individual who operates an evidential breath testing device and instructs and assists individuals in the alcohol testing process.

BAC or Alcohol Concentration:

Breath Alcohol Concentration (BAC), or alcohol concentration, is the amount of alcohol in a volume of breath expressed in terms of grams of alcohol per 210 liters of breath as indicated by an evidential breath test.

Commercial Motor Vehicle:

A motor vehicle or a combination of motor vehicles used in commerce to transport passengers or property if the motor vehicle:

1. has a gross combination weight of 26,001 or more pounds inclusive of a towed unit with a gross vehicle weight rating of more than 10,000 pounds; or
2. has a gross vehicle weight rating of 26,001 or more pounds; or
3. is designed to transport 16 or more passengers, including the driver; or
4. is of any size and is used in the transportation of materials found to be hazardous for the purposes of the Hazardous Materials Transportation Act and which require the motor vehicle to be placarded under the Hazardous Material Regulations.

Confirmation test :

In drug testing, a second analytical procedure to identify the presence of a specific drug or metabolite that is independent of the screening test and that uses a different technique and chemical principle from that of a screening test in order to ensure reliability and accuracy. Gas chromatography/mass spectrometry (GC/MS) is the only authorized confirmation method for cocaine, marijuana, opiates, amphetamines, and phencyclidine. In alcohol testing, a second test following a screening test with a result of .02 or greater, that provides quantitative data of alcohol concentration.

Covered driver:

District employees who operate commercial motor vehicles and applicants for employment with the district who are applying for positions as drivers of

POLICY

PERSONNEL

6401

DRUG AND ALCOHOL TESTING

commercial motor vehicles (for the purposes of pre-duty testing only).

Drug and Alcohol Coordinator:

The Drug and Alcohol Coordinator shall be the Jefferson - Lewis DISTRICT Health and Safety Coordinator who is located at 20104 NYS Rt. 3, Watertown, NEW YORK 13601, and may be reached at 779-7000.

Evidential breath testing device (EBT):

A device approved by the National Highway Traffic Safety Administration (NHTSA) for the evidential testing of breath and placed on NHTSA's Conforming Product's List of Evidential Breath Measurement Devices."(CPL)

Medical Review Officer (MRO):

A licensed physician responsible for receiving laboratory results generated by the District's drug test program, who has knowledge of substance abuse disorders and has appropriate medical training to interpret and evaluate an individual's positive test result together with his or her medical history and any other relevant biomedical information.

Refuse to submit (to an alcohol or drug test):

Means that a covered driver refused to take a drug test if they:

- (1) fail to appear for any test (except a pre-employment test) within a reasonable time, as determined by the employer, consistent with applicable DOT agency regulations, after being directed to do so by the employer,
- (2) fail to remain at the testing site until the testing process is complete, provided that an employee who leaves the testing site before the testing process commences for a pre-employment test is not deemed to have refused to test,
- (3) fail to provide a urine specimen for any drug test required by this policy or DOT agency regulations,
- (4) in the case of a directly observed or monitored collection in a drug test, fail to permit the observation or monitoring of your provision of a specimen,
- (5) fail to provide a sufficient amount of urine when directed, and it has been determined, through a required medical evaluation, that there was no adequate medical explanation for the failure,
- (6) fail or decline to take a second test the employer or collector has directed the individual to take,
- (7) fail to undergo a medical examination or evaluation, as directed by the MRO as part of the verification process,
- (8) fail to cooperate with any part of the testing process, or
- (9) if the MRO reports that you have a verified adulterated or substituted test result or you refuse to take a drug test.

DRUG AND ALCOHOL TESTING***Screening test:***

In alcohol testing, means an analytical procedure to determine whether a driver may have a prohibited concentration of alcohol in his or her system. In drug testing, an immunoassay procedure to eliminate "negative" urine specimens from further consideration.

Safety sensitive function:

Any of those on-duty functions (promulgated at 49 CFR §395.2 On-Duty time) as listed below:

1. All time at a carrier or shipper plant, terminal, facility, or other property, waiting to be dispatched, unless the driver had been relieved from duty by the District.
2. All time inspecting equipment as required by the Federal Motor Carrier Safety Regulations (FMCSR'S), or otherwise inspecting, servicing, or conditioning any commercial motor vehicle at any time.
3. All time spent at the driving controls of a commercial motor vehicle in operation.
4. All time, other than driving time, spent on or in a commercial motor vehicle (except for time spent resting in the sleeper berth.)
5. All time spent loading or unloading a commercial motor vehicle, supervising, or assisting in the loading or unloading, attending a vehicle being loaded or unloaded, remaining in readiness to operate the vehicle, or in giving or receiving receipts for shipments loaded or unloaded.
6. All time spent performing the driver's requirements associated with an accident promulgated at 49 CFR §§392.40 and 392.41.
7. All time repairing, obtaining assistance, or remaining in attendance upon a disabled vehicle.

Substance Abuse Professional:

A substance abuse professional means a licensed physician (Medical Doctor or Doctor of Osteopathy), or a licensed or certified psychologist, social worker, employee assistance professional, or addiction counselor (certified by the National Association of Alcoholism and Drug Abuse Counselors Certification Commission) with knowledge of and clinical experience in the diagnosis and treatment of alcohol and drugs-related disorders.

Regulation

PERSONNEL

Draft 02/03/2022
6401.1 DELETE

PRE-DUTY ACKNOWLEDGEMENT AUTHORIZATION AND CONSENT FORM FOR DRUG AND ALCOHOL TESTING

I, _____, acknowledge receiving this day, a conditional offer of employment with the Remsen Central School District (the District), written notice regarding the existence of the ~~Remsen Central School District's~~ Drug and Alcohol Testing Program and a copy of the ~~Remsen Central School District~~ policy and regulations by which it will be administered.

I further understand and agree to submit to urinalysis, (hereinafter referred to as "drug testing") for the detection of prohibited drugs, and evidential breath testing (hereinafter referred to as "alcohol testing"). I understand that I can be tested for both drugs and/or alcohol pursuant to the ~~Remsen Central School District's~~ policy for pre-duty, and if successful and offered a position, for random, reasonable suspicion, post-accident, return to duty, and follow-up testing as the circumstances require. I further understand that the conditional offer of employment that has been extended to me is contingent on my testing negative for both alcohol and drugs.

If the results of pre-duty alcohol tests indicate that my alcohol concentration registers above .02, it will result in the revocation of the conditional offer of employment. Furthermore, if the results of my pre-duty drug test indicate the presence of marijuana, cocaine, amphetamines, phencyclidine or opiates, alone or in any combination, that have not been prescribed for me by my doctor with his written assurance that the identified drug(s) will not effect the safe performance of my job, will result in the revocation of the conditional offer of employment.

I understand, further, that refusal to submit to pre-duty testing will result in the revocation of the conditional offer of employment. I also understand that my refusal to submit to testing at any later date as an employee of the ~~Remsen Central School District~~, when requested to do so as required by the District's policy, will result in discipline up to and including discharge.

Also, by signing this document, I release to the ~~Remsen Central School District~~ and the ~~Remsen Central School District~~ Drug Alcohol Coordinator all results regarding drug and alcohol testing or refusal to submit to drug and alcohol testing from both past and present employers' drug and alcohol testing programs.

More specifically, I, in consideration of the agreements contained herein accept full and complete responsibility and liability for my conduct, my compliance with procedures and results of any and all tests results conducted upon the request of the Remsen Central School District, its officers, employees or agents. I release and discharge the Remsen Central School District, the District Superintendent, the District officers, employees and agents as releasors, releasors heirs, executors, administrators, successors and assign and indemnify from all actions, suits, debts, dues, sums of money, accounts, reckonings, bonds, bills, specialties, covenants, contracts, controversies, agreements, promises, variances, trespasses, damages, judgements, extents, executions, claims and demands whatsoever, in law, admiralty or equity, which against the releasors, I the prospective employee, my heirs, executors, administrators, successors and assigns

PERSONNEL

PRE-DUTY ACKNOWLEDGEMENT AUTHORIZATION AND
CONSENT FORM FOR DRUG AND ALCOHOL TESTING

ever had, now have or hereafter can, shall or may, have for, upon, or by reason of any matter cause or thing whatsoever leading to or conduct pursuant to this agreement.

My signature below indicates my understanding of this Policy and what is expected of me, my consent to be tested and my authorization to release to collection site personnel, medical review officer, and the designated employer representative the information necessary to comply with this policy.

Date:

Signature:

Date:

Signature:

Renssen Central School District
Approved by the Superintendent: 06/20/17, _____
Adopted: 12/19/95

POLICY IS REQUIRED
DRUG AND ALCOHOL TESTING (TRANSPORTATION)

I. Statement of Policy

It is the policy of the Remsen Central School District (the District) that no District employee shall operate a District school bus or a District vehicle when the operation of the vehicle requires a Commercial Driver's License (CDL) if that employee is under the influence of drugs or alcohol. To further this policy, the District follows a program of drug and alcohol testing designed to meet the requirements of the New York State Vehicle and Traffic Law (referred to in this Policy as "state law") and the federal Omnibus Transportation Employee Testing Act of 1991, including the implementing regulations adopted by the U.S. Department of Transportation (together referred to in this Policy as "federal law"). No person shall be hired into or assigned to perform the duties of a safety sensitive position (as described below) unless each test administered to that person returns a verified negative result.

II. Scope of Policy

A. Positions to Which This Policy Applies

This Policy applies to employment in any position for which the assigned duties include either the operation of a school bus, as that term is defined in state law, or the operation of a vehicle that requires a CDL, as determined by federal law. These positions are considered "safety sensitive positions", and District employees holding these positions are considered "safety sensitive employees".

B. Persons to Whom This Policy Applies

1. Applicants for employment in safety-sensitive positions who receive a conditional offer of employment are subject to pre-employment testing under this Policy. A person who is employed by the District in a non-safety sensitive position and who seeks to be hired or transferred into a safety sensitive position is considered an applicant relative to that safety sensitive position. When used in this Policy, the term "applicant" refers to these persons.
2. Persons employed by the District in safety sensitive positions are subject to drug and alcohol testing under the circumstances set forth in this Policy and as otherwise required by state or federal law. When used in this Policy, the terms "employee" and "driver" refer to these persons.

III. Communication of Policy

POLICY

Draft 02/03/2022
6401 Replace 6401

PERSONNEL

POLICY IS REQUIRED DRUG AND ALCOHOL TESTING (TRANSPORTATION)

A. Drug and Alcohol Coordinator

The Superintendent shall designate a Drug and Alcohol Coordinator to answer questions relative to the procedures and materials relative to this Policy. The Coordinator shall ensure that all affected employees are informed of the Policy and related forms and regulations, including the identity of and contact information for the Coordinator, and are provided with either a paper copy of the Policy or a link to an online copy of the Policy. The Drug and Alcohol Coordinator for Remsen Central School shall be the Jefferson-Lewis District Health and Safety Coordinator who is located at 20104 NYS Rt. 3, Watertown, New York, 13601, and may be reached at 315-779-7000.

B. Distribution of Information

The Coordinator shall provide a copy of this Policy and any accompanying documents outlining additional information, procedures and/or regulations developed by the District to effectuate this Policy, to each person employed in a safety sensitive position, and shall ensure that each applicant for employment in a safety sensitive position receives a copy of this material.

C. Documentation

Each person receiving the Policy material shall be required to sign a statement certifying that they have received this information. The District shall maintain the original signed acknowledgement for the duration of the employee's employment or two (2) years, whichever is longer. The District will provide a copy of the certification to the driver upon request. Representatives of applicable collective bargaining units shall be notified of the availability of this information.

IV. Program Standards and Testing Protocols

A. Contracted Services

The Superintendent is authorized to contract with an appropriately credentialed vendor, board of cooperative educational services, or other municipality for the services necessary to implement the District's drug and alcohol testing program, including sample collection and testing, documenting chain of custody, and ensuring that the correct employee is tested and matched with the correct test results. Such contractor must be in compliance with all state and federal regulations including but not limited to calibration of all devices, laboratory certification by the U.S. Department of Health and Human Services, and proper training of the Breath Alcohol Technician (BAT) and other staff.

POLICY

Draft 02/03/2022

6401 Replace 6401

PERSONNEL

POLICY IS REQUIRED **DRUG AND ALCOHOL TESTING (TRANSPORTATION)**

B. Notice to the Test Subject

Prior to the administration of the following tests the District or its testing agent will notify the driver that the test is required under state law or federal law.

C. Test Standards

1. Collection of specimens to be tested will be taken on-site or at the laboratory, in a secure location that affords visual and aural privacy and with the proper safeguards to ensure the integrity of the specimens collected.
2. The prohibited drugs for which specimens will be tested are: Marijuana (THC), Cocaine, Phencyclidine (PCP), Opioids (including heroin, and the synthetic opioids hydrocodone, oxycodone, hydromorphone and oxymorphone), and amphetamines. The cutoff levels for these drugs will be those set forth in federal law.
3. If an initial breath test reveals an alcohol concentration of .02 or greater, a confirmatory test shall be performed. The confirmatory test result is the final test result for the purposes of this Policy.
4. If a screening or confirmation test cannot be completed, or if an event occurs that would invalidate the test, the technician, shall, if practicable begin a new screening or confirmation test, as applicable, e.g., using a new breath alcohol testing form with a new sequential test number.
5. If a test result is reported as canceled, meaning neither positive nor negative for drugs or alcohol, the test subject shall not be allowed to perform safety sensitive functions if a negative result is required by state or federal law. The District shall order collection of another specimen for the purpose of re-testing in the case of a canceled test result related to pre-employment, return to duty, or follow up testing.

D. Specimens Reported as Dilute

1. If a test result is reported as positive dilute, that shall be considered a positive verified test result and no confirmatory test or retest shall be conducted.
2. If a test result is reported as negative dilute for pre-employment testing, return to duty testing, or follow up testing, then the test subject shall be required to take another test. The result of the second test becomes the test of record.

POLICY IS REQUIRED
DRUG AND ALCOHOL TESTING (TRANSPORTATION)

- a. Persons to be re-tested must be given the minimum possible advance notice of the time to report to the collection site.
- b. If a person is directed to take another test and declines to do so, that will be categorized as a test refusal for the purpose of this Policy and the federal drug and alcohol testing regulations.

V. Pre-Employment Testing

A. General Rule

Pre-employment testing for drugs and alcohol will be administered by the District to all applicants after a conditional offer of employment has been extended and prior to any applicant's performance of a safety-sensitive function.

B. Information Regarding Prior Test Outcomes

1. Each applicant will be asked whether the applicant has tested positive after, or refused to take, any pre-employment drug or alcohol test administered by a potential employer pursuant to federal law during the past two years.
2. Each applicant will be asked to identify all prior employers or potential employers that required the applicant to submit to drug or alcohol testing in fulfillment of state or federal law within the prior two years, and to sign a written document authorizing those entities to release to the District the following information: alcohol tests with a result of 0.04 or higher alcohol concentration, verified positive drug test, the applicant's refusal to be tested, any other violations of federal law drug and alcohol regulations, and, with respect to any employee who violated a federal law drug and alcohol regulation, documentation of the employee's successful completion of federal law return to duty requirements.
3. The above listed information should be obtained and reviewed before the applicant is assigned to perform any safety sensitive functions. However, the District may employ and assign the applicant to perform safety sensitive functions for a period of up to 30 days if the District has made and documented a good faith effort to obtain this information. The District will not allow any employee to continue performing safety sensitive functions after 30 days if the District has not obtained or made and documented a good faith effort to obtain this information.

C. Withdrawal of Conditional Offer of Employment

POLICY IS REQUIRED
DRUG AND ALCOHOL TESTING (TRANSPORTATION)

Where an applicant for a position subject to this Policy has received a conditional offer of employment, that conditional offer will be withdrawn if any of the following circumstances occurs:

1. The applicant's pre-employment drug test returns a positive result;
2. The applicant reports as part of the District's pre-employment process that within the prior two years the applicant applied for employment in a position governed by either the New York law applicable to school bus drivers or the federal law applicable to CDL holders, and the applicant either refused to submit to the test or tested positive for drugs or alcohol;
3. The applicant reports that they failed to successfully complete a rehabilitation program (return to duty process) established by a substance abuse professional after violation of a prior employer's policy or applicable law; or
4. The applicant fails to provide a release for the District to request information from a former employer of the applicant or a potential employer to which the applicant applied for employment in a safety sensitive position subject to the state or federal drug and alcohol testing requirements.

VI. Drug and Alcohol Tests Administered To Employees

A. Reasonable Suspicion Testing

1. An employee in a safety sensitive position is required to submit to a drug or alcohol test whenever a responsible supervisor or administrator has reasonable suspicion to believe that the employee has engaged in conduct prohibited by this policy. Employees are subject to reasonable suspicion alcohol testing at any time the employee is on duty for the district.
2. Reasonable suspicion must be based upon specific, contemporaneous, articulable observations concerning the appearance, behavior, speech, or body odors of an employee by a responsible supervisor or administrator who has been trained to recognize alcohol misuse or drug use.
 - a. The observations may include indications of the chronic and withdrawal effects of controlled substances.
 - b. A written record shall be made of the observations leading to reasonable suspicion, signed by the supervisor or administrator

POLICY IS REQUIRED
DRUG AND ALCOHOL TESTING (TRANSPORTATION)

who made the observations, within twenty-four (24) hours of the observed behavior or before the results of the drug and/or alcohol test are released, whichever is earlier.

3. The District shall not administer a reasonable suspicion alcohol test more than eight (8) hours following a determination that reasonable suspicion exists to believe that the alcohol prohibitions of this policy have been violated.
4. The Superintendent or the Superintendent's designee shall arrange for the training of all supervisors or other individuals who may be utilized to determine whether "reasonable suspicion" exists to test an employee for prohibited conduct involving alcohol or controlled substance use/abuse.

B. Random Testing

1. The District randomly tests employees subject to this Policy for evidence of drug or alcohol consumption. Random tests are not announced and employees are selected for testing in a statistically random manner throughout the year as required by state and federal law. Each covered employee has an equal probability of selection each time a random test is administered.
2. Random drug and/or alcohol testing may be conducted at any time the covered driver is on duty for the district.
3. All employees assigned to drive a school bus as part of their duties are subject to random testing.

C. Post-Accident testing

1. Following an accident involving a commercial motor vehicle, a post-accident test for alcohol and drugs is administered to each surviving covered driver who:
 - a. was performing safety sensitive functions with respect to the vehicle, and the accident involved the loss of human life; or
 - b. receives a citation under state or local law for a moving violation arising from the accident, and the accident either resulted in one or more motor vehicles incurring substantial structural damages as a result of the accident or resulted in bodily injury to a person who, as a result of the injury, immediately received medical treatment away from the scene of the accident.

PERSONNEL

POLICY IS REQUIRED
DRUG AND ALCOHOL TESTING (TRANSPORTATION)

2. The District will not administer a post-accident alcohol test more than eight hours following the accident and will not administer a post-accident drug test more than 32 hours following the accident.
3. A driver who is subject to post-accident testing shall remain readily available for such testing or may be deemed by the District to have refused to submit to testing. This shall not be construed to require the delay of necessary medical attention for injured individuals following an accident or to prohibit a driver from leaving the scene of an accident for the period necessary to obtain assistance in responding to the accident or to obtain necessary emergency medical care.
4. The results of a breath or blood test for the use of alcohol or a urine test for the use of drugs, conducted by federal, state, or local officials having independent authority for the test, shall be considered to meet the requirements of this Policy concerning post-accident testing, provided such tests conform to applicable federal, state, or local requirements and that the results of the test are obtained by the District. If such a test results in an alcohol concentration below 0.02, a 24 hour out-of-service order may be issued by the law enforcement official.

D. Return to Duty Testing

Return to duty testing for alcohol and/or drugs is conducted when a covered driver has engaged in prohibited conduct under this Policy, been removed from performing safety sensitive duties, and is scheduled or seeks to return to the performance of safety sensitive functions. The alcohol test result must indicate alcohol concentration of less than .02 and/or a drug test must indicate a verified negative result for illegal drugs.

E. Follow-up Testing

1. Follow-up tests are given following a determination by a substance abuse professional that a driver is in need of assistance in resolving problems associated with misuses of alcohol and/or drugs.
2. Follow-up tests are unannounced.
3. Follow-up tests are conducted at least six (6) times within twelve (12) months. The actual frequency and number of tests will be determined by the substance abuse professional, but follow-up testing will not continue beyond 60 months from the covered driver's return to duty. The substance abuse professional may terminate the requirement of follow-up testing at

POLICY

Draft 02/03/2022
6401 Replace 6401

PERSONNEL

POLICY IS REQUIRED
DRUG AND ALCOHOL TESTING (TRANSPORTATION)

any time after the first six (6) tests have been administered if he or she determines that follow-up testing is no longer necessary.

4. Follow-up drug testing may be conducted at any time the covered driver is on duty for the district.

VII. Conduct Standards For Employees Subject To This Policy

- A. No driver shall report for duty or remain on duty in a position requiring the performance of safety sensitive functions while having an alcohol concentration of 0.02 or greater.
- B. A driver shall not be on duty or operate a commercial motor vehicle while the driver possesses alcohol.
- C. A driver shall not use alcohol while performing safety sensitive functions.
- D. No driver shall operate a school bus within eight (8) hours, or operate a vehicle requiring possession of a CDL within six (6) hours, after having consumed a drug, controlled substance, and/or alcohol.
- E. A driver required to take a post-accident alcohol test shall not use alcohol for eight (8) hours following the accident, or until they undergo a post-accident alcohol test, whichever is first.
- F. A driver shall not report for duty or remain on duty requiring the performance of safety sensitive functions when the driver is using drugs, except when the use is pursuant to the instructions of a physician who has advised the driver that the drug does not affect the driver's ability to safely operate a commercial motor vehicle. The driver must provide written notice from the physician to the Drug and Alcohol Coordinator that the driver is using controlled substances pursuant to the instructions of the physician and that the physician advised the driver that the substance does not adversely affect the driver's ability to safely operate a commercial motor vehicle.
- G. No driver shall report for duty, remain on duty or perform a safety-sensitive function, if the driver tests positive for controlled substances.
- H. A driver shall not refuse to submit to an alcohol or drug test required under this Policy.

VIII. Consequences Of Non-Compliance By Employees Subject To This Policy

POLICY

Draft 02/03/2022

6401 Replace 6401

PERSONNEL

POLICY IS REQUIRED

DRUG AND ALCOHOL TESTING (TRANSPORTATION)

- A. A driver who has an alcohol concentration of at least 0.02 shall be removed immediately from his/her performing safety sensitive position for at least 24 hours and shall not return until they have been evaluated by a substance abuse professional, have completed any other actions required by the SAP and have completed the return to duty testing procedures as required.
- B. A driver who has a verified positive result on a drug test shall be prohibited from performing safety sensitive functions until the employee is evaluated by a substance abuse professional, completes any other steps required by the SAP, and completes a return to duty test that returns a verified negative result.
- C. A driver who refuses to submit to a test shall be prohibited from performing safety sensitive functions until the employee is evaluated by a substance abuse professional, completes any other steps required by the SAP, and successfully completes the return to duty testing procedures as required.
- D. A driver may not perform safety-sensitive functions if there exists a reasonable suspicion that the driver is under the influence of, or impaired by, alcohol as shown by the behavioral, speech, and performance indicators of alcohol misuse, until an alcohol test is administered and the driver's alcohol concentration measures less than .02 or 24 hours have elapsed following a determination that reasonable suspicion exists to believe that the alcohol prohibitions of this policy have been violated.
- E. A driver may not perform safety-sensitive functions even if his or her alcohol concentration is less than 0.02, or the alcohol concentration is unknown, if the District detects the presence of alcohol in the driver by other means.
- F. Independent of the requirements of federal law, a driver may not perform safety-sensitive functions, if there exists a reasonable suspicion that the driver is under the influence of, or impaired by, drugs as shown by the behavioral, speech, and performance indicators of drug abuse, until a drug test is administered and there is a verified negative result.
- G. Independent of the requirements of federal law, drivers who have been found to have engaged in conduct prohibited by this Policy will be immediately suspended from their safety-sensitive function without pay pending a complete review of the test results and what led to the test results, if appropriate. After review, if the driver was found to have an alcohol concentration of 0.04 or greater, a positive drug test, or refused to submit to a test, the employee shall be terminated. If the driver was found to have an alcohol concentration between 0.02 and 0.04, he or she shall be required to be evaluated by a substance abuse professional, complete any other steps required by the SAP and take a return to duty test before returning to work.

POLICY

Draft 02/03/2022
6401 Replace 6401

PERSONNEL

POLICY IS REQUIRED
DRUG AND ALCOHOL TESTING (TRANSPORTATION)

- H. The above consequences shall be applied consistent with the provisions of any applicable collective bargaining agreement and statute, such as §75 of the Civil Service Law and §3020-a of Education Law.
- IX. Referral And Evaluation
- A. Each employee who engages in conduct prohibited by this policy is required to be evaluated by a substance abuse professional who shall determine what assistance, if any, the employee needs in resolving problems associated with alcohol misuse and drug use.
1. The costs associated with this evaluation shall be the responsibility of the employee, unless a collective bargaining agreement provides otherwise.
 2. If the substance abuse professional determines that a rehabilitation program is appropriate before the employee returns to performing safety sensitive functions, the employee is required to complete that program, including any follow-up testing directed by the substance abuse professional. The substance abuse professional shall determine if the driver has properly followed any rehabilitation program prescribed following the evaluation.
 3. Before an employee returns to duty requiring the performance of a safety sensitive function after engaging in conduct prohibited by this policy, the employee shall complete a return to duty test that returns a verified negative result.
- B. The District shall make available to an employee who has violated this Policy information regarding the resources available for evaluating and resolving problems associated with the misuse of alcohol and use of drugs, including the names, addresses, and telephone numbers of substance abuse professionals and counseling and treatment programs. The District shall ensure that the listed substance abuse professionals do not refer the employee to the substance abuse professional's private practice, or to a person or organization from which the substance abuse professional receives remuneration, or in which the substance abuse professional has a financial interest.
- C. The referral and evaluation procedures described in this section do not apply to applicants who refuse to submit to a pre-employment drug and alcohol test or who have a pre-employment drug and alcohol test with a verified positive test result.

POLICY

Draft 02/03/2022
6401 Replace 6401

PERSONNEL

POLICY IS REQUIRED
DRUG AND ALCOHOL TESTING (TRANSPORTATION)

Remsen Central School District

Legal Ref: Omnibus Transportation Employee Testing Act of 1991, 49 USC §§31136 and 31306; Americans with Disabilities Act, 42 USC §§12111-12117; 49 CFR Parts 40, 382 and 395.20; NYS Vehicle and Traffic Law, §§142, 509-l; 509-g, 1192 and 1193; NYS Labor Law, §201-d

Adopted: 12/19/95

Revised: 07/12/05, 06/20/17

Regulation

PERSONNEL

Draft 02/03/2022
6401.1 Replace 6401.1

ACKNOWLEDGEMENT, AUTHORIZATION AND CONSENT FORM FOR DRUG AND ALCOHOL TESTING

NAME OF APPLICANT: _____

I, _____, understand that my ability to operate a commercial motor vehicle is a condition of precedent as well as an ongoing requirement for my continued employment with the Remsen Central School District. I hereby further acknowledge that my inability to operate a commercial motor vehicle shall be grounds for my termination from the District.

I understand that the District utilizes the services of Oneida-Herkimer-Madison BOCES (OHM BOCES) to conduct all services related to drug and alcohol testing and any other necessary services needed to comply with Federal and New York State Commercial Drivers License requirements, and agree to comply with OHM BOCES related to testing.

I further understand that drug testing means that a sample of my urine will be collected and tested for the presence of prohibited drugs or their metabolites, and that alcohol testing means that a sample of my breath will be taken and tested for evidence of alcohol.

Consent to Information Sharing From Prior Employers

By signing this Form, I authorize all prior employers or organizations where I applied for employment to provide the District with information about the results of prior drug or alcohol tests administered to me by those organizations, and any prior time I may have refused to submit to drug or alcohol testing. I certify that I have provided the District with complete information about who those prior employers or other organizations are, and I understand that a failure to provide complete information may also be grounds for the revocation of my employment or my conditional offer of employment.

Pre-Employment Testing

I, understand that the offer of employment that I have received from the District is conditioned upon my successful completion of pre-employment drug and alcohol testing.

- **I agree to submit samples necessary to complete pre-employment drug and alcohol testing.**
- I understand that if I do not submit the samples required for this testing the District will revoke the conditional offer of employment that has been made.
- I understand that the conditional offer of employment will be revoked if my pre-employment alcohol test registers an alcohol concentration of .02 or more.

ACKNOWLEDGEMENT, AUTHORIZATION AND CONSENT FORM
FOR DRUG AND ALCOHOL TESTING

- I understand that the conditional offer of employment will be revoked if my pre-employment drug test registers the presence of marijuana, cocaine, amphetamines, phencyclidine, or opioids (including hydrocodone, oxycodone, hydromorphone, oxymorphone, or other synthetic opioids), alone or in any combination, that has not been prescribed for me by an appropriate health care professional with assurance that taking the medication as prescribed will not affect my safe performance of my job duties.

Testing During Employment

I acknowledge that I have been provided with a copy of the District's Policy establishing a drug and alcohol testing program for employees in CDL-required positions.

- I understand that the District's Policy has been adopted to help ensure the safety of District students and the public, and to comply with the requirements of both federal and state law.
- I understand that if my pre-employment drug and alcohol test results are satisfactory and I become a regular employee of the District, my continued employment will be subject to the District's Policy, and **by signing this form I am agreeing to comply with the Policy and related procedures.**
- I understand that, consistent with federal and state law, I will be required as a condition of my employment in a CDL-required position to undergo random, reasonable suspicion, post-accident, return-to-duty, and follow-up drug and alcohol testing.
- I understand that if the results of any drug or alcohol test administered during my employment is not acceptable (as described above), I will be subject to discipline, including the possibility of termination of employment.
- I understand that if I do not complete a drug or alcohol test protocol in an acceptable manner during my employment, I will be subject to discipline, including the possibility of termination of employment.

I also acknowledge receipt from the District regarding information concerning the effects of alcohol and controlled substances use on an individual's health, work, and personal life; signs and symptoms of an alcohol or controlled substances problem (the driver's or co-worker's); and available methods of intervening when an alcohol or controlled substance problem is suspected, including confrontation, referral to any employee assistance program, and/or referral to management.

**General Consent for Limited Queries of the Federal Motor Carrier Safety Administration
("FMCSA") Drug and Alcohol Clearinghouse**

By signing this form, I consent to the District to conduct a query through the OHM BOCES of the FMCSA Commercial Driver's License Drug and Alcohol Clearinghouse ("Clearinghouse") to determine whether drug and alcohol violation information about me exists

PERSONNEL

ACKNOWLEDGEMENT, AUTHORIZATION AND CONSENT FORM
FOR DRUG AND ALCOHOL TESTING

in the Clearinghouse. This consent is unlimited and shall remain in effect for the duration of my employment with the District.

I further understand that if I refuse to provide consent for the District to conduct a query of the Clearinghouse, the District must prohibit me from performing safety-sensitive functions, including driving a commercial motor vehicle, as required by FMCSA’s drug and alcohol program regulations.

I understand that if the query conducted through the Clearinghouse indicates that drug and alcohol violation information about me exists in the Clearinghouse, FMSCA will not disclose the information to the District without first obtaining an additional consent from me.

I further acknowledge that if the query conducted by the District indicates that drug and alcohol violation information about me exists in the Clearinghouse and I refuse or fail to provide specific consent for the District to receive that information, it shall be grounds for termination from the District.

Discovery of prior drug and alcohol violation information may, but does not necessarily, disqualify an individual from being employed by the District. Administration has the final authority as to discipline and/or termination in conjunction with requirement of District policies, including but not limited to the Drug and Alcohol Testing (Transportation) policy, including termination or other disciplinary actions.

Signature: _____ Date: _____

Witness: _____ Date: _____

Remsen Central School District
Approved by the Superintendent: 06/20/17, _____
Adopted: 12/19/95

INFECTION CONTROL PROGRAM

I. Statement of Policy

The Remsen Central School District (the District) seeks to provide to each of its employees a place of employment which is free from recognized hazards and which will provide reasonable and adequate protection to the lives, safety or health of its employees. ~~II. Therefore, it is the policy of the Remsen Central School District that a written~~ Infection Control Program, based on New York State Department of Health, New York State Education Department and OSHA (PEOSH) guidelines, be established for all personnel who may come into direct contact with body fluids.

II.-A. Risk Categories

~~The Remsen Central School~~ District shall identify employees at substantial risk of direct contact with body fluids in accordance with the following exposure guidelines. The ~~District~~ Superintendent shall set forth in regulation those employees by category.

A1. Category I

Tasks That Involve Exposure to Blood, Body Fluids or Tissues

All procedures or other job-related tasks that as part of a normal and regular work routine involve an inherent potential for mucous membrane or skin contact with blood, body fluids, or tissues, or a potential for spills or splashes of them, are Category I tasks. Use of appropriate protective measures should be required for every employee engaged in Category I tasks.

Category I employees shall be provided with an Infection Control Training Program and the offer of a Hepatitis B vaccine in amounts and at times prescribed by medical practice.

B2. Category II

Tasks That Involve No Exposure to Blood, Body Fluids or Tissues, but Employment May Require Performing Unplanned Category I Tasks

The normal work routine does not involve exposure to blood, body fluids, or tissues, but exposure or potential exposure may be required as a condition of employment. Appropriate protective measures should be readily available to every employee engaged in Category II tasks.

PERSONNEL

INFECTION CONTROL PROGRAM

Category II employees shall be provided with an Infection Control Training Program and be informed about the post-exposure vaccine only.

C3. Category III

Tasks That Involve No Exposure to Blood, Body Fluids or Tissues, and Category I Tasks Are Not a Condition of Employment

The normal work routine does not involve exposure to blood, body fluids, or tissues (although situations can be imagined or hypothesized under which anyone, anywhere, might encounter potential exposure to body fluids). Persons who perform these duties are not called upon as part of their employment to perform or assist in emergency medical care of first-aid or to be potentially exposed in some other way. Tasks that involve handling of implements and utensils, use of public or shared bathroom facilities or telephones, and personal contacts such as handshaking are Category III tasks.

Category III employees may be provided with an Infection Control Training Program at the discretion of the Superintendent.

III. ~~The Infection Control Program will consist of the following:~~

B. A1. Training

1a. The Infection Control Training Program shall include as a minimum:

- a1. An explanation of blood-borne diseases, specifically Hepatitis B/HIV epidemiology, transmission and prevention.
- b2. General and universal precautions to prevent transmission of infectious diseases, including an explanation of the availability, use and limitations of protective equipment.
- c3. A review of work practices to reduce exposure to blood-borne pathogens or other infectious agents.
- d4. Reporting and follow-up procedures for employee exposures.

INFECTION CONTROL PROGRAM

- e5. Advantages and disadvantages of Hepatitis B (HBV) vaccination.
- f6. Information on the availability of resources and services.
- 2b. Infection Control training shall be provided once initially and annual refresher training shall be provided thereafter to at least those employees identified as Category I or II employees.
- 3e. The Superintendent or his/her designee shall maintain employee education/training records that include the date of training, content, names and social security numbers of all persons in attendance.
- B2. Program
- The ~~Remsen Central School~~ District shall establish a program to disseminate information on the availability and administration of the HBV vaccine, and shall maintain records of vaccinations. The Superintendent or his/her designee shall document the offer and acceptance/refusal of the HBV vaccine.
- C3. Evaluation and Management
- The Superintendent or his/her designee shall be responsible for establishing procedures for the evaluation and management of each incident of employee mucous membrane or parenteral (e.g. needle stick or cut) exposure to blood/body fluids. Such procedures shall provide for the documentation of such incidents and follow-up measures.
- D4. Equipment and Materials
- The Superintendent or his/her designee shall be responsible for establishing procedures to provide all materials and protective equipment necessary to implement and sustain an effective control program in the school environment.
- E5. Medical Waste
- The Superintendent or his/her designee shall be responsible for establishing procedures pertaining to the storing, packaging, labeling and transporting of regulated medical waste according to regulations.

INFECTION CONTROL PROGRAM

F6. Confidentiality

The procedures established herein shall also recognize the confidentiality requirements applicable to the medical status and records of District employees.

G7. Review

The Superintendent or his/her designee shall review the infection control program and its implementation on an annual basis.

Remsen Central School District

Legal Ref: New York State Labor Law, Article 2, Section 27(a)(3a)(1)

Adopted: 05/19/92

Revised: 06/20/17, _____

PERSONNEL

PROFESSIONAL GROWTH AND REIMBURSEMENT OF EXPENSES

I. Statement of Policy

Staff members are encouraged to participate in professional organizations, conventions and meetings. It is the policy of the Board of Education to permit attendance at such meetings which not only add to the professional growth and development of the individual, but also have potential for the continued improvement of the instructional program of the entire Remsen Central School District.

II. Sharing of Learning/Growth Opportunity

Individuals attending such meetings will be expected to share their experiences with others through participation in in-service opportunities, as well as grade level, departmental and general faculty meetings.

III. Availability of Funds

The amount of money available for such purposes will always be limited and therefore not everyone will be able to attend all worthwhile opportunities meetings and conventions. However, careful planning and prudent expenditure will provide for maximum participation. It is in this regard that the following criteria have been developed and will be utilized for the approval of such requests.

- A. In general, attendance will be limited to state meetings of professional, instructional, and curriculum organizations within a distance of approximately five hundred (500) miles.
- B. While attendance will usually be limited to one representative from a given department, grade level, et cetera, exceptions may be granted when meetings are held in this area or if the meetings are unusually worthwhile.
- C. Each teacher may be authorized to spend at least one day per year observing educational practices in another school provided the visitation has a direct relationship to the teacher's academic area.
- D. All requests should be made to the Building Principal at least thirty days prior to the date of attendance and shall be subject to his approval and shall bear the Superintendent's approval.
- E. The forms "Application for Authorization" and "Travel Reimbursement Form" shall be used.

Remsen Central School District

Adopted: 12/15/92

Revised: 06/20/17, _____

REGULATION

New Draft 11/7/22
0013.1

GENERAL COMMITMENTS

Required if Policy Option 2 is chosen.
TITLE IX GRIEVANCE PROCESS

- V. Dismissal
- A. The complaint shall be dismissed for purposes of Title IX, only, if:
 - 1. the alleged conduct in the formal complaint would not constitute sexual harassment as defined in § 106.30 of Title IX, even if proved;
 - 2. the alleged conduct did not occur in the recipient's education program or activity;
 - 3. or, the alleged conduct did not occur against a person in the United States.
 - B. Dismissal under Title IX and this Policy does not preclude the District from taking action under another policy or the Code of Conduct.
- VI. Informal Resolution
- A. At any time prior to a written determination being made, the District may facilitate an Informal Resolution (IR) between the parties.
 - B. Procedures of the IR process must be provided to the parties in writing and must include notice that:
 - 1. at any time prior to agreeing to a resolution, any party has the right to withdraw from the IR process and resume the grievance process with respect to the formal complaint;
 - 2. if a resolution is reached, the parties will be precluded from resuming the formal complaint process arising from the same allegations;
 - 3. the District obtains the parties' voluntary, written consent to the IR process; and
 - 4. the IR process is not available to resolve allegations that an employee sexually harassed a student.
 - C. Parties are not required to go through the IR process and engaging in the IR process cannot be made a condition of employment, enrollment, continued employment, or continued enrollment.
- VII. Fact Finding
- A. Upon receiving a written complaint, the Coordinator shall log the report, acknowledge in writing or email its receipt, and conduct a fact-finding inquiry designed to determine whether, under a **preponderance of the evidence** standard, the allegations in the complaint are true.
 - B. The Coordinator may lead the investigation, or designate a third-party as the Investigator. Any designated third-party must have undergone annual Title IX training.

REGULATION

New Draft 11/7/22
0013.1

GENERAL COMMITMENTS

Required if Policy Option 2 is chosen.

TITLE IX GRIEVANCE PROCESS

- C. The fact-finding inquiry should begin promptly after receiving the complaint, and be pursued with sufficient diligence to reach a conclusion within thirty (30) days after receipt of a written report, unless good cause exists. If an extension of time is needed, the Complainant and Respondent will be promptly notified of the delay in writing or via email. Good cause for delay may include, but are not limited to: the absence of a party; the absence of a party's advisor; the absence of a witness; concurrent law enforcement activity; or the need for language assistance or accommodation of disabilities;
- D. Each person interviewed shall be reminded that they are protected by the non-retaliation provision of this Policy, and that they are bound by that provision.
- E. The inquiry should determine with as much detail as possible the sequence in which events occurred, the identity of each person involved and their respective roles, and the exact words spoken by each participant.
- F. The inquiry shall include an opportunity for any person who has been identified as possibly violating this Policy to respond to each assertion made against them.
- G. The Investigator shall evaluate all relevant evidence - including both inculpatory and exculpatory evidence – objectively. Credibility determinations may not be based on a person's status as a Complainant, Respondent, or Witness.
- H. Interviews shall be scheduled and conducted in compliance with applicable provisions of New York law and collective bargaining agreements.

VIII. Report

- A. The Investigator shall prepare a written fact-finding report describing what investigation was done, fairly summarize relevant evidence, report what conclusions have been drawn about what happened, and a recommendation regarding whether the conduct violated the District's Policy under Title IX, and, if it did, what corrective action should be taken.
- B. Before completion of the Report, both parties, and their advisors, if any, shall have an opportunity to review the Report, and any evidence subject to inspection and review.
- C. The parties shall have at least ten (10) days to submit a written response if they so choose, which the Investigator will consider prior to completing the Report, and submitting it to the Coordinator, or if the Coordinator is the Investigator, to the Decision-Maker.

IX. Decision-Maker and Determination

REGULATION

New Draft 11/7/22
0013.1

GENERAL COMMITMENTS

Required if Policy Option 2 is chosen.

TITLE IX GRIEVANCE PROCESS

- IX. Decision-Maker and Determination
- A. The Decision-Maker cannot be the Coordinator, or the designated Investigator.
 - B. The Decision-Maker must complete annual training.
 - C. Both parties shall be provided a written determination with the findings of the Decision-Maker, including any remedial or corrective action being taken by the District.
 - D. The written determination must include:
 - 1. Identification of the allegations potentially constituting sexual harassment as defined in §106.30;
 - 2. A description of the procedural steps taken from the receipt of the formal complaint through the determination, including any notifications to the parties, interviews with parties and witnesses, site visits, methods used to gather other evidence, and hearings held;
 - 3. Findings of fact supporting the determination;
 - 4. Conclusions regarding the application of the recipient's code of conduct to the facts;
 - 5. A statement of, and rationale for, the result as to each allegation, including a determination regarding responsibility, any disciplinary sanctions the District imposes on the Respondent, and whether remedies designed to restore or preserve equal access to the education program or activity will be provided to the Complainant; and
 - 6. The procedures and permissible bases for the Complainant and Respondent to appeal.
- X. Notice of Possible Remedial Measures When This Policy is Violated
- A. If an employee is found to have engaged in conduct prohibited under Title IX against another person (whether a District employee, District student, or member of the public) in the course of their employment they will be subject to discipline, up to and including termination. Such decisions will be made and implemented in accordance with other District policies (e.g. the Code of Conduct), applicable state and federal laws, and applicable collective bargaining agreements.
 - B. If a student is found to have engaged in conduct prohibited under Title IX against another person (whether a District employee, District student, or member of the public) while participating in a school activity or on school property, they will be subject to discipline. Such decisions will be made and implemented in accordance with other District policies (e.g. the Code of Conduct), the New York State Education Law, and any other applicable statutes.

REGULATION

New Draft 11/7/22
0013.1

GENERAL COMMITMENTS

Required if Policy Option 2 is chosen.

TITLE IX GRIEVANCE PROCESS

- C. If any other person is found to have engaged in prohibited harassment or discrimination against another person (whether a District employee, District student, or member of the public) while participating in a school activity or on school property they may have their future access to school activities limited, as deemed appropriate under the circumstances.
- D. Any other lawful measures may be taken if so determined by the Decision-Maker in their written determination.

XI. Right to Appeal

- A. The Coordinator must notify the other party in writing when an appeal is filed and implement appeal procedures equally for both parties.
- B. The person to whom appeals are submitted cannot be the Coordinator, a designated Investigator, or the Decision-Maker.
- C. The person reviewing written determinations on appeal must complete annual training.
- D. The appeal of the decision must be for one of the following reasons:
 - 1. Procedural irregularity that affected the outcome of the matter;
 - 2. New evidence that was not reasonably available at the time the determination regarding responsibility or dismissal was made, that could affect the outcome of the matter; or
 - 3. The Coordinator, investigator(s), or Decision-Maker(s) had a conflict of interest or bias for or against Complainants or Respondents generally or the individual Complainant or Respondent that affected the outcome of the matter.
- E. Both parties must be given a reasonable, equal opportunity to submit a written statement in support of, or challenging, the outcome.
- F. The decision on appeal must be issued to both parties describing the result and the rationale for the result.

Remsen Central School District

Legal Ref: Title IX, Education Amendments of 1972 (20 USC 1681, 45 CFR Part 86), as amended

Superintendent Approved: _____

Regulation

GENERAL COMMITMENTS

0013.2

REPORT OF POSSIBLE DISCRIMINATION OR HARASSMENT (TITLE IX)

Date: _____

Your Name: _____

Home Address: _____

Home Telephone: () _____

Work Address (if applicable): _____

Work Telephone (if applicable): () _____

Date of Alleged Incident(s): _____

Name of person(s) you believe discriminated against you: _____

List any witnesses that were present: _____

Where did the incident(s) occur? _____

Describe the incident(s) as clearly as possible, including such details as: what force, if any, was used; any verbal statements (i.e. threats, requests, demands, etc.); what, if any, physical contact was involved; what did you do to avoid the situation, etc. (Attach additional pages if necessary.)

What would you like done to correct this situation?

I hereby certify that the information I have provided in this Complaint is true, correct and complete to the best of my knowledge and belief.

Your Signature

Date

Received by: _____

Date

Remsen Central School District
Approved by the Superintendent: _____

GENERAL COMMITMENTS

NONDISCRIMINATION IN PUBLIC ACCOMMODATIONS

I. Statement of Policy

- A. The Remsen Central School District (the District) provides its programs to the public and does business with vendors without consideration of an individual's race, color, creed, religion, national origin, (regardless of English language skills), age, sex (including gender, gender identity, and sexual orientation), marital status, military or veteran status, disability, predisposing genetic characteristics, arrest record, or prior criminal convictions, except when sex or age are a bona fide occupational qualification, when a criminal conviction is related to job duties, and when an individual's religion or disability warrants reasonable accommodation. The District also provides equal access to the Boy Scouts of America and other groups designated by federal law.
- B. District facilities shall be designed, constructed, and maintained so that, when each part of the District's program is viewed in its entirety, that part of the program is readily accessible to all persons with disabilities. In addition to physical facilities, the District's website and other public-facing communication channels shall be designed and implemented to be accessible to all members of the public; provided that proposed accessibility measures do not fundamentally alter the features of the website or other communication channel, and do not result in an undue financial or administrative burden to the District; and provided further that the District shall not assume responsibility for the operation, content, or accessibility of third-party sites that may be accessed from a link on the District's website or other communication channels. Persons encountering difficulty accessing any District program or service, including physical facilities or digital communication channels, are encouraged to use the complaint process in this Policy to seek resolution of the problem.
- C. This Policy shall be interpreted and implemented so that the District complies with its obligations under Title VI of the Civil Rights Act of 1964, ~~Title IX of the Education Amendments of 1975~~, Section 504 of the Rehabilitation Act of 1973, the Americans With Disabilities Act, and the New York State Human Rights Law. This Policy does not prohibit actions that are permissible under Section 504 of the Rehabilitation Act of 1973.
- D. Any complaints alleging violations of under Title IX of the Education Amendments of 1975, as amended, shall also be reviewed under the District/BOCES Title IX Policy #0013.

II. Harassment Prohibited As A Form of Discrimination

The Compliance Coordinator is responsible for receiving, investigating, and resolving complaints of conduct that may violate this Policy and the applicable state and federal laws, as described more fully below. The Compliance Coordinator is also responsible for overseeing the implementation of corrective action when necessary, including the making of reasonable accommodations for employee disabilities.

B.

Superintendent of Schools (315) 831-3797
Elementary Principal 315-205-4300 ext. 4227
Jr./Sr. High School Principal 315-205-4300 ext. 5212

5210

shall be:

The District's Compliance Coordinator for purposes of implementing this Policy

A.

III. Compliance Coordinator

Any member of the public who feels that they have experienced prohibited discrimination or harassment should bring this to the District's attention by using the Complaint Procedure described below.

D.

When determining whether particular conduct or statements are to be classified as prohibited harassment, the District will consider the intent of the person engaging in the conduct or making the statement; however, the determining factor will be whether the person at whom the conduct or statement was directed reasonably experienced the conduct or statement as unwelcome harassment.

C.

The person is explicitly or implicitly told that they must submit to that treatment in order to receive or continue to receive access to District programs or services.

2.

It has the purpose or the effect of substantially interfering with the person's access to District programs or services, or

1.

Conduct (including verbal conduct) directed at a member of the public will be classified as harassment or discrimination in violation of this Policy if it is motivated by that person's race, color, creed, religion, national origin, age, sex (including gender, gender identity, and sexual orientation), marital status, military or veteran status, disability, predisposing genetic characteristics, arrest record, or prior criminal convictions, and

B.

The District's Code of Conduct prohibits harassment and discrimination, and it applies to conduct by District employees, District students, and anyone else on school property or at a school event.

A.

NONDISCRIMINATION IN PUBLIC ACCOMMODATIONS

GENERAL COMMITMENTS

NONDISCRIMINATION IN PUBLIC ACCOMMODATIONS

- C. The Compliance Coordinator shall ensure that this Policy and the availability of the complaint procedure is communicated to students, staff, and the community.
- D. The Compliance Coordinator shall recommend revisions and updates of this Policy as may be necessary.
- E. When a report complains of possible discrimination by the Compliance Coordinator, the Superintendent shall designate another school official to conduct the necessary fact-finding and make recommendations.
- F. The Compliance Coordinator, with the concurrence of the Superintendent, may appoint a special fact-finder to carry out the responsibilities of the Compliance Coordinator when the circumstances of a particular report warrant that action.
- G. The Compliance, Title IX and DASA Coordinators shall promptly inform each other of complaints that involve conduct that may violate these other District policies, for further review and investigation, if required.

IV. Complaint and Fact-finding Procedure

- A. Complaint Procedure: The Superintendent, after consultation with the Compliance Coordinator, shall promulgate a form to be used by members of the public to report conduct that may be a violation of this Policy. The Compliance Coordinator shall make sure that the form is available in all school buildings, in paper, on the District's website, and that the availability of the form is known to those who may need to use it. The use of this form is encouraged, but not required; the Compliance Coordinator shall conduct an investigation anytime a written or oral report is received that contains enough information to reasonably investigate.
 - 1. A member of the public may report possible discrimination or harassment directed at them or another person to any District administrator or directly to the Compliance Coordinator. If the report is about conduct by the Compliance Coordinator, the report may be made to the Superintendent.
 - 2. If a member of the public makes a verbal report, they shall be asked to make a written report and told of the availability of the Report form.
 - 3. If the report is made to a District administrator, that administrator is responsible to forward the report to the Compliance Coordinator.
- B. Fact-finding Inquiry: Upon receiving a report of a possible violation of this Policy, the Compliance Coordinator shall log the report and conduct an investigation designed to determine with a reasonable degree of probability what actually

GENERAL COMMITMENTS

NONDISCRIMINATION IN PUBLIC ACCOMMODATIONS

transpired, whether there has been a violation of the Policy, and what, if any, remedial action is appropriate.

1. The fact-finding inquiry should begin promptly after receiving the complaint, and be pursued with sufficient diligence to reach a conclusion within a reasonably prompt time frame.
 2. The inquiry should determine with as much detail as possible the sequence in which events occurred, the identity of each person involved and their respective roles, and the exact words spoken by each participant.
 3. The inquiry shall include an opportunity for any person who has been identified as possibly violating this Policy to respond to each assertion made against them.
 4. Interviews shall be scheduled and conducted in compliance with applicable provisions of New York law.
 5. The Compliance Coordinator shall analyze and document the available evidence to support reliable decisions, objectively evaluate the credibility of parties and witnesses, synthesize all available evidence, and take into account the unique and complex circumstances of each case.
 6. Each person interviewed shall be reminded that they are protected by the non-retaliation provision of this Policy, and that they are bound by that provision.
- C. Resolution: The Compliance Coordinator shall prepare a written report with findings of fact and conclusions as to whether the facts support a finding of responsibility for violation of this Policy, and, if it did, what corrective action should be taken. Conclusions shall be based upon a preponderance of the evidence gathered.
1. If the determination is that this Policy has not been violated, the person who made the report, and each person whose conduct was challenged, shall be told of that determination verbally and in writing. The person who made the report shall be told of the option to have the determination reviewed.
 2. If the determination is that this Policy has been violated, the person who made the report of possible discrimination shall be told of that determination verbally and in writing and, consistent with the confidentiality accorded to student and personnel records, told that appropriate corrective action has been taken to deter any repetition of the offending conduct. The person

GENERAL COMMITMENTS

NONDISCRIMINATION IN PUBLIC ACCOMMODATIONS

whose conduct violated the Policy shall have that explained to them, shall be told of the corrective action being taken by the District, and shall be told of the option to have the determination reviewed.

- D. Confidentiality: It shall be explained to anyone making a report or providing information about a report that the District does not reveal information about reports or the investigation process except to the extent necessary to fulfill its legal obligations to make as complete an inquiry as possible and to take appropriate corrective action when discrimination has occurred.
- E. Immediate Corrective Action: The Superintendent has the discretion to implement immediate corrective action pending the completion of a fact-finding inquiry to protect an individual when the Superintendent concludes that the circumstances of a particular complaint warrant that action.
- F. Review of Coordinator's Determination: If a person who initiated a report of possible discrimination, or a person whose conduct was challenged by a report of possible discrimination, is not satisfied with the determination of the Compliance Coordinator (or other designated investigator), they may request that the determination be reviewed by the Superintendent.
1. A request for the Superintendent to review must be made in writing, filed with the Board Clerk within 10 business days of receiving the written notice of the determination.
 2. The person requesting review shall provide a written explanation of their objection(s) to the determination, including the corrective action taken, if any.
 3. The Superintendent shall provide the written determination within 30 calendar days of receiving the written request for review.
- V. Remedial Measures When This Policy is Violated
- A. An employee found to have violated this Policy in the course of his/her employment may be subject to discipline, up to and including termination, in accordance with other District policies (e.g. the Code of Conduct) and applicable statutes and collective bargaining agreements.
- B. A student found to have violated this Policy while participating in a school activity or on school property may be subject to discipline in accordance with other District policies (e.g. the Code of Conduct), the New York State Education Law, and any other applicable statutes.

GENERAL COMMITMENTS

NONDISCRIMINATION IN PUBLIC ACCOMMODATIONS

- C. Any other person found to have violated this Policy while participating in a school activity or on school property may have their future access to school activities limited, as deemed appropriate under the circumstances.
- D. If the Compliance Coordinator determines that conduct that has been the subject of a complaint under this Policy has created a hostile environment, then the District shall implement corrective action to end the hostile environment.

VI. No Retaliation

No employee or student shall take retaliatory action, or request or cause anyone else to take a retaliatory action, against any person who, in good faith, reports information about a possible violation of this Policy to a District employee or who initiates a report or testifies or assists or participates in the investigation of a report.

VII. Training and Publication of Policy:

- A. All District employees will be notified at the beginning of each school year, or at the time of initial employment, of this Policy and the conduct expectations established by it.
- B. A summary of this Policy shall be posted as part of the District's website, and shall be distributed periodically with District publications.
- C. The Compliance Coordinator shall receive periodic training regarding the District's obligations under the applicable federal and state laws, as well as technical training in the conduct of investigations and resolution of complaints

Remsen Central School District

Legal Ref: ~~Title IX, Education Amendments of 1972 (20 U.S.C. Section 1681, 45 CFR. Part 86); Section § 504, Rehabilitation Act of 1973 (29 U.S.C. Section § 794, 45 CFR Part 84); The Americans With Disabilities Act (28 CFR 35.107(b)); Civil Rights Act of 1964, Title VI and Title VII; Americans with Disabilities Act of 1990 (42 U.S.C. Sections §§ 12101-12213, 29 C.F.R. Part 1630); Age Discrimination in Employment Act (29 U.S.C. Sections §§ 621-634); EEOC guidelines (29 CFR Part 1609.1 and 1609.2); and NYS Human Rights Law, (Article 15, NYS Executive Law).~~

POLICY

Draft 11/7/22

0015

GENERAL COMMITMENTS

NONDISCRIMINATION IN PUBLIC ACCOMMODATIONS

Cross Ref: Title IX Grievance Process, 0015-1, Report of Possible Discrimination; Code of Conduct; Nondiscrimination in Employment; Prohibition of Discrimination, Harassment and Bullying; Nondiscrimination in Educational Services

Adopted: 04/26/94

Revised: 08/14/12, 04/14/15, 02/26/19, _____

Reviewed: 01/14/20

Policy #	As Presented, Delete, Additional Revisions
6600	Revise: phone extensions on p.3 for principals 4227 and 5210 respectively
6600.1	As presented
7203	As presented
7204	Revise: phone extensions on p.2 for principals 4227 and 5210 respectively
0013	highlight on p.4 = the office
0013.1	highlight on p.3 = preponderance of the evidence
0013.2	*I asked for this form as there is currently not a separate Title IX form to use
0015	p.1 typo in B. = two periods, phone extensions on p.2 for principals 4227 and 5210 respectively

ENC 6.2

PERSONNEL

Policy is Required

PROHIBITION OF DISCRIMINATION AND HARASSMENT
(INCLUDING SEXUAL HARASSMENT) IN EMPLOYMENT

I. Statement of Policy

- A. The Remsen Central School District (the District) makes decisions regarding employment without consideration of an individual's race (including but not limited to hair texture and protective hair styles), color, creed, religion, national origin (regardless of English language skills), age, sex (including gender, gender identity, and sexual orientation), marital status, military or veteran status, disability, predisposing genetic characteristics, arrest record, or prior criminal convictions, except when sex or age are a bona fide occupational qualification, when a criminal conviction is related to job duties, and when an individual's religion or disability warrants reasonable accommodation.
- B. Our commitment to provide employment without discrimination includes recruiting, employment decisions, promotion opportunities, compensation, fringe benefits, workplace conditions, workplace discipline, and termination decisions.
- C. This Policy shall be interpreted and implemented so that the District complies with its obligations under Titles VI and VII of the Civil Rights Act of 1964, Title IX of the Education Amendments of 1975, Section 504 of the Rehabilitation Act of 1973, the Americans With Disabilities Act, the Age Discrimination in Employment Act, Section 201-g of the New York Labor Law, and the New York State Human Rights Law. This Policy does not prohibit actions that are permissible under Section 504 of the Rehabilitation Act of 1973.
- D. An employee with a condition that is defined as a disability, or with a history of such a condition, and who is otherwise qualified to perform the essential functions of the position, shall not be denied any employment opportunity or benefit. When a reasonable accommodation will permit an applicant or employee to perform the essential functions of the position, the District will provide a reasonable accommodation that does not impose an undue burden upon the District.
- E. Any complaints alleging violations of Title IX of the Education Amendments of 1975, as amended, shall also be reviewed under the District/BOCES Title IX Policy #0013.

II. Harassment Prohibited As A Form of Discrimination

- A. The District's Code of Conduct prohibits harassment, bullying and discrimination, and it applies to conduct by District employees, District students, and anyone else on school property or at a school event.

Policy is Required**PROHIBITION OF DISCRIMINATION AND HARASSMENT
(INCLUDING SEXUAL HARASSMENT) IN EMPLOYMENT**

- B. Conduct (including verbal conduct) directed at an employee or any other person on school property or at a school-sponsored event will be classified as harassment or discrimination in violation of this Policy if it is motivated by that person's race (including but not limited to hair texture and protective hair styles), color, creed, religion, national origin, age, sex (including gender, gender identity, and sexual orientation), marital status, military or veteran status, disability, predisposing genetic characteristics, arrest record, or prior criminal convictions, and
1. It has the purpose or the effect of substantially interfering with the person's work performance; or
 2. The person is explicitly or implicitly told that they must submit to that treatment in order to receive or continue to receive employment opportunities; or
 3. A decision by the District about that person's employment is influenced by whether that person has submitted to the treatment or objected to it.
- C. Also prohibited, as sexual harassment, is the making of unwanted sexual advances, the making of any requests for sexual favors, and subjecting another person to any touching, teasing or other verbal communication of a sexual nature. The following describes some of the types of acts that may be unlawful sexual harassment:
1. Physical assaults of a sexual nature, such as:
 - a. Rape, sexual battery, molestation, or attempts to commit these assaults.
 - b. Intentional or unintentional physical conduct which is sexual in nature, such as touching, pinching, patting, grabbing, brushing against another employee's body, or poking another employee's body.
 2. Unwanted sexual advances, propositions or other sexual comments, such as:
 - a. Requests for sexual favors accompanied by implied or overt threats concerning the victim's job performance evaluation, a promotion, or other job benefits or detriments;

Policy is Required

PROHIBITION OF DISCRIMINATION AND HARASSMENT
(INCLUDING SEXUAL HARASSMENT) IN EMPLOYMENT

- b. Subtle or obvious pressure for unwelcome sexual activities;
 - c. Sexually oriented gestures, noises, remarks, jokes, or comments about a person's sexuality or sexual experience which are sufficiently severe or pervasive to create a hostile work environment.
3. 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.
- D. When determining whether particular conduct or statements are to be classified as prohibited harassment, the District will consider the intent of the person engaging in the conduct or making the statement; however, the determining factor will be whether the person at whom the conduct or statement was directed reasonably experienced the conduct or statement as unwelcome harassment.
 - E. Any employee who feels that they have experienced prohibited discrimination or harassment should bring this to the District's attention by using the Complaint Procedure described below. Administrators and other supervisors who observe conduct that might constitute harassment, including sexual harassment, are required to report that conduct to the Compliance Coordinator.
 - F. An employee, including supervisors and managers, who subject another employee to harassment, including sexual harassment, will be subject to disciplinary consequences, consistent with applicable laws and collective bargaining agreements.
 - G. Conduct that occurs away from school property, such as on social media or at after-hours events, may violate this policy if it has a prohibited workplace impact.

III. Compliance Coordinator

- A. The District's Compliance Coordinator for purposes of implementing this Policy shall be:

Elementary Principal 315-205-4300 ext. 4426 ~~4227~~

Jr./Sr. High School Principal 315-205-4300 ext. ~~5212~~ ~~5210~~

- B. The Compliance Coordinator is responsible for receiving, investigating, and resolving complaints of conduct that may violate this Policy and the applicable

PERSONNEL

Policy is Required

PROHIBITION OF DISCRIMINATION AND HARASSMENT
(INCLUDING SEXUAL HARASSMENT) IN EMPLOYMENT

state and federal laws, as described more fully below. The Compliance Coordinator is also responsible for overseeing the implementation of corrective action when necessary, including the making of reasonable accommodations for employee disabilities.

- C. The Compliance Coordinator shall ensure that this Policy and the availability of the complaint procedure is communicated to students, staff, and the community.
- D. The Compliance Coordinator shall recommend revisions and updates of this Policy as may be necessary.
- E. When a report complains of possible discrimination by the Compliance Coordinator, the Superintendent shall designate another school official to conduct the necessary fact-finding and make recommendations.
- F. The Compliance Coordinator, with the concurrence of the Superintendent, may appoint a special fact-finder to carry out the responsibilities of the Compliance Coordinator when the circumstances of a particular report warrant that action, and the special fact-finder shall fulfill the responsibilities of the Compliance Coordinator described in this policy.
- G. The Compliance, Title IX, and DASA Coordinators shall promptly inform each other of complaints that involve conduct that may violate these other District policies, for further review and investigation, if required.

IV. Complaint and Fact-finding Procedure

- A. Complaint Procedure: The Superintendent, after consultation with the Compliance Coordinator, shall promulgate a form to be used by employees to report conduct that may be a violation of this Policy. The Compliance Coordinator shall make sure that the form is available in all school buildings, in paper, on the District's website, and that the availability of the form is known to those who may need to use it. The use of this form is encouraged, but not required; the Compliance Coordinator shall conduct an investigation anytime a written or oral report is received that contains enough information to reasonably investigate.
 - 1. An employee or other adult may report possible discrimination or harassment directed at them or another employee or other adult to the employee's supervisor or directly to the Compliance Coordinator. If the report is about conduct by the Compliance Coordinator, the report may be made to the Superintendent.

PERSONNEL

Policy is Required**PROHIBITION OF DISCRIMINATION AND HARASSMENT
(INCLUDING SEXUAL HARASSMENT) IN EMPLOYMENT**

2. If an employee makes a verbal report, they shall be asked to make a written report and told of the availability of the Report form.
 3. If the report is made to the employee's supervisor, the supervisor is responsible to forward the report to the Compliance Coordinator.
- B. **Fact-finding Inquiry:** Upon receiving a report of a possible violation of this Policy, the Compliance Coordinator shall log the report and conduct a timely investigation designed to determine with a reasonable degree of probability what actually transpired, whether there has been a violation of the Policy, and what, if any, remedial action is appropriate.
1. The fact-finding inquiry should begin promptly after receiving the complaint, and be pursued with sufficient diligence to reach a conclusion within ~~thirty (30) calendar days~~ a reasonably prompt timeframe.
 2. The inquiry should determine with as much detail as possible the sequence in which events occurred, the identity of each person involved and their respective roles, and the exact words spoken by each participant.
 3. The inquiry shall include an opportunity for any person who has been identified as possibly violating this Policy to respond to each assertion made against them.
 4. Interviews shall be scheduled and conducted in compliance with applicable provisions of New York law and collective bargaining agreements.
 5. The Compliance Coordinator shall analyze and document the available evidence to support reliable decisions, objectively evaluate the credibility of parties and witnesses, synthesize all available evidence, and take into account the unique and complex circumstances of each case.
 6. Each person interviewed shall be reminded that they are protected by the non-retaliation provision of this Policy, and that they are bound by that provision.
- C. **Resolution:** The Compliance Coordinator shall prepare a written report with findings of fact and conclusions as to whether the facts support a finding of responsibility for violation of this Policy, and, if it did, what corrective action should be taken. Conclusions shall be based upon a preponderance of the evidence gathered.

Policy is Required**PROHIBITION OF DISCRIMINATION AND HARASSMENT
(INCLUDING SEXUAL HARASSMENT) IN EMPLOYMENT**

1. If the determination is that this Policy has not been violated, the person who made the report, and each person whose conduct was challenged, shall be told of that determination verbally and in writing. The person who made the report shall be told of the option to have the determination reviewed.
 2. If the determination is that this Policy has been violated, the person who made the report of possible discrimination shall be told of that determination verbally and in writing and, consistent with the confidentiality accorded to student and personnel records, told that appropriate corrective action has been taken to deter any repetition of the offending conduct. The person whose conduct violated the Policy shall have that explained to them, shall be told of the corrective action being taken by the District, and shall be told of the option to have the determination reviewed.
- D. **Confidentiality:** It shall be explained to anyone making a report or providing information about a report that the District does not reveal information about reports or the investigation process except to the extent necessary to fulfill its legal obligations to make as complete an inquiry as possible and to take appropriate corrective action when discrimination has occurred.
- E. **Immediate Corrective Action:** The Superintendent has discretion to implement immediate corrective action pending the completion of a fact-finding inquiry to protect an individual when the Superintendent concludes that the circumstances of a particular complaint warrant that action.
- F. **Review of Coordinator's Determination:** If a person who initiated a report of possible discrimination, or a person whose conduct was challenged by a report of possible discrimination, is not satisfied with the determination of the Compliance Coordinator (or other designated investigator), they may request that the determination be reviewed by the Superintendent.
1. A request for the Superintendent to review must be made in writing, filed with the Board Clerk within ten (10) business days of receiving the written notice of the determination.
 2. The person requesting review shall provide a written explanation of their objection(s) to the determination, including the corrective action taken, if any.

PERSONNEL

Policy is Required

PROHIBITION OF DISCRIMINATION AND HARASSMENT
(INCLUDING SEXUAL HARASSMENT) IN EMPLOYMENT

3. The Superintendent shall provide the written determination within thirty (30) calendar days of receiving the written request for review.

V. Remedial Measures When This Policy is Violated

- A. An employee found to have violated this Policy in the course of their employment may be subject to discipline, up to and including termination, in accordance with other District policies (e.g. the Code of Conduct) and applicable statutes and collective bargaining agreements.
- B. A student found to have violated this Policy while participating in a school activity or on school property will be subject to discipline in accordance with other District policies (e.g. the Code of Conduct), the New York State Education Law, and any other applicable statutes.
- C. Any other person found to have violated this Policy while participating in a school activity or on school property may have their future access to school activities limited, as deemed appropriate under the circumstances.
- D. If the Compliance Coordinator determines that conduct that has been the subject of a complaint under this Policy has created a hostile environment, then the District shall implement corrective action to end the hostile environment.

VI. No Retaliation

No employee or student shall take retaliatory action, or request or cause anyone else to take a retaliatory action, against any person who, in good faith, reports information about a possible violation of this Policy to a District employee, who initiates a report or encourages another person to initiate a report, testifies or assists or participates in the investigation of a report, or complaint by the District or a governmental agency.

VII. Training and Publication of Policy:

- A. All District employees will be provided with a copy of this Policy. Online access to a printable copy of this Policy will satisfy this requirement.
- B. A summary of this Policy shall be posted as part of the District's website, and shall be distributed periodically with District publications.
- C. The Compliance Coordinator shall receive periodic training regarding the District's obligations under the applicable federal and state laws, as well as technical training in the conduct of investigations and resolution of complaints.

Policy is Required**PROHIBITION OF DISCRIMINATION AND HARASSMENT
(INCLUDING SEXUAL HARASSMENT) IN EMPLOYMENT**

All District employees shall receive training regarding the District's prohibition of discrimination and harassment, including sexual harassment, at least once each year, in an interactive format. Newly hired employees shall receive training as soon as practicable.

VIII. Other Available Remedies for Unlawful Discrimination and Harassment, including Sexual Harassment:

- A. In addition to this Policy, District employees and other persons visiting or doing business with the District are protected from discrimination and harassment, including sexual harassment, by New York State and federal law. There also may be applicable local laws.
- B. The New York State Human Rights Law prohibits discrimination in employment and public accommodations, including sexual harassment. Your rights can be enforced by a complaint filed with the New York State Division of Human Rights or by filing a complaint in New York State Supreme Court.
 1. You may learn more about your rights under the Human Rights Law by calling the Division's toll-free telephone number (888-392-3644) or visiting the Division's website (www.dhr.ny.gov).
 2. You may file a complaint with the Division within one year of the event you feel was harassment. You do not need a lawyer to file a complaint with the Division. The Division will investigate your complaint and make a determination whether unlawful harassment occurred. If a public hearing is required, the Division will provide an attorney. The Division may seek monetary damages on your behalf.
 3. You may start a lawsuit in Supreme Court within three years of the event you feel was harassment. You can start a lawsuit yourself (pro se), but you should retain a lawyer who is familiar with court procedures.
- C. Federal laws, including Title VII of the Civil Rights Act of 1964, also prohibit discrimination in employment and public accommodation, including sexual harassment. Your rights can be enforced by filing a charge of discrimination with the United State Equal Employment Opportunity Commission (EEOC).
 1. You may learn more about your rights under federal law by calling the EEOC's toll-free number (800-669-4000) or visiting the EEOC's website (www.eeoc.gov).

Policy is Required

PROHIBITION OF DISCRIMINATION AND HARASSMENT
(INCLUDING SEXUAL HARASSMENT) IN EMPLOYMENT

- 2. You may file a charge with the EEOC within three hundred (300) days of the event you feel was harassment. You do not need a lawyer to file a charge with the EEOC.
 - 3. The EEOC will investigate your charge. If it determines that unlawful discrimination occurred, the EEOC will attempt to obtain a remedy on your behalf through a conciliation process. If that is not successful, you will be given a right to sue in court.
- D. If you are subjected to unwanted physical touching, coerced physical confinement, or unwanted sex acts, the conduct may constitute a crime and you should consider contacting the local police department.

Remsen Central School District

Legal Ref: ~~Title IX, Education Amendments of 1972 (20 USC 1681, 45 CFR Part 86); Section §504, Rehabilitation Act of 1973 (29 USC 794, 45 CFR Part 84); The Americans With Disabilities Act (28 CFR 35.107(b)); Civil Rights Act of 1964, Title VI and Title VII; Americans with Disabilities Act of 1990 (42 USC 12101-12213, 29 CFR Part 1630); Age Discrimination in Employment Act (29 USC 621-634); 34 CFR §106.9; EEOC guidelines (29 CFR Part 1609.1 and 1609.2); NYS Human Rights Law, (Article 15, NYS Executive Laws); and NYS Labor Law §201-g.~~

Cross Ref: ~~Title IX Grievance; 0015, Nondiscrimination in Public Accommodations Policy; 1004, Code of Conduct Policy; 0015.1, Report of Possible Discrimination or Harassment; 7203, Prohibition of Discrimination, Harassment and Bullying Policy; 7204, Nondiscrimination in Educational Services Policy~~

Adopted: 02/26/19

Revised: _____

Regulation

Draft 11/7/22
6600.1

PERSONNEL

REPORT OF POSSIBLE DISCRIMINATION OR HARASSMENT

Date: _____

Your Name: _____

Home Address: _____

Home Telephone: _____

Work Address (if applicable): _____

Work Telephone (if applicable): _____

Date of Alleged Incident(s): _____

Name of person(s) you believe discriminated against you: _____

List any witnesses that were present: _____

Where did the incident(s) occur? _____

Describe the incident(s) as clearly as possible, including such details as: what force, if any, was used; any verbal statements (i.e. threats, requests, demands, etc.); what, if any, physical contact was involved; etc. (Attach additional pages if necessary.)

I hereby certify that the information I have provided in this Complaint is true, correct and complete to the best of my knowledge and belief.

Your Signature

Date

Received by: _____

Date

Remsen Central School District

Approved by the Superintendent: 02/26/19, _____

STUDENTS

PROHIBITION OF DISCRIMINATION, HARASSMENT AND BULLYING (DASA)

I. Statement of Policy

- A. No student shall be subjected to harassment or bullying (as defined below) by employees or students on school property or at a school function.
- B. No student shall be subjected to discrimination based on a person's actual or perceived race, (including but not limited to hair texture and protective hair styles), color, weight, national origin, ethnic group, religion, religious practice, disability, sexual orientation, gender, (including gender identity or expression), or sex by another student or a school employee on school property or at a school function. This Policy does not prohibit a denial of admission into, or an exclusion from, a course of instruction that is permissible under the New York State Education Law and Federal Title IX of the Education Amendments of 1972; nor does it prohibit actions that are permissible under Section 504 of the Rehabilitation Act of 1973.
- C. The goal of this Policy is to create a school environment that is free from harassment, bullying, and discrimination. This Policy shall be interpreted and implemented so that the District complies with its obligations and responsibilities under Article 2 of the New York State Education Law (Dignity for All Students Act).
- D. Anyone who feels that they have experienced prohibited discrimination, harassment or bullying should bring this to the District's attention by using the Complaint Procedure described below.
- E. Any complaints alleging violations of Title IX of the Education Amendments of 1975, as amended, shall also be reviewed under the District Title IX Policy #0013.

II. Definition of Harassment and Bullying

- A. Conduct (including verbal conduct) directed at a student will be classified as harassment or bullying if it creates a hostile environment and also has one of the following effects:
 - 1. the conduct has or would have the effect of unreasonably and substantially interfering with either
 - a. the student's educational performance, opportunities, or benefits, or
 - b. the student's physical, emotional, or mental well-being, or

STUDENTS

PROHIBITION OF DISCRIMINATION, HARASSMENT AND BULLYING (DASA)

2. the conduct causes, or would reasonably be expected to cause, the student to fear for the student's physical safety, or
 3. the conduct causes, or would reasonably be expected to cause physical injury, or
 4. the conduct causes, or would reasonably be expected to cause harm to the student's emotional well-being through the creation of a hostile school environment ~~that is so severe, or so pervasive,~~ that it substantially and unreasonably interferes with the student's education.
- B. Conduct that occurs off school property will be classified as a violation of this Policy if it creates, or foreseeably would create, a risk of substantial disruption within the school environment.
- C. Conduct that occurs through electronic communication will be classified as a violation of this Policy if it otherwise fits the definition set forth in this section.

III. Strategy to Prevent Harassment, Bullying, and Discrimination

With the objective of preventing acts of harassment, bullying, or discrimination from interfering with any student's educational opportunities or sense of safety in school, the District will implement the procedures described in this Policy to:

- A. Expand student and employee awareness of the problem;
- B. Train staff and instruct students about appropriate, non-discriminatory behavior;
- C. Respond to reports of conduct that may violate this Policy; and
- D. Implement corrective and restorative measures as appropriate; when unacceptable conduct occurs.

IV. Dignity Act Coordinators

- A. The Principal of each school building is designated as the District's Primary Dignity Act Coordinator for that school building. The Board's action appointing an individual to the position of Principal shall constitute the Board's appointment of that person as a Dignity Act Coordinator. The Board may appoint additional Dignity Act Coordinators.

STUDENTS

PROHIBITION OF DISCRIMINATION, HARASSMENT AND BULLYING (DASA)

- B. The name and contact information for each Dignity Act Coordinator shall be publicized as follows:
- listing such information in the Code of Conduct posted on the District's website;
 - including such information in the plain language summary of the Code of Conduct provided to all persons in parental relation to students before the beginning of each school year;
 - including such information in at least one mailing per school year to parents and persons in parental relation, and in additional mailings if the information changes;
 - posting such information in a highly visible location in each school building; and
 - making such information available at the District office and each school building office.

The publication of this information shall also inform students and persons in parental relation to students that the Dignity Act Coordinator is available to speak with them if they have witnessed possible discrimination or harassment or bullying, or if they have experienced treatment that may be prohibited discrimination or harassment or bullying.

- C. In the event a designated Dignity Act Coordinator vacates that position, the Superintendent shall immediately designate an interim Coordinator pending appointment by the Board. In the event that a Coordinator is unable to perform the duties of the position for an extended period of time, another staff member shall be immediately designated by the Superintendent as an interim Coordinator pending return of the previous Coordinator to the position. Contact information for the new Coordinator shall be distributed as provided above.
- D. The Dignity Act Coordinators are responsible for receiving, investigating, and resolving complaints of conduct directed at students by other students or by District employees that may violate this Policy.
1. The Dignity Act Coordinators shall maintain records of all reports of possible violations that they receive, sufficient for the District to satisfy its reporting requirements under the Education Law.

STUDENTS

PROHIBITION OF DISCRIMINATION, HARASSMENT AND BULLYING (DASA)

2. The Dignity Act Coordinators shall lead or supervise the thorough investigation of all reports of harassment, bullying, or discrimination against or directed at students, and shall ensure that the investigation is completed promptly upon receipt of the report of objectionable conduct.
 3. The Dignity Act Coordinators shall be instructed in the provisions of Article 2-A of the Education Law and thoroughly trained in methods to respond to human relations in the areas of race, (including but not limited to hair texture and protective hair styles), color, weight, national origin, ethnic group, religion, religious practice, disability, sexual orientation, gender, and sex.
 4. ~~The Dignity Act Coordinators shall inform the Compliance Coordinator of matters that involve complaints of possible discrimination, harassment, or bullying based on sex, race, color, national origin, or disability, for evaluation as possible violations of the Nondiscrimination in Educational Services Policy.~~ The Compliance, Title IX and DASA Coordinators shall promptly inform each other of complaints that involve conduct that may violate these other District policies, for further review and investigation, if required.
- E. When a report complains of possible discrimination by the Dignity Act Coordinator, the Superintendent shall designate another school official to conduct the necessary fact-finding and make recommendations.
- F. The Superintendent may appoint a special fact-finder to carry out the responsibilities of the Dignity Act Coordinator when the circumstances of a particular report warrant that action.
- V. Complaint and Investigation Procedure
- A. Report of Possible Harassment, Bullying or Discrimination: The Superintendent shall adopt a reporting form to be used for reporting conduct that may constitute a violation of this Policy. The form shall be available in all school buildings, on the District's website, and its availability shall be publicized in each school building and to the school community in general. The use of these forms is encouraged, but not required; the Dignity Act Coordinators shall conduct a fact-finding inquiry anytime a written or oral report is received that contains enough information to reasonably investigate.
1. A student may report possible harassment, bullying or discrimination directed at them or another student to any teacher, counselor, or other school personnel. If a student makes a verbal report, they shall be asked to make a

PROHIBITION OF DISCRIMINATION, HARASSMENT AND BULLYING (DASA)

written report and told of the availability of the Report form. The person to whom the report is made is also responsible for reporting in writing their conversation and other available information to a Dignity Act Coordinator. School staff shall be trained on how to receive and refer student complaints.

2. A parent, school volunteer, or other member of the public who wishes to report possible harassment, bullying, or discrimination against a student shall make the report to the Superintendent, a Dignity Act Coordinator, or any administrator or teacher. If a verbal report is made, a written report shall be requested. The person to whom the report is made is also responsible for reporting in writing their conversation and other information to a Dignity Act Coordinator.
3. District employees who either witness conduct directed at a student that may be harassment, bullying, or discrimination, or receive an oral or written report of such conduct, must report that to a Dignity Act Coordinator. The employee must make an oral report to the Dignity Act Coordinator within one school day, followed by a written report to the Dignity Act Coordinator no more than two school days after their oral report.

B. Investigation: Upon receiving a written report of possible harassment, bullying, or discrimination, the Dignity Act Coordinator shall lead or supervise an investigation designed to determine with a reasonable degree of probability what actually transpired.

1. The investigation should begin promptly after receiving the complaint, and be pursued with sufficient diligence to reach a conclusion promptly after receipt of a written report.
2. The investigation should determine with as much detail as possible the sequence in which events occurred, the identity of each person involved and their respective roles, and the exact words spoken by each participant.
3. The investigation shall include an opportunity for any person who has been identified as possibly violating this Policy to respond to each assertion made against them.
4. Interviews shall be scheduled and conducted in compliance with applicable provisions of New York law.

C. Resolution: When the investigation has been completed, the Dignity Act Coordinator shall document his/her determination as to whether there has been a violation of this Policy and, if so, what corrective or restorative actions are

PROHIBITION OF DISCRIMINATION, HARASSMENT AND BULLYING (DASA)

appropriate. Actions may be recommended to improve school climate where an investigation concludes that there has not been a violation of this Policy or the Code of Conduct, but that school climate can be improved by taking the recommended steps.

1. If the determination is that this Policy has not been violated, the person who made the report, and each person whose conduct was challenged, shall be told of that determination. The person who made the report shall be told of the option to have the determination reviewed.
 2. If the determination is that this Policy has been violated, the person who made the report of possible discrimination shall be told of that determination and, consistent with the confidentiality accorded to student and personnel records, told that appropriate corrective action has been taken to deter any repetition of the offending conduct. The person whose conduct violated the Policy shall have that explained to them, shall be told of the corrective action being taken by the District, and shall be told of the option to have the determination reviewed.
- D. Confidentiality: It shall be explained to anyone making a report or providing information about a report that the District does not reveal information about reports or the fact-finding process except to the extent necessary to fulfill its legal obligations to make as complete an inquiry as possible and to take appropriate corrective action when discrimination has occurred.
- E. Immediate Corrective Action: The Superintendent has discretion to implement immediate corrective action, pending the completion of a fact-finding inquiry, to protect an individual when the Superintendent concludes that the circumstances of a particular report warrant that action.
- F. Review of Coordinator's Determination: If a person who initiated a report of possible discrimination, harassment, or bullying, or a person whose conduct was challenged by a report of possible discrimination, is not satisfied with the determination of the Dignity Act Coordinator, that person may request that the determination be reviewed by the Superintendent.
1. A request for the Superintendent to review must be made in writing, filed with the Board Clerk within 10 business days of receiving the written notice of the determination.
 2. The person requesting review shall provide a written explanation of their objection(s) to the determination, including the corrective action taken, if any.

STUDENTS

PROHIBITION OF DISCRIMINATION, HARASSMENT AND BULLYING (DASA)

3. The Superintendent shall provide the written determination within 30 calendar days of receiving the written request for review.

VI. Remedial Measures When This Policy is Violated

A. School Climate

In the event an investigation reveals harassment, bullying, or discrimination, the District will take prompt action reasonably calculated to end the harassment, bullying, or discrimination, eliminate any hostile environment, create a more positive school culture and climate, prevent recurrence of the behavior, and ensure the safety of the student or students against whom such harassment, bullying, and/or discrimination was directed.

B. Individual Accountability

1. An employee found to have engaged in prohibited harassment, bullying, or discrimination against a student in the course of their employment may be subject to discipline, up to and including termination. Such decisions will be made and implemented in accordance with other District policies (e.g. the Code of Conduct) and applicable statutes and collective bargaining agreements.
2. A student found to have engaged in prohibited harassment, bullying or discrimination against another student may be subject to discipline. Such decisions will be made and implemented in accordance with other District policies (e.g. the Code of Conduct), the New York State Education Law, and any other applicable statutes.

C. Report to Law Enforcement Agency

When a Dignity Act Coordinator believes that conduct has occurred that constitutes criminal conduct, the Coordinator shall promptly notify the Superintendent, and the Superintendent shall promptly notify the appropriate law enforcement agency.

VII. Non-Retaliation

No employee or student shall take a retaliatory action, or request or cause anyone else to take a retaliatory action, against any person who in good faith reports information about a possible violation of this Policy to a District employee or to the Commissioner of Education or to a law enforcement agency, or who initiates a report or testifies or assists or participates in the investigation of a report.

STUDENTS

PROHIBITION OF DISCRIMINATION, HARASSMENT AND BULLYING (DASA)

VIII. Training and Publication of Policy

- A. All students and their families will be notified at the beginning of the school year, or at the time of enrollment, of this Policy, the conduct expectations established by it, and how they may initiate a complaint, or report possible discrimination, harassment or bullying.
- B. A summary of this Policy shall be posted as part of the District's website, and shall be distributed periodically with District publications.
- C. The Superintendent shall ensure that ~~each year~~ all District employees receive training designed to meet the following objectives:
1. discourage the development of harassment, bullying, and discrimination;
 2. make employees aware of the effects on students of harassment, bullying, cyberbullying, and discrimination;
 3. raise the awareness and sensitivity of employees to potential harassment, bullying, and discrimination;
 4. enable employees to prevent harassment, bullying, and discrimination;
 5. enable employees to respond to harassment, bullying, and discrimination;
 6. inform employees about social patterns of harassment, bullying, and discrimination, including that based on a person's actual or perceived race, (including but not limited to hair texture and protective hair styles), color, weight, national origin, ethnic group, religion, religious practice, disability, sexual orientation, gender (including gender identity or expression), or sex; and
 7. provide employees with strategies for effectively addressing the problems of exclusion, bias, and aggression in an educational setting.
- D. The Superintendent shall develop and implement guidelines:
1. for the development of nondiscriminatory instructional and counseling methods to be used by District staff;
 2. for the development of measured, balanced and age-appropriate responses to instances of harassment, bullying and discrimination by students, with

STUDENTS

PROHIBITION OF DISCRIMINATION, HARASSMENT AND BULLYING (DASA)

remedies and procedures following a progressive mode that make appropriate use of intervention, discipline and education, vary in method according to the nature of the behavior, the developmental age of the student and the student's history or problem behaviors, and are consistent with the Code of Conduct; and

3. that include safe and supportive school climate concepts in curriculum and classroom management.
- E. The District shall develop and implement a program of instruction in grades kindergarten through Grade 12 to include a component on civility, citizenship, and character education in accordance with Education Law.
1. Such component shall instruct students on the principles of honesty, tolerance, personal responsibility, respect for others, observance of laws and rules, courtesy, dignity and other traits which will enhance the quality of their experiences in, and contributions to, the community.
 2. Instruction on the principle of respect for others shall discourage acts of harassment, bullying, and discrimination.
 3. Instruction on the principle of tolerance, respect for others, and dignity shall seek to instill an awareness and sensitivity to harassment, bullying, discrimination, and civility in the relations of people of different races, (including but not limited to hair texture and protective hair styles), weights, national origins, ethnic groups, religious, religious practices, mental or physical disabilities, sexual orientation, genders (including gender identity or expression) and sexes.
 4. This shall include instruction about safe and responsible use of the internet and electronic communications.

Remsen Central School District

Legal Ref: New York State Education Law, Article 2-A and Sections §§3201 and 3201-a

Cross Ref: Title IX Grievance Process, 0015, Nondiscrimination in Public Accommodations; ~~1004~~, Code of Conduct; ~~6600~~, Nondiscrimination in Employment; ~~7204~~, Nondiscrimination in Educational Services; ~~7203-1~~, DASA Incident Reporting Form

Adopted: 02/26/19

Revised: _____

NONDISCRIMINATION IN EDUCATIONAL SERVICES

I. Statement of Policy

- A. The Remsen Central School District (the District) provides education programs and services without consideration of a student's race, (including but not limited to hair texture and protective hair styles), color, national origin (regardless of English language skills), sex (including gender, gender identity, and sexual orientation), or disability.
- B. Our commitment to provide education programs and services without discrimination includes participation in nonacademic and extracurricular services such as transportation, counseling services, student clubs, and physical education and athletics.
- C. This Policy shall be interpreted and implemented so that the District complies with its obligations under Titles VI of the Civil Rights Act of 1964, Title IX of the Education Amendments of 1975, Section 504 of the Rehabilitation Act of 1973, and the Americans With Disabilities Act. This Policy does not prohibit a denial of admission into, or an exclusion from, a course of instruction that is permissible under the New York State Education Law and Federal Title IX of the Education Amendments of 1972; nor does it prohibit actions that are permissible under Section 504 of the Rehabilitation Act of 1973.
- D. Any complaints alleging violations of Title IX of the Education Amendments of 1975, as amended, shall also be reviewed under the District Title IX Policy #0013.

II. Harassment (Bullying) Prohibited As A Form of Discrimination

- A. The District's Code of Conduct prohibits harassment, bullying and discrimination, and it applies to conduct by District employees, District students, and anyone else on school property or at a school event.
- B. Conduct (including verbal conduct) directed at a student will be classified as harassment or bullying in violation of this Policy when the conduct is sufficiently severe, pervasive, or persistent so as to interfere with or limit a student's ability to participate in or benefit from the services, activities, or opportunities offered by the District, and the conduct is based on race, (including but not limited to hair texture and protective hair styles), color, national origin, sex, or disability.
 1. Conduct that occurs off school property will be classified as a violation of this Policy if it creates, or foreseeably would create, a risk of substantial disruption within the school environment.

STUDENTS

NONDISCRIMINATION IN EDUCATIONAL SERVICES

- 2. Conduct that occurs through electronic communication will be classified as a violation of this Policy if it otherwise fits the definition set forth in this section.
- C. When determining whether particular conduct or statements are to be classified as prohibited harassment, the District will consider the intent of the person engaging in the conduct or making the statement; however, the determining factor will be whether the person at whom the conduct or statement was directed reasonably experienced the conduct or statement as unwelcome harassment.
- D. Any student who feels that they have experienced prohibited harassment should bring this to the District's attention by using the Complaint Procedure described below.

III. Compliance Coordinator

- A. The District's Compliance Coordinator for purposes of implementing this Policy shall be:

~~Superintendent of Schools~~
(315) 831-3797

Elementary Principal 315-205-4300 ext.4426 4227
Jr./Sr. High School Principal 315-205-4300 ext.5212

5210

- B. The Compliance Coordinator is responsible for receiving, investigating, and resolving complaints of conduct that may violate this Policy and the applicable federal laws, as described more fully below.
- C. The Compliance Coordinator shall ensure that this Policy and the availability of the complaint procedure is communicated to students, staff, and the community.
- D. The Compliance Coordinator shall recommend revisions and updates of this Policy as may be necessary.
- E. When a report complains of possible discrimination by the Compliance Coordinator, the Superintendent shall designate another school official to conduct the necessary fact-finding and make recommendations.
- F. The Compliance Coordinator, with the concurrence of the Superintendent, may appoint a special fact-finder to carry out the responsibilities of the Compliance Coordinator when the circumstances of a particular report warrant that action.

IV. Complaint and Fact-finding Procedure

NONDISCRIMINATION IN EDUCATIONAL SERVICES

conduct that may be a violation of this Policy. The Compliance Coordinator shall make sure that the form is available in all school buildings, in paper, on the District's website, and that the availability of the form is known to those who may need to use it. The use of this form is encouraged, but not required; the Compliance Coordinator shall conduct a fact-finding inquiry anytime a written or oral report is received that contains enough information to reasonably investigate.

1. A student may report a possible violation of this Policy directed at them or another student to any teacher, counselor, or school administrator. If a student makes a verbal report, they shall be asked to make a written report and told of the availability of the Report form. The person to whom the report is made is also responsible for reporting in writing their conversation and other available information to the Compliance Coordinator.
 2. A parent, school volunteer, or other member of the public who wishes to report a possible violation of this Policy shall make the report to the Compliance Coordinator. If a verbal report is made, a written report shall be requested. The person to whom the report is made is also responsible for reporting in writing their conversation to the Compliance Coordinator.
 3. District employees who either witness conduct directed at a student that may be a violation of this Policy, or receive an oral or written report of such conduct, must report that to the Compliance Coordinator.
- B. Fact-finding Inquiry: Upon receiving a report of a possible violation of this Policy, the Compliance Coordinator shall log the report and conduct an investigation designed to determine with a reasonable degree of probability what actually transpired, whether there has been a violation of the Policy, and what, if any, remedial action is appropriate.
1. The fact-finding inquiry should begin promptly after receiving the complaint, and be pursued with sufficient diligence to reach a conclusion within a reasonably prompt time frame.
 2. The inquiry should determine with as much detail as possible the sequence in which events occurred, the identity of each person involved and their respective roles, and the exact words spoken by each participant.
 3. The inquiry shall include an opportunity for any person who has been identified as possibly violating this Policy to respond to each assertion made against them.
 4. Interviews shall be scheduled and conducted in compliance with applicable provisions of New York law.

NONDISCRIMINATION IN EDUCATIONAL SERVICES

5. The Compliance Coordinator shall analyze and document the available evidence to support reliable decisions, objectively evaluate the credibility of parties and witnesses, synthesize all available evidence, and take into account the unique and complex circumstances of each case.
 6. Each person interviewed shall be reminded that they are protected by the non-retaliation provision of this Policy, and that they are bound by that provision.
- C. Resolution: The Compliance Coordinator shall prepare a written report with findings of fact and conclusions as to whether the facts support a finding of responsibility for violation of this Policy, and, if it did, what corrective action should be taken. Conclusions shall be based upon a preponderance of the evidence gathered.
1. If the determination is that this Policy has not been violated, the person who made the report, and each person whose conduct was challenged, shall be told of that determination verbally and in writing. The person who made the report shall be told of the option to have the determination reviewed.
 2. If the determination is that this Policy has been violated, the person who made the report of possible discrimination shall be told of that determination verbally and in writing and, consistent with the confidentiality accorded to student and personnel records, told that appropriate corrective action has been taken to deter any repetition of the offending conduct. The person whose conduct violated the Policy shall have that explained to them, shall be told of the corrective action being taken by the District, and shall be told of the option to have the determination reviewed.
- D. Coordination With DASA Coordinators: The Title IX and Compliance Coordinator(s) shall inform the appropriate DASA Coordinator of matters that require possible evaluation of the District's Prohibition of Discrimination, Harassment and Bullying Policy (DASA).
- E. Confidentiality: It shall be explained to anyone making a report or providing information about a report that the District does not reveal information about reports or the investigation process except to the extent necessary to fulfill its legal obligations to make as complete an inquiry as possible and to take appropriate corrective action when discrimination has occurred.
- F. Immediate Corrective Action: The Superintendent has discretion to implement immediate corrective action pending the completion of a fact-finding inquiry to protect an individual when the Superintendent concludes that the circumstances of a particular complaint warrant that action.

NONDISCRIMINATION IN EDUCATIONAL SERVICES

- G. Review of Coordinator's Determination: If a person who initiated a report of possible discrimination, or a person whose conduct was challenged by a report of possible discrimination, is not satisfied with the determination of the Compliance Coordinator (or other designated investigator), they may request that the determination be reviewed by the Superintendent.
1. A request for the Superintendent to review must be made in writing, filed with the Board Clerk within 10 business days of receiving the written notice of the determination.
 2. The person requesting review shall provide a written explanation of their objection(s) to the determination, including the corrective action taken, if any.
 3. The Superintendent shall provide the written determination within 30 calendar days of receiving the written request for review.

V. Remedial Measures When This Policy is Violated

- A. An employee found to have violated this Policy in the course of their employment may be subject to discipline, up to and including termination, in accordance with other District policies (e.g. the Code of Conduct) and applicable statutes and collective bargaining agreements.
- B. A student found to have violated this Policy while participating in a school activity or on school property may be subject to discipline in accordance with other District policies (e.g. the Code of Conduct), the New York State Education Law, and any other applicable statutes.
- C. Any other person found to have violated this Policy while participating in a school activity or on school property may have their future access to school activities limited, as deemed appropriate under the circumstances.
- D. If the Compliance Coordinator determines that conduct that has been the subject of a complaint under this Policy has created a hostile environment, then the District shall implement corrective action to end the hostile environment.

VI. No Retaliation

No employee or student shall take retaliatory action, or request or cause anyone else to take a retaliatory action, against any person who, in good faith, reports information about a possible violation of this Policy to a District employee or who initiates a report or testifies or assists or participates in the investigation of a report.

VII. Training and Publication of Policy:

NONDISCRIMINATION IN EDUCATIONAL SERVICES

- A. All District employees will be notified at the beginning of each school year, or at the time of initial employment, of this Policy and the conduct expectations established by it.
- B. All students and their families will be notified at the beginning of the school year, or at the time of enrollment, of this Policy, the conduct expectations established by it, and how they may initiate a complaint, or report possible discrimination, harassment or bullying.
- C. A summary of this Policy shall be posted as part of the District’s website, and shall be distributed periodically with District publications.
- D. The Compliance Coordinator shall receive periodic training regarding the District’s obligations under Title IX, Title VI, Section 504, and the ADA, as well as technical training in the conduct of investigations and resolution of complaints

Remsen Central School District

Legal Ref: ~~Title IX, Education Amendments of 1972 (20 U.S.C. Section 1681, 45 CFR. Part 86); Section § 504, Rehabilitation Act of 1973 (29 U.S.C. Section § 794, 45 CFR Part 84); The Americans With Disabilities Act (28 CFR 35.107(b)); Civil Rights Act of 1964, Title VI; Americans with Disabilities Act of 1990 (42 U.S.C. Sections§ § 12101-12213, 29 C.F.R. Part 1630);~~

Cross Ref: ~~Title IX Grievance Process; 0015, Nondiscrimination in Public Accommodations; 1004, Code of Conduct; 6600, Nondiscrimination in Employment; 7203; Prohibition of Discrimination, Harassment and Bullying; 7204.1 Report of Possible Discrimination~~

Adopted: 02/26/19

Revised: _____

GENERAL COMMITMENTS

Policy is Required
TITLE IX GRIEVANCE PROCESS

I. Statement of Policy

- A. The Remsen Central School District (the District) provides education programs and services and makes decisions regarding employment without consideration of an individual's race, color, creed, religion, national origin (regardless of English language skills), age, sex (including gender, gender identity, and sexual orientation), marital status, military or veteran status, disability, predisposing genetic characteristics, arrest record, or prior criminal convictions, except when sex or age are a bona fide occupational qualification, when a criminal conviction is related to job duties, and when an individual's religion or disability warrants reasonable accommodation. This commitment to provide education programs and services without discrimination includes participation in nonacademic and extracurricular services such as transportation, counseling services, student clubs, and physical education and athletics.
- B. This Policy addresses only sexual harassment as defined by Title IX that occurs within the educational programs and activities of the District. For harassing, discriminatory, or bullying conduct that does not meet the definition of sexual harassment under Title IX, the response by the District will be governed by relevant and applicable laws and policies.
- C. This Policy applies to all students, employees, and any third party who contracts with the District to provide services to students or employees, upon District property, or during any school program or activity.

II. Sexual Harassment as Defined in Title IX

- A. Sexual Harassment under Title IX is defined as conduct on the basis of sex that satisfies one or more of the following:
 - 1. An employee of the recipient conditioning the provision of an aid, benefit, or service of the recipient on an individual's participation in unwelcome sexual conduct (i.e. quid pro quo);
 - 2. Unwelcome conduct determined by a reasonable person to be so severe, pervasive, and objectively offensive that it effectively denies a person equal access to the recipient's education program or activity; or
 - 3. "Sexual assault" as defined in 20 U.S.C. 1092(f)(6)(A)(v), "dating violence" as defined in 34 U.S.C. 12291(a)(10), "domestic violence" as defined in 34 U.S.C. 12291(a)(8), or "stalking" as defined in 34 U.S.C. 12291(a)(30).
- B. Examples of prohibited conduct under Title IX include, but are not limited to:

POLICY

New Draft 11/7/22
0013

GENERAL COMMITMENTS

TITLE IX GRIEVANCE PROCESS

1. Treating one person differently from another in determining whether such person satisfies any requirement or condition for the provision of such aid, benefit, or service;
 2. Providing different aid, benefits, or services or provide aid, benefits, or services in a different manner;
 3. Denying any person any such aid, benefit, or service;
 4. Subjecting any person to separate or different rules of behavior, sanctions, or other treatment;
 5. Applying any rule concerning the domicile or residence of a student or applicant, including eligibility for in-state fees and tuition;
 6. Aiding or perpetuating discrimination against any person by providing significant assistance to any agency, organization, or person which discriminates on the basis of sex in providing any aid, benefit or service to students or employees;
 7. Otherwise limiting any person in the enjoyment of any right, privilege, advantage, or opportunity.
- C. Conduct that occurs away from District property or outside of District sponsored events, such as on social media or at after-hours events, may violate this policy, or other Board of Education (the Board) approved policies, if it has a prohibited school or workplace impact.
- D. This Policy does not prohibit a denial of admission into, or an exclusion from, a course of instruction that is permissible under the New York State Education Law and Federal Title IX of the Education Amendments of 1972; nor does it prohibit actions that are permissible under Section 504 of the Rehabilitation Act of 1973.

III. Title IX Coordinator

- A. The Title IX Coordinator (“Coordinator”) is responsible for receiving complaints of conduct that may violate this Policy and Title IX. The Coordinator must:
1. direct a thorough fact finding regarding those complaints;
 2. oversee the implementation of corrective action when necessary;
 3. make sure that this Policy has been publicized as required by law;
 4. keep records of all complaints, reports, written determinations, and appeals under this Policy for a period of seven (7) years, or longer if required by law; and
 5. make recommendations for updating of this Policy or any Regulations, to the (District) Superintendent.
- B. The Board appoints the following person(s) as the District Title IX Coordinator who is responsible for receiving complaints of conduct that may violate Title IX:

POLICY

New Draft 11/7/22
0013

GENERAL COMMITMENTS

TITLE IX GRIEVANCE PROCESS

Sanya Pelrah, Jr./Sr. High School Principal
Gary Winghart, Elementary School Principal

9733 Main Street, Remsen, NY 13438
315-205-4300

spelrah@remsenncsd.org
gwinghart@remsenncsd.org

- C. When conducting a Title IX Grievance Process, the Coordinator must follow this Policy and any associated Regulations that are consistent with Title IX regulations. The Coordinator is responsible for staying informed and up to date with any new or updated federal regulations and must inform the (District) Superintendent of any new or updated regulations, so that modifications to Policy or Regulations, if any, can be applied.
- D. The Coordinator shall ensure the Title IX Grievance Process is conducted anytime a written or oral report is received that contains enough information to reasonably investigate, consistent with this Policy and Title IX regulations.
- E. The name and contact information of the Coordinator shall be posted on the District website with information on how to file a complaint in person, by mail, by email, or by phone.

IV. Reporting

- A. While the District must respond to all reports it receives of sexual harassment, the Title IX Grievance Process is initiated only with the filing of a formal complaint. A "formal complaint" under Title IX is defined as a document filed by a Complainant, the Complainant's parent or guardian, or the Coordinator, alleging sexual harassment against a Respondent, and requesting that the District investigate the allegation(s) of sexual harassment.
- B. Anyone who feels that they have experienced discrimination or harassment on the basis of sex, is encouraged to bring this to the District's attention by using the form and procedures described herein and any associated Regulations approved by the (District) Superintendent.
- C. When staff becomes aware of an allegation of prohibited conduct on the basis of sex, the matter will be immediately referred to the Coordinator prior to any student or employee discipline being imposed, including any questioning of the Complainant, Respondent, or Witnesses. The Coordinator must evaluate the

- B. All District employees will be provided notice of this Policy through posting in **the office** and be provided online access via posting on the District website.
- A. The Coordinator, Investigator, Decision-Maker, and the person to whom appeals are submitted must each receive annual training in Title IX.

VII. Annual Training and Publication of Policy:

It shall be explained to anyone making a report or providing information about a report that the District does not reveal information about reports or the fact-finding process except to the extent necessary to fulfill its legal obligations to make as complete an inquiry as possible and to take appropriate corrective action when discrimination has occurred. Every person interviewed during the fact-finding inquiry shall be instructed not to discuss the complaint or the investigation with anyone else, except as may be required by law.

VI. Confidentiality

No employee or student shall take retaliatory action, or request or cause anyone else to take retaliatory action, against any person who, in good faith, reports information about a possible violation of this Policy to a District employee or to the Commissioner of Education or to a law enforcement agency, or who initiates a report, or encourages another person to initiate a report, or testifies or assists or participates in the investigation of a report or complaint by the District or a governmental agency.

V. Retaliation Prohibited

An employee, including supervisors and managers, who subject another employee, student, or member of the public to harassment, including sexual harassment or discrimination on District property or at a District sponsored event will be subject to disciplinary consequences, consistent with applicable federal and state laws and collective bargaining agreements.

- D. Administrators and other supervisors who observe conduct that might constitute harassment, including sexual harassment, are required to report that conduct to the Coordinator, Compliance Coordinator (if different than the Title IX Coordinator), or a DASA Coordinator. If an Administrator or Supervisor is uncertain who to submit the report to, they shall send it to each of the above Coordinators. The Coordinators will meet promptly to determine the next steps in resolving the complaint.
- E. An employee, including supervisors and managers, who subject another employee, student, or member of the public to harassment, including sexual harassment or discrimination on District property or at a District sponsored event will be subject to disciplinary consequences, consistent with applicable federal and state laws and collective bargaining agreements.

TITLE IX GRIEVANCE PROCESS

GENERAL COMMITMENTS

TITLE IX GRIEVANCE PROCESS

C. Training materials must be posted on the District website.

VIII. Report to Law Enforcement Agency

When a Coordinator believes that conduct has occurred that constitutes criminal conduct, the Coordinator shall promptly consult with the School Attorney and, if advised, notify the appropriate law enforcement agency.

IX. Responsibilities of the (District) Superintendent

The (District) Superintendent is authorized to supplement this Policy with any Regulations, forms, and notices they believe are necessary to implement this Policy and Title IX, and to ensure compliance with the Title IX grievance process.

X. Other Available Remedies for Unlawful Discrimination and Harassment, including Sexual Harassment

- A. In addition to this Policy, District employees and other persons visiting or doing business with the District are protected from discrimination and harassment, including sexual harassment, by New York State and federal law. There also may be applicable local laws.
- B. The New York State Human Rights Law prohibits discrimination and harassment, including sexual harassment in employment and public accommodations. Your rights can be enforced by a complaint filed with the New York State Division of Human Rights or by filing a complaint in New York State Supreme Court.
1. You may learn more about your rights under the Human Rights Law by calling the Division's toll-free telephone number (888-392-3644) or visiting the Division's website (www.dhr.ny.gov).
 2. You may confidentially contact an experienced pro-bono attorney for sexual harassment issues by calling the Division's toll-free telephone number 1-800-HARASS-3 (1-800-427-2773).
 3. You may file a complaint with the Division within one year of the event you feel was harassment. You do not need a lawyer to file a complaint with the Division. The Division will investigate your complaint and make a determination whether unlawful harassment occurred. If a public hearing is required, the Division will provide an attorney. The Division may seek monetary damages on your behalf.
 4. You may start a lawsuit in Supreme Court within three (3) years of the event you feel was harassment.
- C. Federal laws, including but not limited to Title VI and Title VII, also prohibit discrimination and harassment, including sexual harassment, in employment and public accommodation. Your rights can be enforced by filing a charge of

POLICY

GENERAL COMMITMENTS

New Draft 11/7/22
0013

TITLE IX GRIEVANCE PROCESS

discrimination with the United State Equal Employment Opportunity Commission (EEOC).

1. You may learn more about your rights under federal law by calling the EEOC's toll-free number (800-669-4000) or visiting the EEOC's website (www.eeoc.gov).
2. You may file a charge with the EEOC within three-hundred (300) days of the event you feel was harassment. You do not need a lawyer to file a charge with the EEOC.
3. The EEOC will investigate your charge. If it determines that unlawful discrimination occurred, the EEOC will attempt to obtain a remedy on your behalf through a conciliation process. If that is not successful, you will be given the right to sue in court.

- D. If you are subjected to unwanted physical touching, coerced physical confinement, or unwanted sex acts, the conduct may constitute a crime and you should consider, and are strongly encouraged, to contact law enforcement.

Remsen Central School District

Cross Ref: NonDiscrimination in Public Accommodations (0000)
Prohibition of Discrimination and Harassment Including Sexual Harassment in Employment (6000)
Prohibition of Discrimination Harassment and Bullying (DASA) (7000)
NonDiscrimination in Educational Services (7000)

Legal Ref: Title IX, Education Amendments of 1972 (20 USC 1681, 45 CFR Part 86), as amended

Adopted: _____

Regulation

New Draft 11/7/22
0013.1

GENERAL COMMITMENTS

Required if Policy Option 2 is chosen.
TITLE IX GRIEVANCE PROCESS

I. Introduction

This Regulation addresses the specific process to be completed upon the filing of a formal complaint by an individual or individuals, under Remsen Central District (the District) policy “Title IX Grievance Process” and its related requirements.

II. Complaint and Complaint Form

- A. A complaint may be submitted at any time in person, via email, or by mail.
- B. If a student or staff person makes a verbal complaint, the person receiving the complaint is responsible for reporting in writing their conversation and other available information to the Title IX Coordinator (“Coordinator”). If the verbal report is made to the Coordinator, they shall write the report out and ask the person who provided the information to review, sign, and date the written report.
- C. The Coordinator shall make sure that complaint forms are available online and in each school building, and their availability is known to those who may need to use them. The use of these forms is encouraged, but not required.
- D. If the report is about conduct by the Coordinator, the report may be made to the (District) Superintendent.
- E. The Coordinator shall review this policy and the complaint. The options available are:
 - 1. Dismissal, if the allegations, if provable, would not meet the definition of prohibited harassment under Title IX.
 - 2. Engage in an Informal Resolution (IR) process with the parties, if they have made a request in writing to do so. The IR process is not available for matters involving a student(s) and employee(s).
 - 3. Conduct fact-finding pursuant to this Policy and any associated Regulations, and after the investigation is complete, dismiss the matter should the findings not meet the definition of prohibited harassment under Title IX.
 - 4. Conduct fact-finding pursuant to this Policy and any associated Regulations, complete the Report, or review the Report from the Investigator if a third-party was designated, and provide the final Report to the Decision-Maker.

REGULATION

New Draft 11/7/22
0013.1

GENERAL COMMITMENTS

Required if Policy Option 2 is chosen.
TITLE IX GRIEVANCE PROCESS

III. Initial Meeting

- A. Upon the referral of a complaint the Coordinator shall:
1. Meet with the Complainant and provide notice of their rights and the ability to pursue this as a Title IX complaint, as well as any other applicable policies that may be available based on the allegations of the complaint. The Complainant will be offered supportive measures.
 2. If the matter was a verbal referral, have the person write down the complaint, sign, and date it. If the person refuses to submit a formal, written complaint and pursue a Title IX process, the matter will be dismissed by the Coordinator, but may be referred for investigation or discipline under a different, applicable Board of Education policy.
 3. The Coordinator will meet with the Respondent and provide the Respondent with a Notice of Rights and a copy of the complaint. The Respondent will be offered supportive measures.
 4. Both parties are entitled to have an advisor of their choice during all phases of the Title IX process, including the initial meeting with the Coordinator.
 5. Supportive measures are available to the Complainant, whether or not they choose to move forward with the Title IX process.

IV. Supportive Measures

- A. Supportive measures are to be non-disciplinary and non-punitive, offered as appropriate, and as reasonably available, and without fee or charge to the Complainant or the Respondent before or after the filing of a formal complaint or where no formal complaint has been filed.
- B. Supportive measures are meant to restore or preserve equal access to the education program or activity without unreasonably burdening the other party.
- C. Any supportive measures provided to the Complainant or Respondent must remain confidential, unless maintaining such confidentiality would impair the District's ability to provide supportive measures.
- D. The Coordinator is responsible for coordinating the effective implementation of supportive measures.

