

Shelter Island School Board of Education
Monday, September 16, 2024
Executive Session at 5:00 pm
Regular Meeting 6:00 pm, Conference Room

Kathleen Lynch, President * Katherine Rossi-Snook, Vice President
Margaret Colligan Dawn Hedberg Tracy McCarthy Karina Montalvo Anthony Rando

1. Call to Order

- 2. Executive Session** - *It is expected that the Board of Education will enter Executive Session prior to this scheduled public meeting, to discuss the employment of particular individuals in the District.*

3. Pledge of Allegiance

4. Shelter Island School Mission Statement – Engage, Explore, Empower

The following statement will be read:

We want our students to cherish our small Island community while applying and expanding their learning about, understanding of, and engagement with the wider world. To do this they must be: ethical and moral individuals; respectful and responsible communicators; creative and analytical thinkers; knowledgeable and literate readers, writers, mathematicians and scientists; participants in and audiences for art, drama, music, athletics, and other artistic, cultural, and social activities; skilled and successful workers and consumers; and committed and active citizens.

5. Visitor Questions (Specific to the agenda)

6. Consent Agenda – The Board President may seek a motion to approve and/or accept the following agenda items:

- 6.1 Approval of Minutes
a. Regular Meeting of August 26, 2024

7. Correspondence

- a. August 26, 2024: Email from Community Member re: South Fork Private School Transportation
- b. August 26, 2024: Email from Community Member re: South Fork Private School Transportation
- c. August 26, 2024: Email from Community Member re: South Fork Private School Transportation
- d. August 28, 2024: Email from Community Member re: South Fork Private School Transportation
- e. August 28, 2024: Email from Community Member re: South Fork Private School Transportation
- f. August 29, 2024: Email from Community Member re: South Fork Private School Transportation
- g. Thank You Card from Class of 2024 Graduate

8. Presentations - None

9. Personnel - The Board President requests a motion to approve and/or accept the recommendations of the Superintendent on the following Personnel Actions: 9.1 – 9.10

- 9.1 Extra Duty
 - a. Approve Tina Miller for extra duty, at her individual daily rate, retroactively for the period of August 1, 2025 through August 30, 2024, not to exceed three (3) days.
- 9.2 Home Instruction
 - a. Approve Janine Mahoney for Secondary Level Home Instruction for 1.5 hours per day, 7.5 hours per week, at a rate of \$75.10 per hour, not to exceed 22.5 hours.
 - b. Approve James Theinert for Secondary Level Home Instruction for 1.5 hours per day, 7.5 hours per week, at a rate of \$75.10 per hour, not to exceed 22.5 hours.
- 9.3 Medical Leave of Absence
 - a. Approve a medical leave of absence for Michelle Corbett, Special Education Teacher, to commence September 11, 2024 through September 30, 2024; with said period credited towards the employee's FMLA leave of absence.
- 9.4 Resignations
 - a. Accept the resignation of Tyler Gulluscio, Permanent Substitute, effective September 18, 2024, for employment in another district

- b. Accept the resignation of Tyler Gulluscio, Varsity Girls Winter Track Coach for the 2024-2025 school year, effective September 18, 2024, for employment in another district
- c. Accept the resignation of Tyler Gulluscio, Junior High Spring Track Coach for the 2024-2025 school year, effective September 18, 2024, for employment in another district

9.5 Amend Motion

- a. Amend the motion of July 10, 2024 from:

Appoint Tyler Gulluscio as Junior High Cross Country Coach for the 2024-2025 school year, at \$2,977.30

to:

Appoint Tyler Gulluscio as Junior High Cross Country Coach for the period of September 4, 2024 through September 17, 2024 at \$833.64

9.6 Additional Coach for the 2024-2025 School Year

- a. Appoint Erin Baskin as Junior High Cross Country Coach, at \$2,143.66

9.7 Additional Substitute Aide for the 2024-2025 School Year at \$110 per day

- a. Stephanie Clark
- b. Jacqueline Seltzer; pending clearance for employment by the New York State Department of Education (fingerprint initiative)

9.8 Additional Substitute Cafeteria Worker for the 2024-2025 School Year at \$110 per day

- a. Jacqueline Seltzer; pending clearance for employment by the New York State Department of Education (fingerprint initiative)

9.9 Additional Substitute Teacher for the 2024-2025 School Year at \$125 per day

- a. Melissa Frasco

9.10 Additional Volunteer Coach for the 2024-2025 School Year

- a. Matthew Dunning – Varsity Golf

10. Program - The Board President requests a motion to approve and/or accept the recommendations of the Superintendent on the following Program Actions: 10.1 – 10.2

10.1 CSE Recommendations for the 2024-2025 School Year

- a. Committee on Special Education

10.2 Second Reading and Possible Adoption of Policy

- a. Policy #5130 – Budget Adoption
- b. Policy #5670 – Records Management
- c. Policy #6480 – **NEW** Expression of Breast Milk in the Workplace
- d. Policy #6550 – Leaves of Absence
- e. Policy #7580 – **NEW** Cell Phone Use

11. Finance – The Board President requests a motion to approve and/or accept the recommendations of the Superintendent on the following Finance Actions: 11.1 – 11.3

11.1 Financial Reports

- a. Treasurer's Report – July 2024
- b. Extra Class Report – July 2024
- c. Appropriation Report
- d. Revenue Status Report
- e. Claim Auditor's Report – August 2024
- f. Payroll Audit Report – August 2024

11.2 Budget Transfers & Journal Entries

- a. Accept and approve the Budget Transfers and Journal Entries for the period of August 20, 2024 through September 10, 2024, that in accordance with Board Policy, the Superintendent has approved as well as the transfers that need specific Board approval.

11.3 Cafeteria Meal Price Changes for Adults as Per Community Eligible Provision (CEP) Required Rates

- a. Approve the Breakfast Meal price change for adults from \$3.75 to \$2.95 for the 2024-2025 school year.
- b. Approve the Lunch Meal price change for adults from \$4.51 to \$5.25 for the 2024-2025 school year.

12. Business – The Board President requests a motion to approve or accept the recommendations of the Superintendent on the following Business Actions: 12.1 – 12.3

12.1 Contracts

- a. Approve the agreement between the Board of Education of the Shelter Island Union Free School District and Out East Therapy of New York for student services. The term of said agreement shall be July 1, 2024 through June 30, 2025; and authorize the Board President to execute said agreement.

12.2 Amended Intermunicipal Agreement

- a. BE IT RESOLVED, that the Board of Education of the Shelter Island Union Free School District hereby approves the amended Intermunicipal Agreement for student transportation between the Shelter Island Union Free School District and the East Hampton Union Free School District, dated September 16, 2024; and, authorizes the President of the Board of Education to sign such agreement.

12.3 Donation

- a. Accept the donation of various school supplies, toys and games from Jack's Marine of Shelter Island, NY, valued at approximately \$20,000.

13. Facility – The Board President requests a motion to approve or accept the recommendations of the Superintendent on the following Facility Action: 13.1 – 13.2

13.1 Excess Equipment

- a. HP All-In-One 2800 - #20240008 (broken and has been replaced under warranty)
- b. Large Shredder - #20090045 (broken; needs replacement)

13.2 Emergency Expenditure

- a. Whereas on August 30, 2024, the emergency repair to ventilate the septic system located on school grounds was deemed necessary, district funds were used to make said repair without securing alternative quotations or a purchase order. Therefore, be it resolved that the Board of Education hereby approves the emergency expenditure of \$2,261.73 to Hirsch & Company, of Shelter Island, NY, made on August 30, 2024.

14. Items for Consideration

Board Committees for the 2024-2025 School Year

- a. Building & Grounds/Health & Safety Committee (Kathleen Lynch, Katherine Rossi-Snook & Anthony Rando)
- b. Audit Committee (Kathleen Lynch & Margaret Colligan)
- c. Policy Committee (Margaret Colligan & Tracy McCarthy)
- d. Wellness Committee (Karina Montalvo & Anthony Rando)
- e. Joint Professional Practice Committee (JPPC) (Margaret Colligan & Dawn Hedberg)

15. Director of Athletics, Physical Education, Health, Wellness & Personnel Report

16. Assistant Superintendent Report

17. Superintendent Report

18. Board Member Reports

19. Visitor Comments

20. Adjournment

SUBJECT: BUDGET ADOPTION

The Board will review the recommended budget of the Superintendent and seek public input and feedback regarding the recommended budget including, but not limited to, holding a public budget hearing not less than seven nor more than 14 days prior to the Annual District Meeting and Election at which the budget vote is to occur. The Board may modify the recommended budget of the Superintendent prior to its submission to District voters. Final authorization of the proposed budget is dependent upon voter approval unless a contingency budget is adopted by the Board.

The District budget for any school year, or any part of the budget, or any proposition(s) involving the expenditure of money for that school year, will not be submitted for a vote of the qualified District voters more than twice.

The District budget, once adopted, becomes the basis for establishing the tax levy on real property within the District. The District will post its final annual budget and any multi-year financial plan adopted by the Board on its website.

Contingency Budget

In the event the original proposed budget is not approved at the Annual District Meeting and Election, the Board may resubmit the original proposed budget or a revised budget for voter approval, or individual propositions may be placed before District voters, at a special meeting held on the third Tuesday of June. If the voters fail to approve the second budget submittal, or budget proposition(s), or if the Board elects not to put the proposed budget to a public vote a second time, the Board must adopt a contingency budget with a tax levy that is no greater than the prior year's levy (i.e., 0% levy growth).

The administrative component of the contingency budget is capped at the lesser of:

- a) The percent of the administrative component to the total budget in the prior year's budget, not including the capital component; or
- b) The percent that the administrative component comprised in the last proposed defeated budget for the subsequent year, not including, the capital component.

Education Law §§ 1608, 1716, 1804, 1906, 1950, 2007, 2022, 2023, 2023-a, and 2601-a
8 NYCRR §170.3

NOTE: Refer also to Policy #5110 -- Budget Planning and Development

Adoption Date

POLICY

2020

5670

Non-Instructional/Business
Operations

SUBJECT: RECORDS MANAGEMENT

The Superintendent will designate a Records Management Officer, subject to Board approval, to develop and coordinate the District's orderly and efficient records management program. Among other aspects, this program includes the legal disposition or destruction of obsolete records and the storage and management of inactive records. The Records Management Officer will work with other District officials to develop and maintain this program.

The District may create a Records Advisory Board to assist in establishing and supporting the records management program. Members of this board may include the District's legal counsel, the fiscal officer, and the Superintendent or designee, among others.

Retention and Disposition of Records

The District will retain records and dispose of them in accordance with the Retention and Disposition Schedule for New York Local Government Records (LGS-1) or as otherwise approved by the Commissioner of Education. Further, if any law specifically provides a retention period longer than that established by this schedule, the retention period established by the law will govern.

Replacing Original Records with Microforms or Electronic Images

The District will follow procedures prescribed by the Commissioner of Education to ensure accessibility for the life of any microform or electronic records that replace paper originals or micrographic copies.

Retention and Preservation of Electronic Records

The District will ensure that records retention requirements are incorporated into any program, plan, or process for design, redesign, or substantial enhancement of an information system that stores electronic records. The District will also ensure that electronic records are not rendered unusable because of changing technology before their retention and preservation requirements expire.

Arts and Cultural Affairs Law Article 57-a
8 NYCRR Part 185

Adoption Date

SUBJECT: EXPRESSION OF BREAST MILK IN THE WORK PLACE

Employees of the School District have the right to express breast milk in the workplace.

Making a Request to Express Breast Milk at Work

Employees wishing to request a room or other location to express breast milk in the workplace should do so by submitting a written request to their direct supervisor or individual designated by the School District for processing such requests. The School District will respond to this request for a room or other location to express breast milk in writing within five (5) days of its receipt of the request. In addition, the Superintendent of Schools or designee will meet with an employee who needs to express breast milk during the workday to establish a plan for providing the employee with breaks for this purpose.

Using Break Time for Breast Milk Expression

Employees will be permitted to use their paid break time or meal time to express breast milk. The School District will also provide employees with unpaid break time at least every three (3) hours for employees to express breast milk at the request of the employee. Unpaid breaks provided for the expression of breast milk will be at least twenty (20) minutes. Employees will be allowed to take a longer unpaid break if needed. Employees may opt to take shorter unpaid breaks.

Employees who work remotely have the same rights to unpaid time off for the purpose of expressing breast milk, as all other employees who perform their work in-person.

An employee will be permitted to work before or after their normal shift to make up any time used as unpaid break time to express breast milk, as long as this time falls within the normal work hours of the School District. Employees will not be required to make up their unpaid break time. In addition, an employee may voluntarily choose to continue to work while expressing breast milk in the lactation room. Time working while expressing breast milk must be compensated.

The time requested by an employee for the purpose of expressing breast milk will be provided for up to three years following childbirth.

Lactation Room Requirements

In addition to providing the necessary time during the workday, the School District will provide employees with a private room or alternative location for the purpose of breast milk expression. Space provided for breast milk expression will be close to the work area of the employee(s) using the space and will be in walking distance, and the distance to the location should not significantly extend an employee's needed break time. However, if the designated lactation room where such break will be taken is not close to an employee's work station, the provided break will be at least thirty (30) minutes.

SUBJECT: EXPRESSION OF BREAST MILK IN THE WORK PLACE (continued)

If a separate room or space is not available for lactation, the School District may use a vacant office or other available room on a temporary basis. This room must not be accessible to the public or other employees while an employee is using it for breast milk expression. The space provided for breast milk expression cannot be a restroom or toilet stall.

A separate space may not be available for every nursing employee. The School District may dedicate a single room or other location for breast milk expression. Should more than one employee at a time require access to a lactation room, the School District may dedicate a centralized location to be used by all employees.

As a last resort, an available cubicle may be used for breast milk expression. A cubicle can only be used if it is fully enclosed with a partition and is not otherwise accessible to the public or other employees while being used for breast milk expression. The cubicle walls must be at least seven feet tall to insure the employee's privacy.

In the event the School District would suffer undue hardship in providing a space in accordance with the above requirements, the school District will still provide a room or other location (other than a restroom or toilet stall) that is in close proximity to the work area where an employee can express breast milk in privacy and that meets as many of the requirements as possible. Undue hardship is defined as "causing significant difficulty or expense when considered in relation to the size, financial resources, nature, or structure of the employer's business." Notwithstanding the foregoing, the School District will not deny an employee the right to express breast milk in the workplace due to difficulty in finding a location.

To ensure privacy, if the lactation room has a window, it must be covered with a curtain, blind or other covering. In addition, the lactation space should have a door equipped with a functional lock. If this is not possible (such as in the case of a fully enclosed cubicle), as a last resort, an employer must utilize a sign advising the space is in use and not accessible to other employees or the public.

The room or other location must:

- Be close to an employee's work area
- Provide good natural or artificial light
- Be private – both shielded from view and free from intrusion
- Have accessible, clean running water nearby
- Have an electrical outlet (if the workplace is supplied with electricity)
- Include a chair
- Provide a desk, small table, desk, counter or other flat surface

SUBJECT: EXPRESSION OF BREAST MILK IN THE WORK PLACE (continued)

The space designated for expressing breast milk must be maintained and clean at all times.

If a refrigerator is available in the building in which the employee is assigned, the employee will be permitted to use the refrigerator to store breast milk. However, the School District is not responsible for and cannot ensure the safekeeping of expressed milk stored in any refrigerator in the workplace. Employees are required to store all expressed milk in closed containers and bring milk home each evening.

Complaints

The School District will not discriminate against an employee who chooses to express breast milk in the workplace.

If an employee believes that they are experiencing retaliation for expressing breast milk in the workplace, or that their employer is in violation of this policy, the employee may contact the New York State Department of Labor's Division of Labor Standards at 1-888-52-LABOR, via email at LSAsk@labor.ny.gov, or by personally filing a complaint at the nearest Labor Standards office. A list of office is available at dol.ny.gov/location/contact-division-labor-standards. Complaints are confidential.

In addition to such other rights the employee may have, the employee may exercise their rights under the federal PUMP Act by filing a complaint with the U.S. Department of Labor. Information concerning an employee's rights under the PUMP Act can be found at dol.gov/agencies/whd/pump-at-work.

The School District will notify all employees in writing through email or printed memo when a room or other location has been designated for breast milk expression. The School District will provide this policy in writing to all employees when they are hired and on an annual basis at the start of the school year. Employers are also required to provide the policy to employees as soon as they return to work following the birth of a child.

Cross Ref: 0100 Equal Opportunity

Ref: 29 USC §218d (Breastfeeding Accommodations in the Workplace)
Labor Law §206-c

Adopted:

SUBJECT: LEAVES OF ABSENCE

In general, leaves of absence will be administered by the Superintendent. The Board reserves the right to grant leaves of absence for purposes or under conditions not contemplated or considered in the policy statement. Where a leave of absence is falsely requested or improperly used, the Board may undertake appropriate disciplinary action. The purpose or conditions of a leave of absence may not be altered except by permission of the Superintendent, as expressed in writing.

Leaves of Absence, Contractual, Et Al.

- a) Employees who are members of a negotiating unit:

Authorization is granted to approve requests for leaves of absence submitted in accordance with provisions of contracts in effect between the District and each bargaining unit.

- b) Employees who are not members of a negotiating unit:

Authorization is granted to approve requests for leaves of absence submitted by these employees where the requests are consistent with provisions of contracts in effect between the District and the bargaining unit most compatible with the employment status of the employee.

- c) Employees who are under contract to the District:

Authorization is granted to implement provisions for leaves of absence contained in each contract.

Leaves of Absence, Unpaid, Not Covered Above

- a) Subject to limitations enumerated in this policy statement, authorization is granted for the following unpaid leaves of absence:

1. For a period of time not to exceed one school year for approved graduate study, this leave to include any required internship experience.
2. At the expiration of a paid sick leave of absence, this leave may be extended for a period of time not longer than the end of the school year after the school year in which the paid leave of absence began.

- b) Unpaid leaves of absence cannot be used to extend vacation periods, to take vacations, to engage in other occupations, or to provide additional personal leaves, except that the Superintendent will have discretion, where circumstances warrant, to approve leaves of absence for those purposes.

- c) Unpaid leaves of absence will not be granted unless the services of a substitute employee, satisfactory in the discretion of the Superintendent, can be secured.

(Continued)

SUBJECT: LEAVES OF ABSENCE (Cont'd.)

- d) Except where it interferes with an employee's legal or contractual rights, the timing of unpaid leaves of absence will be granted at the convenience of the District.

Other Leaves of Absence

Other leaves of absence include, but are not limited to, the following:

- a) Emergency Service Volunteer Leave

Upon presentation of a written request from the American Red Cross and with the approval of the Superintendent, employees certified by the American Red Cross as disaster volunteers will be granted leave from work with pay for up to 20 days in any calendar year to participate in specialized disaster relief operations. This leave will be provided without loss of seniority, compensation, sick leave, vacation leave, or other overtime compensation to which the volunteer is otherwise entitled.

- b) Screenings for Cancer

Employees will be granted up to four hours of paid leave on an annual basis to undertake a screening for cancer. This leave will be excused leave and will not be charged against any other leave to which the employee is entitled.

- c) Blood Donation

The District must either, at its option:

1. Grant three hours of unpaid leave of absence in any 12-month period to an employee who seeks to donate blood off-premises. The leave may not exceed three hours unless agreed to by the Superintendent or designee; or
2. Allow its employees without use of accumulated leave time to donate blood during work hours at least two times per year at a convenient time and place set by the Superintendent or designee, including allowing an employee to participate in a blood drive at the District.

Leave taken by employees at a District-designated donation alternative (such as a District-sponsored blood drive at the workplace) must be paid leave that is provided without requiring the employee to use accumulated vacation, personal, sick, or other leave time.

The District will not retaliate against an employee for requesting or obtaining a leave of absence under this section. Additional leaves for the purpose of blood donation under any other provision of law will not be prevented.

(Continued)

Personnel

SUBJECT: LEAVES OF ABSENCE (Cont'd.)

d) Bone Marrow Donation

Employees seeking to undergo a medical procedure to donate bone marrow will be granted leaves to do so, the combined length of the leaves to be determined by the physician, but may not exceed 24 work hours unless agreed to by the Superintendent or designee. The District will require verification for the purpose and length of each leave requested by the employee for this purpose.

The District will not retaliate against an employee for requesting or obtaining a leave of absence under this section. Additional leaves for the purpose of bone marrow donation under any other provision of law will not be prevented.

e) Breastfeeding/Lactation

The District will provide paid break time for thirty minutes, and permit the use of existing paid break time or meal time for time in excess of thirty minutes, to allow an employee to express breast milk for their nursing child each time the employee has reasonable need to express breast milk for up to three years following childbirth.

Upon employee request, the District will designate a room or other location to be used by the employee to express breast milk which will be in close proximity to the work area, well lit, shielded from view, and free from workplace or public intrusion. The location will, at a minimum, contain a chair, a working surface, nearby access to clean running water, and an electrical outlet. The location will not be a restroom or toilet stall. The District will provide access to refrigeration for the purposes of storing expressed milk.

If the sole purpose of the location is not dedicated for use by employees to express breast milk, the location will be made available to employees when needed and will not be used for any other purpose while in use. The District will provide notice to all employees as soon as practicable when the location has been designated for use by employees to express breast milk.

At the employee's option, the District will allow the employee to work before or after their normal shift to make up the amount of time used during the unpaid break time(s) so long as the additional time requested falls within the District's normal work hours.

The District will provide a written notification regarding the rights of nursing employees to express breast milk in the workplace to each employee upon hire, annually thereafter, and to employees returning to work following the birth of a child. This notice will be based on a written policy developed by the Commissioner of Labor and will at a minimum:

1. Inform employees of their rights pursuant to law;

(Continued)

Personnel

SUBJECT: LEAVES OF ABSENCE (Cont'd.)

2. Specify how a request may be submitted to the District for a room or other location for use by an employee to express breast milk;
3. Require the District to respond to requests within a reasonable time frame that is not to exceed five business days.

The District will not discriminate or retaliate against an employee who chooses to express breast milk in the workplace.

f) Witnesses or Victims of Crimes

The District will grant an unpaid leave of absence to an employee, who is a victim of or a witness to a criminal offense, that is required or chooses to appear as a witness, consult with the district attorney, or exercise their rights as provided in the Criminal Procedure Law, the Family Court Act, and the Executive Law.

To use this leave, the employee must provide notice of the need for leave at any time prior to the actual day of leave. The District is permitted to ask the party who sought the attendance or testimony of the employee to provide verification of the employee's service. Employees will not be penalized or discharged for absences by reason of a required appearance as a witness in a criminal proceeding, or consultation with the district attorney, or exercising their rights as provided under the law.

g) Victims of Domestic Violence

Unless the absence would cause an undue hardship to the District, the District will provide reasonable accommodations to employees who are victims of domestic violence who must be absent from work for a reasonable time in accordance with law.

An employee availing themselves of this leave must provide the District with reasonable advance notice, unless providing this notice is not feasible. An employee unable to provide reasonable advance notice must, within a reasonable time after the absence, provide a certification to the District when requested.

To the extent allowed by law, the District will maintain the confidentiality of any information related to an employee's status as a victim of domestic violence.

h) Military Leave

The District will comply with state and federal laws regarding military leave and re-employment.

(Continued)

SUBJECT: LEAVES OF ABSENCE (Cont'd.)

i) Jury Duty

As provided by law, any employee who is summoned to serve as a juror and who notifies the District to that effect prior to their term of service will not, on account of absence by reason of jury service, be subject to discharge or penalty. The District will ensure that all absences for this purpose are granted in accordance with law and the terms of any applicable collective bargaining agreement.

j) Voting

Employees who are registered voters and have four consecutive hours either between the opening of the polls and the beginning of their working shift, or between the end of their working shift and the closing of the polls, will be deemed to have sufficient time to vote and will therefore not be eligible for paid leave to vote in any election.

Employees who are registered voters, and do not have sufficient time outside of their working hours to vote in any election, may without loss of pay for up to two hours, take so much time off as will, when added to their voting time outside of their working hours, enable them to vote. The employee will be allowed time off for voting only at the beginning or the end of their working shift, as the District may designate, unless otherwise mutually agreed.

Employees requiring working time off to vote must notify the District not more than ten or less than two working days before the day of the election.

The District must post a notice informing employees of their right to leave in order to vote not less than ten working days before an election and until polls close on election day. This notice will be conspicuously posted in a place where it can be seen by employees as they come and go to their place of work.

29 USC Section 218d

Uniformed Services Employment and Reemployment Rights Act of 1994 (USERRA), 38 USC Sections 4301-4333

Civil Service Law Sections 71-73 and 159-b

Education Law Sections 1709(16), 2509(6), 2573(12), 3005, 3005-a and 3005-b

Election Law Section 3-110

Executive Law Section 296(22)

General Municipal Law Sections 92, 92-c, and 92-d

Judiciary Law Sections 519 and 521

Labor Law Sections 202-a, 202-i, 202-j, 202-l, and 206-c

Military Law Sections 242 and 243

Penal Law Section 215.14

Adoption Date

Students

SUBJECT: CELL PHONE USE

The Board of Education recognizes that cell phones are valuable and important communication devices in today's society, however, the use of cell phones during the instructional day distracts from the learning process.

For the purpose of this policy, cell phones are defined as: cell phones, tablets, electronic watches, tracking devices, iPads, video game consoles or any other device which has the capability to send/receive messages, take pictures or record video/audio.

Exceptions to this policy can be made at the discretion of the Superintendent. Note: Specific IEP/504 accommodations may supersede this policy.

Grades K-5

Cell phone use is prohibited during the instructional day.

Grades 6-12

Unless given explicit directions for instructional purposes by faculty or administration, cell phone usage is restricted on campus during instructional time. Students will place their cell phone in a container in each class before the class begins. Cell phone use is permitted during passing time in between periods and in the cafeteria during their scheduled lunch period, however, recording video, taking photos or recording conversations without the permission of all involved are expressly prohibited.

All Students

Students may use personal cell phones on the bus, before or after school hours where it will not serve as a distraction to educational activities including teams, clubs or other school sanctioned programs. When using a cell phone on District property, the following applies:

- Cyberbullying will not be tolerated. Engaging in cyberbullying during school hours or during any school sponsored event will result in disciplinary action.
- Inappropriate use of social media or cell phones, such as vulgar pictures, text messages, or videos, etc. will not be permitted.
- At no time is livestreaming permitted during the instructional day.
- The student is solely responsible for their cell phone.
- Cell phones are not to be used or displayed in the cafeteria for grades K-5.
- Cell phones are not to be used or displayed in restrooms, locker rooms or any location where there is an expectation of privacy.
- Pictures are not to be taken without the consent of those in the picture.

(Continued)

SUBJECT: CELL PHONE USE (Cont'd.)

- Audio or video recording is not to take place without the knowledge of all being recorded. The only exception is when a student has permission from a faculty member to appropriately do so.
- Cell phones are to be powered off during any and all testing.
- Unauthorized recordings are to be deleted in the presence of a district administrator.

It is permissible to record during a school play or sporting event where there is no expectation of privacy. In addition, class syllabi may govern the acceptable use of a cell phone during class time at the secondary level.

During instructional time, students will place their cell phones in the classroom container. If cell phones are being used during class time or inappropriately, the following may occur:

- Warning to student.
- Notification to parent.
- Confiscation of device: Confiscated items will be returned to the student at the end of the day or to the parent/guardian.
- Privilege revocation – the student may lose their right to bring a cell phone to school.
- Additional disciplinary measures – as deemed appropriate by the superintendent/principal. This may include detention, suspension or expulsion.

Adoption Date: