

# CLARENCE CENTRAL SCHOOL DISTRICT

## EMPLOYEE HANDBOOK



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## **SECTION A: INTRODUCTORY SECTION**

### **A:1 WELCOME**

We are pleased to welcome you as a valued employee of the Clarence Central School District. Without the important support services you render, it would not be possible to provide the quality educational programs currently offered in our district.

This Employee Handbook was designed to furnish basic information about your employment. The information contained in the handbook does not replace or supersede Board of Education policies or collective bargaining agreements, but rather serves as a starting point to answer general questions you may have. Please take the time to read through the book to become familiar with its content.

We want you to be successful in your assignment. Should you have any questions or concerns not addressed in the handbook, you may contact your immediate supervisor or call the Human Resources Office at (716) 407-9107.

Best wishes for a very successful and rewarding school year as we strive to fulfill the promise of our motto, "Together We Make Learning A Way of Life."

Human Resources

407-9107

## **SECTION A: INTRODUCTORY SECTION**

### **A:2 THE COMMUNITY WE SERVE**

A school system reflects the values and beliefs of the community it serves for it is only with the support and dedication of concerned citizens that schools are established and sustained. To appreciate how effectively the Clarence Schools District meets the needs of the community, it is helpful to first understand a little bit about the Town of Clarence.

Native Americans who inhabited this area when it was a heavily forested wilderness referred to it as Ta-num-no-ga-o, or place full of hickory bark. The town of Clarence was established in 1808, making it the oldest town in Erie County and, at 52 square miles, it is also one of the largest.

Today, Clarence is a thriving, rural-suburban community located just a few miles northeast of Buffalo, New York. Despite its size, Clarence has managed to maintain its small-town charm. Land use is still primarily agricultural and residential, although the presence of natural resources generates some light industry. With a variety of quaint shops, fairs and markets, the town is also a haven for antique dealers and shoppers.

The town is made up of several distinct neighborhoods, each with its own unique characteristics. Originally called Ransom Grove after Asa Ransom who first settled here in 1796, Clarence Hollow is the oldest Settlement in the town. The community of Harris Hill in the western section of the town derives its name from Asa Harris, another early settler who arrived here in 1807.

David Van Tine who operated a store at the corner of Goodrich and Clarence Center Road first settled the hamlet of Clarence Center in 1829. Swormville was named for Adam Schworm who operated a store on the east side of Transit Road. In 1841 Anson Wolcott settled in the northernmost section of the town now known as Wolcottsburg.

Following World War II, Clarence experienced its greatest residential expansion. Census records indicate there were about 3,000 people residing in the town in 1900. By 1950 the population had doubled and just ten years later the figure had doubled again. Today the population is about 32,000.

The community has high aspirations for its children and the Clarence School District is committed to meeting those expectations. Its natural beauty, the character of its neighborhoods, and its fine schools make Clarence a wonderful place to work and raise a family.

## **SECTION A: THE INTRODUCTORY SECTION**

### **A:3 CLARENCE CENTRAL SCHOOL DISTRICT**

Tradition, innovation and teamwork are hallmarks of the Clarence Central School District. Although formally established in 1946, the District can trace its roots back to 1805 when early settlers built the first schoolhouse in a small clearing near what is now the intersection of Ransom Road and Main Street. That pioneer spirit, willingness to work together and a steadfast commitment to high standards continue to be key to Clarence's success.

The school system is an integral part of the community, providing an outstanding education to approximately 4,000 students who reside in Clarence and portion of the neighboring towns of Amherst, Lancaster and Newstead.

Facilities are among the most modern and best equipped anywhere. In November 2014 the Clarence community approved two capital projects. One resulted in the repair and maintenance of all six school buildings as well as the bus garage and maintenance area. The second installed artificial turf on the Clarence High School football stadium field, as well as the baseball and softball fields and renovation of the all-surface track. A multi-use turf field was also installed in the softball outfield.

Clarence educators have acted in advance of state requirements in initiating programs that support student success. In addition to a commitment to quality first teaching and a close monitoring of individual student progress, these services include the availability of extended academic time, Regents review classes, teacher and peer tutoring sessions as well, as other services that address barriers to academic progress.

Periodic reviews of the curriculum and overall educational objectives assure that our students not only meet, but also exceed, state and national requirements. The district encourages and supports professional growth and development opportunities for teachers and staff. Competent, talented, and dedicated teachers develop diverse, unique learning experiences that enhance the core academic program.



## **SECTION A: INTRODUCTORY SECTION**

### **A:4 DISTRICT STRATEGIC PLAN**

In carrying out the District's mission, school personnel are guided by the Clarence Strategic Plan. Originally developed in 1993, the Strategic Plan includes commonly held beliefs about education, a mission statement, motto, objectives, strategies, and action plans. Annual reviews ensure that the Plan remains relevant and reflects changes as they occur in society, technology, community expectations, and state and federal mandates.

### **A:5 MISSION STATEMENT**

*“It is the mission of the Clarence Central School District to produce independent, lifelong learners who are responsible, contributing members of a diverse society.”*

### **A:6 MOTTO**

*“Together We Make Learning a Way of Life”*

### **A:7 ROLE OF EMPLOYEES IN SCHOOL SYSTEM**

You are an essential partner in the educational operation of the Clarence Central School District and, as such, you serve as a role model for students within the system. This is an important responsibility.

Your dress and grooming should be appropriate to your position. As a district employee, you often provide the public the first and sometimes only impression of the school district. You may greet the public by telephone or in person. Information must be accurate and should always be exchanged in a courteous manner. Complaints or criticism should be handled with tact. If you are uncertain how to handle a situation, please speak with your principal or supervisor. It is also expected you show the same courtesy and respect to your fellow employees.

### **A:8 CONFIDENTIAL INFORMATION**

In the course of performing your duties, you may have access to information about school business, students, tests, other employees, and records that should be considered confidential. If you are uncertain, do not release information prior to consulting with your principal or supervisor.

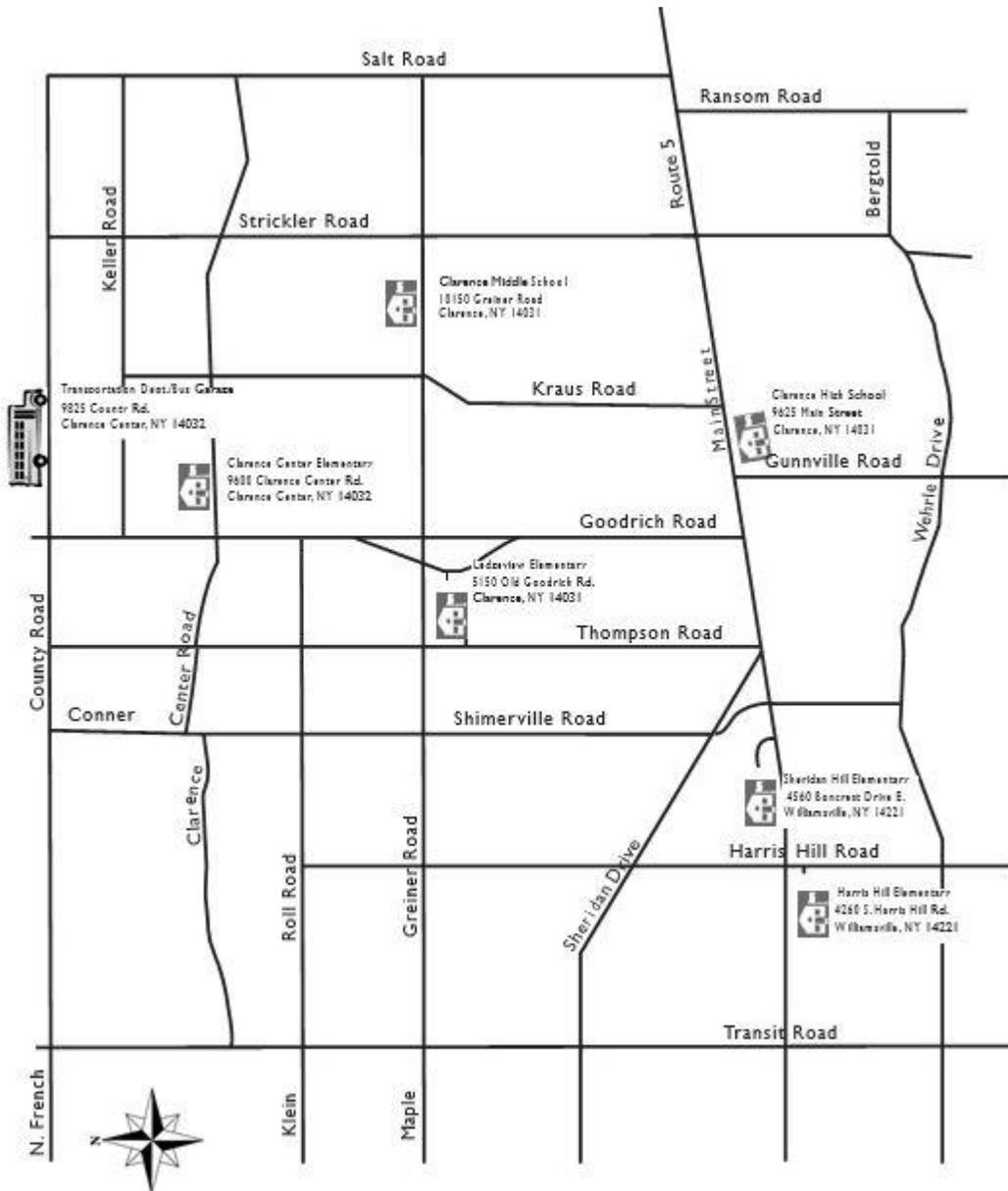
# SECTION A: INTRODUCTORY SECTION

## **A:10 DISTRICT TELEPHONE DIRECTORY: ALL NUMBERS BEGIN WITH PREFIX 407**

<b>-DISTRICT OFFICE-</b>		<b>-ELEMENTARY SCHOOLS-</b>	
<p><b>Switchboard</b> ..... 9100</p> <p><b>Superintendent of Schools</b> ..... 9102 Matthew Frahm, Ed.D. Secretary: Megan Sutton</p> <p><b>Assistant Superintendent of Curriculum and Instruction</b> ..... 9109 Kristin Overholt Ed.D. Secretary: Melissa Byrd</p> <p><b>Director of Curriculum</b> Kathryn Greene ..... 9108</p> <p><b>TOSA</b> Kate Celej ..... 9005</p> <p><b>Director of Special Education and Pupil Personnel Services</b> ..... 9105/9104 Jill Snuszka Secretaries: Lauren Whalen, Luann Holland</p> <p><b>Asst. Directors of Special Education</b> ..... 9105/9104 Mary Jo Dunkle and Krista George</p> <p><b>Assistant Superintendent for Human Resources</b> 9107 Robert Michel Secretaries: Hope Jankowiak, Angela DiSalvo Payroll: Grace Boyd-Pollack ..... 9012 Health Benefits: Sara Galluch ..... 9014</p> <p><b>Assistant Superintendent for Finance and Operations</b> Patricia Grupka ..... 9013 Secretary: Kara Woeppel ..... 9013 Treasurer: Matthew Mielowski ..... 9011 Deputy Treasurer: Sharon Karl ..... 9016 Purchasing: Ashley Fohrd ..... 9015 Accounting: Jennifer Smith ..... 9017 Community Education: Karrah Becker. . . 9100</p> <p><b>Director of Health, P.E. and Athletics</b> ..... 9043 Jason Lehmbeck Secretary: Stacy Evans</p> <p><b>Technology</b> ..... 9140 Help Desk</p>	<p><b>Harris Hill Elementary</b> ..... 9175 Robert Boccaccio, Principal Secretary: Christine Giroux</p> <p><b>Ledgeview Elementary</b> ..... 9275 Keith E. Kuwik, Principal Secretary: Joelle Cavaretta</p> <p><b>Sheridan Hill Elementary</b> ..... 9250 Jenna Arroyo, Principal Secretary: Jill Ameis</p>		
<b>-DISTRICT SUPPORT-</b>		<b>-SECONDARY SCHOOLS-</b>	
<p><b>Supervisor of Transportation</b> ..... 9500 Linda Forster Clerk/Head Bus Driver: Kimberly Petrie</p> <p><b>Superintendent of Buildings &amp; Grounds</b> ..... 9131 Brian Logel Secretaries: Sue Maryniewski, Lynn DeBoth</p> <p><b>Food Service</b> ..... 9095 Joan DiBartolmeo</p>	<p><b>Clarence Middle School</b> ..... 9200 Ashley Dreibelbis, Principal Secretary: Tammy Derkovitz ..... 9206 Attendance ..... 9209 Nurse ..... 9223</p> <p><b>Grade 6 House (Green)</b> ..... 9210 Elizabeth Chelus, House Principal Secretary: Ramona Hales</p> <p><b>Grade 7 House (Blue)</b> ..... 9214 Christopher Kilmartin, House Principal Secretary: Dahlia O'Brien</p> <p><b>Grade 8 House (Red)</b> ..... 9205 Ashley Dreibelbis, House Principal Secretary: Denise Englert</p> <p><b>Clarence High School</b> ..... 9020 Kenneth J. Smith, Principal Secretary: Heather Cwilinski Julie Mampe, Assistant Principal ..... 9024 Robert Coniglio, Assistant Principal ..... 9028 Secretary: Irene Peterson Athletics ..... 9043 Sports Hotline ..... 9058 Attendance ..... 9026 Guidance ..... 9030 Nurse ..... 9029 Music ..... 9040</p> <p><b>School Closing Hotline</b> ..... 9129</p>		

# SECTION A: INTRODUCTORY SECTION

## A:11 BUILDING SITES AND ADDRESSES





# SECTION A: INTRODUCTORY SECTION

## A:13 2025-2026 EMPLOYEE CALENDAR

July 2025						
S	M	T	W	T	F	S
					▼	4
6	7	8	9	10	11	12
13	14	15	16	17	18	19
20	21	22	23	24	25	26
27	28	29	30	31		

**CLARENCE CENTRAL  
SCHOOL DISTRICT**  
EMPLOYEE CALENDAR  
2025/2026

Paid Holidays  
10 and 12 Month Employees

January 2026						
S	M	T	W	T	F	S
				▼	1	2
4	5	6	7	8	9	10
11	12	13	14	15	16	17
18	▼	19	20	21	22	23
25	26	27	28	29	30	31

August 2025						
S	M	T	W	T	F	S
					1	2
3	4	5	6	7	8	9
10	11	12	13	14	15	16
17	18	19	20	21	22	23
24	25	26	27	28	29	30
31						

- \* July 4
- September 1
- October 13
- November 11
- November 27 & 28
- December 25
- \* December 26
- January 1
- January 19
- February 16
- April 3
- May 25
- June 19

February 2026						
S	M	T	W	T	F	S
1	2	3	4	5	6	7
8	9	10	11	12	13	14
15	▼	16	17	18	19	20
22	23	24	25	26	27	28

September 2025						
S	M	T	W	T	F	S
	▼	1	2	3	4	5
7	8	9	10	11	12	13
14	15	16	17	18	19	20
21	22	23	24	25	26	27
28	29	30				

\* 12 month employees only

March 2026						
S	M	T	W	T	F	S
1	2	3	4	5	6	7
8	9	10	11	12	13	14
15	16	17	18	19	20	21
22	23	24	25	26	27	28
29	30	31				

October 2025						
S	M	T	W	T	F	S
				1	2	3
5	6	7	8	9	10	11
12	▼	13	14	15	16	17
19	20	21	22	23	24	25
26	27	28	29	30	31	

- Key
- Scheduled Pay Dates
  - ▼ Employee Holidays
  - No Student Attendance

April 2026						
S	M	T	W	T	F	S
				1	2	3
5	6	7	8	9	10	11
12	13	14	15	16	17	18
19	20	21	22	23	24	25
26	27	28	29	30		

November 2025						
S	M	T	W	T	F	S
						1
2	3	4	5	6	7	8
9	10	▼	11	12	13	14
16	17	18	19	20	21	22
23	24	25	26	▼	27	28
30						

May 2026						
S	M	T	W	T	F	S
					1	2
3	4	5	6	7	8	9
10	11	12	13	14	15	16
17	18	19	20	21	22	23
24	▼	25	26	27	28	29
31						

December 2025						
S	M	T	W	T	F	S
	1	2	3	4	5	6
7	8	9	10	11	12	13
14	15	16	17	18	19	20
21	22	23	24	▼	25	26
28	29	30	31			

March 2025

June 2026						
S	M	T	W	T	F	S
	1	2	3	4	5	6
7	8	9	10	11	12	13
14	15	16	17	18	▼	19
21	22	23	24	25	26	27
28	29	30				

## **SECTION A: INTRODUCTORY SECTION**

### **A:14 BOARD OF EDUCATION**

The Clarence Board of Education oversees and manages the affairs, personnel, and properties of the Clarence School District. The Board is comprised of seven individuals who are elected by the voters of this District to three-year terms. The Board has the authority, under guidelines set forth under New York State Education Law, to adopt policies, rules, and bylaws to fulfill their responsibilities and to secure the best educational results for the students within their charge.

Board meetings are held once a month at 6:30 p.m. in the Auditorium at Clarence Middle School, unless otherwise announced. Dates and locations are subject to change. For the most up-to-date information, please call the District office at (716) 407-9102 or refer to the District's website at [www.clarenceschools.org](http://www.clarenceschools.org).

**James Boglioli**

Term Ends: June 30, 2028

President

**Michael Fuchs**

Term Ends: June 30, 2027

Vice-President

**Tricia Andrews**

Term Ends: June 30, 2026

**Adrienne Costello-Sulik**

Term Ends: June 30, 2028

**Cindy Magera**

Term Ends: June 30, 2026

**Dennis Priore**

Term Ends: June 30, 2027

**Dawn Snyder**

Term Ends: June 30, 2026

## **SECTION B: LAWS AND REGULATIONS**

### **B:1 AFTER-SCHOOL PROGRAMS: EMERGENCY EVACUATION**

The building principal or his/her designee shall require those in charge of after-school programs, attended by any individuals unfamiliar with the school building to announce at the beginning of such programs the procedures to be followed in the event of an emergency.

### **B:2 ANTI-DISCRIMINATION COMPLAINT GUIDELINES**

Any type of discrimination allegedly occurring within the District shall be investigated by the appropriate official as outlined in the District's regulations and procedures. Allegations of discrimination may be reported through formal complaint procedures.

In following the District's regulations and procedures, should the investigating official be the alleged source of discrimination, then the employee/student or potential employee/student shall report his/her complaint to the next level of supervisory authority.

Confidentiality of all reports of alleged discrimination will be maintained where appropriate. Subject to all applicable laws and collective bargaining agreements, the following guidelines shall be utilized in the investigation and resolution of discrimination complaints.

#### **Step 1 – Informal Complaint**

- a) An employee or student who believes that he/she has been subjected to any type of discrimination shall immediately notify his/her immediate supervisor or principal on the complaint form provided by the district.
- b) A potential employee or potential student who believes that he/she has been subjected to any type of discrimination shall immediately notify the District's complaint officer. Those procedures established under step 2 – Formal Complaint will then apply (see below).
- c) Within 14 days after receipt of the complaint the supervisor or principal will correct the situation stated in the complaint if he/she finds the complaint valid and if the correction of the complaint is within his/her scope of authority.

The action taken by the supervisor or principal will be noted on the complaint form.

- a) The supervisor or principal may consult with or seek the assistance of the complaint officer in resolving the complaint.
- b) If the supervisor or principal cannot resolve the issues raised in the complaint within 14 days, he/she shall notify the complainant of the fact before the expiration of the 14-day period and he/she shall further indicate the approximate date on which his/her determination will be made.
- c) If resolution of the complaint is not within the scope of the authority of the supervisor or principal, he/she shall immediately notify the complainant who may then initiate those procedures set forth in the next section if he/she so desires.
- d) The Complaint Officer for discrimination complaints alleged by employees shall be the Director of Personnel. The complaint officer for discrimination complaints alleged by students shall be the Director of Curriculum and Staff Development.

## **SECTION B: LAWS AND REGULATIONS**

### **B:2 ANTI-DISCRIMINATION COMPLAINT GUIDELINES (Continued)**

#### **Step 2 – Formal Complaint**

If the complaint has not been resolved at the informal stage to the satisfaction of the complainant he/she may, within 14 days of the decision of the supervisor or principal, ask that the complaint officer or his/her designee review the allegations raised by stating his/her reasons on the complaint form provided by the District and filing them with the complaint officer.

- a) The complaint officer or his/her designee within 14 days of the receipt of the request for review will review the file and if necessary conduct his/her own investigation. The decision of the complaint officer will be made in writing within 14 days from presentation to him/her unless the complaint officer has notified complainant that a period in excess of 14 days will be needed for him/her to conduct the investigation and render his/her decision.
- b) If the complaint officer concludes that further action beyond that taken by the supervisor or principal must be taken, he/she shall immediately notify the Superintendent so that the complaint officer's recommendation may be reviewed and implemented by the Superintendent.

#### **Step 3 – Corrective Action/Resolution**

The complaint officer will inform the Superintendent of the outcome of his/her investigation. If the Superintendent of Schools issues a finding that no form of discrimination has occurred, the complainant, if not satisfied with the resolution may appeal the decision to the Board of Education. If the complainant is satisfied with the Superintendent's finding, the complainant will so indicate in writing and the matter will be deemed closed.

Should the Superintendent determine that corrective action is necessary, the Superintendent of Schools shall follow all applicable law and regulations and appropriate collective bargaining agreements in the resolution of the complaint.

The complainant shall receive a copy of any and all reports issued by the Superintendent pertaining to the investigation/outcome of the formal complaint.

#### **Scope of Legal action**

The filing and/or the rendering of a decision regarding the complaint shall in no way prohibit, prevent or limit the complainant from taking appropriate legal action in accordance with state and federal laws.

#### **Step 4 – Appeal to the Board of Education**

In the event that a complainant files an appeal with the Board of Education, following an investigation by the Superintendent of Schools, the Board of Education will conduct a hearing and issue a written response to the complainant following completion of the hearing.

The District shall take all appropriate measures to prevent the occurrence or continuation of any type of discrimination and shall implement remedial or corrective action where necessary.

Regardless of whether a complaint has been filed, if the District knows or has reason to know of the existence of any type of discrimination, the District shall require a prompt and thorough investigation by appropriate personnel.

## **SECTION B: LAWS AND REGULATIONS**

### **B:3 CHILD ABUSE**

Pursuant to the Board of Education Policy # 7530 and Section 411 of the Social Service Law, School District staff should be on the alert for the purpose of identifying abused and maltreated children and reporting such findings.

#### Procedures

- a) All suspected cases of child abuse and neglect will be reported to the building principal immediately.
- b) All reports involving medical concerns will be referred to the school nurse. If the extent of the injury appears serious, appropriate medical emergency service will be contacted.
- c) The principal may call for a social worker. Such a call would be treated as an emergency and a social worker will be made available immediately.
- d) Questions or concerns about these procedures should be addressed with the Director of Special Education.

### **B:4 CODE OF CONDUCT**

The Clarence Central School District is committed to providing a safe, orderly, predictable educational environment that promotes teaching and advances learning without disruption or interference. Accordingly, the District has developed a comprehensive Code of Conduct in collaboration with students, teachers, administrators, parents, and school safety personnel. The Code of Conduct is reviewed by the Board of Education annually. A complete version of the Code of Conduct is available upon request at the District Office, in the main office of and Clarence school building or at [www.clarenceschools.org](http://www.clarenceschools.org).

#### **Purpose**

The Clarence School District Code of Conduct is intended to:

- Encourage appropriate behavior;
- Insure the safety and security of all members of the school community;
- Promote a safe and effective learning environment.

The Code governs the conduct of students, school personnel, parents, and other visitors while on school property or attending school functions. It includes the range of penalties that may be imposed for code violations and defines the roles of essential partners (teachers, administrators, other school personnel, the Board of Education, and parents) in maintaining safe, orderly schools.

#### **Student Dress Code**

All students are expected to give proper attention to personal cleanliness and to dress appropriately for school and school functions. Students and their parents have the primary responsibility for acceptable student dress and appearance. Teachers and all other district personnel should exemplify and reinforce acceptable student dress and help students develop an understanding of appropriate appearance in the school setting.

#### **Prohibited Student Conduct**

The Board of Education expects all students to conduct themselves in an appropriate and civil manner and to show proper regard, dignity, and respect for the rights and welfare of others, including students, district

## **SECTION B: LAWS AND REGULATIONS**

### **B:4 CODE OF CONDUCT (Continued)**

personnel, and members of the school community. The Board of Education also expects proper care of school facilities and equipment.

The best discipline is self-imposed. Students must learn to assume and accept responsibility for their own behavior, as well as the consequences of their misbehavior. District personnel who interact with students are expected to use disciplinary action when necessary and to place emphasis on the students' ability to grow in self-discipline.

The Board of Education recognizes the need to make its expectations for student conduct specific and clear. These rules of conduct focus on safety and respect for the rights and property of others. Students who do not accept responsibility for their own behavior and violate these school rules will be required to accept the penalties for their conduct.

#### **Reporting Violations**

All students are expected to promptly report violations of the Code of Conduct to a teacher, guidance counselor, the building principal, or designee. Any student observing a student possessing a weapon, alcohol, or illegal substance on school property or at a school function shall report this information immediately to a teacher, the building principal, the principal's designee, or the superintendent.

All district staff who are authorized to impose disciplinary sanctions are expected to do so in a prompt, fair, and lawful manner. District staff who are not authorized to impose disciplinary sanctions are expected to promptly report violations of the Code of Conduct to their supervisor who shall in turn impose an appropriate disciplinary sanction, if so authorized, or refer the matter to a staff member who is authorized to impose an appropriate sanction.

Any weapon, alcohol, or illegal substance found shall be confiscated immediately, if possible, followed by notification to the parent of the student involved and the appropriate disciplinary sanction if warranted, which may include permanent suspension and referral for prosecution.

The building principal or designee must notify the appropriate local law enforcement agency of those code violations that constitute a crime and substantially affect the order or security of a school as soon as practical. The notification may be made by telephone, followed by a letter mailed on the same day as the telephone call is made. The notification must identify the student and explain the conduct that violated the Code of Conduct and constituted a crime.

#### **Disciplinary Penalties and Procedures**

Disciplinary action, when necessary, will be firm, fair, and consistent. As a general rule, discipline will be progressive. That is, a student's first offense will usually merit a lesser penalty than subsequent violations. The Code of Conduct contains levels of discipline ranging from oral warning to permanent suspension from school. Regardless of the penalty imposed, school personnel authorized to impose a disciplinary procedure must inform the student of the alleged misconduct. Students subject to more severe penalties have additional rights as spelled out in the Code of Conduct.

## **SECTION B: LAWS AND REGULATIONS**

### **B:4 CODE OF CONDUCT (Continued)**

#### **Alternative Instruction**

When a student of any age is removed from class by a teacher or a student of compulsory attendance age is suspended from school pursuant to Education Law §3214, the district will take immediate steps to provide alternative means of instruction for the student.

#### **Discipline of Students with Disabilities**

While all students are subject to the same code of conduct, the Board of Education recognizes that students with disabilities are entitled to additional procedural protection. The Code of Conduct affords students with disabilities subject to disciplinary action no greater or lesser rights than those expressly afforded by applicable federal and state laws and regulations.

#### **Corporal Punishment**

Corporal punishment is any act of physical force upon a student for the purpose of punishing that student. Corporal punishment of any student by any district employee is strictly forbidden.

However, in situations where alternative procedures and methods that do not involve the use of physical force cannot reasonably be used, reasonable physical force may be used to:

1. Protect oneself, another student, teacher, or any person from physical injury.
2. Protect the property of the school or others.
3. Restrain or remove a student whose behavior interferes with the orderly exercise and performance of school district functions, powers, and duties, if that student has refused to refrain from further disruptive acts.

The district will file all complaints about the use of corporal punishment with the Commissioner of Education in accordance with Commissioner's regulations.

#### **Student Searches and Interrogations**

The Board of Education is committed to ensuring a safe and orderly atmosphere on school property and at school functions. To achieve this kind of environment, any school official alleged violation of law or the district Code of Conduct. Students are not entitled to any sort of "Miranda"-type warning before being questioned by school officials, nor are school officials required to contact a student's parent before questioning the student. However, authorized to impose a disciplinary penalty on a student may question a student about and school officials will tell all students why they are being questioned.

In addition, the Board of Education authorizes the superintendent, building administrators, the school nurse, and district security officials to conduct searches of students and their belongings if the authorized school official has reasonable suspicion to believe that the search will result in evidence that the student violated a law or the district Code of Conduct.

## **SECTION B: LAWS AND REGULATIONS**

### **B:4 CODE OF CONDUCT (Continued)**

#### **Visitors to the Schools**

The Board of Education encourages parents and other district citizens to visit the district's schools and classrooms to observe the work of students, teachers, and other staff. Since schools are a place of work and learning, however, certain limits must be set for such visits. The building principal or designee is responsible for all persons in the building and on the grounds.

All visitors during the school day, must report to the door monitor upon arrival at the school. They will be required to register with a driver's license and will be issued a visitor badge that must be worn at all times.

#### **Public Conduct on School Property**

The district is committed to providing an orderly, respectful environment that is conducive to learning. To create and maintain this kind of an environment, it is necessary to regulate public conduct on school property and at school functions. For purposes of this section of the code, "public" shall mean **all persons** on school property or attending a school function.

The restrictions on public conduct on school property and at school functions contained in this code are not intended to limit freedom of speech or peaceful assembly. The district recognizes that free inquiry and free expression are indispensable to the objectives of the district. The purpose of this code is to maintain public order and prevent abuse of the rights of others.

All persons on school property or attending a function, including athletic events, shall conduct themselves in a respectful and orderly manner. In addition, all persons on school property or attending a school function are expected to be properly attired for the purpose that they are on school property.

#### **Dissemination and Review**

The Board of Education will work to ensure that the community is aware of this Code of Conduct by:

1. Providing copies of a summary of the code to all students at a general assembly in an age-appropriate, plain language version, held at the beginning of each school year.
2. Making copies of the code available to all parents at the beginning of the school year.
3. Making a copy of the Code of Conduct available to all parents of district students before the beginning of the school year upon request.
4. Providing all current teachers and other staff members with a copy of the code and a copy of any amendments to the code as soon as practicable after adoption.
5. Providing all new employees with a copy of the current Code of Conduct when they are first hired.

## **SECTION B: LAWS AND REGULATIONS**

### **B:4 CODE OF CONDUCT (Continued)**

6. Making copies of the code available for review by students, parents, and other community members.
7. Posting the Code of Conduct on the District website, [www.clarenceschools.org](http://www.clarenceschools.org), for access by parents, students, and community members.

#### **Role of Essential Partners**

Expectations for member groups of the school community include, but are not limited to:

##### **A. Parents**

All parents are expected to:

1. Recognize that the education of their child is a joint responsibility of parents and the school community.
  2. Send their child to school ready to participate, contribute, and learn.
  3. Ensure their child attends school regularly and arrives on time.
  4. Ensure absences are minimal and for reasons that are legally excusable.
  5. Ensure their child is dressed and groomed in a manner consistent with the student dress code and conducive to learning.
  6. Work collaboratively with teachers and administrators to teach their child that in a democratic society, appropriate rules are required to maintain a safe and orderly environment.
  7. Know school rules and help their child understand them.
  8. Convey to their child a supportive attitude toward education and the District.
  9. Build good relationships with teachers, other parents, and their child's friends.
  10. Assist their child in dealing with peer pressure. Work collaboratively with teachers and administrators to teach their child about the ramifications of destructive peer pressure and teasing.
  11. Inform school officials of changes in the home environment that may affect student conduct or performance.
  12. Provide a place for study. Ensure that homework assignments are completed and assist their child in learning the skills necessary to be organized, prepared learners.
  13. Encourage their child to participate in extracurricular activities and offer support in that endeavor.
  14. Model behavior that is free from harassment or discrimination.
14. Exemplify conduct that fosters civility, kindness, and acceptance towards all people regardless of actual or perceived race, color, weight, national origin, ethnic group, religion, religious practice, disability, sexual orientation, gender, or sex.

## **SECTION B: LAWS AND REGULATIONS**

### **B:4 CODE OF CONDUCT (Continued)**

#### **B. Teachers**

All district teachers are expected to:

1. Maintain and encourage a climate of mutual respect and dignity for all students regardless of actual or perceived race, color, weight, national origin, ethnic group, religion, religious practice, disability, sexual orientation, gender, or sex.
2. Be prepared to teach.
3. Demonstrate interest in teaching and concern for student achievement.
4. Know school policies and rules and enforce them in a fair and consistent manner.
5. Continue with professional growth and learning; gain expertise with new techniques and content materials.
6. Model and conform to guidelines stipulated in Section V, Student Dress Code.
7. Maintain a learning environment that is free from harassment and/or discrimination.

Communicate to students and parents information about:

8. Provide course objectives and requirements
9. Provide marking/grading procedures
10. Provide assignment deadlines
11. Provide expectations for students
12. Provide classroom discipline
13. Communicate regularly with students, parents, and other teachers concerning academic growth, achievement, and student progress.

#### **C. Student Support Service Personnel**

All district school counselors and school psychologists are expected to:

1. Assist students in coping with peer pressure and emerging personal, social, and emotional problems.
2. Regularly review with students their educational progress and provide information about career planning.
3. Provide information to assist students in need of academic support services.
4. Encourage students to benefit from the curriculum and extracurricular programs.
5. Arrange meetings with groups of students who may be involved with conflict in order to solve and mediate problems.
6. Support educational and academic goals.
7. Know school rules, abide by them and enforce them in a fair and consistent manner.

## **SECTION B: LAWS AND REGULATIONS**

### **B:4 CODE OF CONDUCT (Continued)**

8. Set a good example for students and colleagues by demonstrating dependability, integrity and other standards of ethical conduct.
9. Maintain confidentiality about all personal information and educational records concerning students and their families.
10. Initiate teacher/student/counselor conferences and parent/teacher/student/counselor conferences, as necessary or requested, as a way to resolve problems and communicate as necessary in any other manner with parents and other staff regarding student progress and needs.
11. Maintain and encourage a climate of mutual respect and dignity for all students regardless of actual or perceived race, color, weight, national origin, ethnic group, religion, religious practice, disability, sexual orientation, gender, or sex.
12. Report incidents of discrimination and harassment that are witnessed or otherwise brought to the staff member's attention to the building administrator and/or Dignity Act Coordinator.

### **D. Other School Staff**

1. Follow the Code of Conduct; know, abide by and enforce school rules in a fair and consistent manner.
2. Set a good example for students and other staff by demonstrating dependability, integrity and other standards of ethical conduct.
3. Assist in promoting a safe, orderly and stimulating school environment.
4. Maintain confidentiality about all personal information and educational records concerning students and their families.
5. Maintain and encourage a climate of mutual respect and dignity for all students regardless of actual or perceived race, color, weight, national origin, ethnic group, religion, religious practice, disability, sexual orientation, gender, or sex.
6. Report incidents of discrimination and harassment that are witnessed or otherwise brought to a staff member's attention to the building administrator and/or Dignity Act Coordinator (DAC) in a timely manner.

### **E. Dignity for All Students Act Coordinators**

All district Dignity Act Coordinators (at least one per building) are expected to:

1. Serve as the lead person responsible for facilitating implementation of DASA.
2. Participate in required training in order to respond to human relations in the areas of actual and/or perceived race, color, weight, national origin, ethnic group, religion, religious practice, disability, sexual orientation, and gender.

## **SECTION B: LAWS AND REGULATIONS**

### **B:4 CODE OF CONDUCT (Continued)**

3. Be accessible to students and other staff for consultation and guidance as needed relative to the Dignity for All Students Act.
4. Accept reports regarding violations and conduct investigations as appropriate.
5. The list of DASA Coordinators is available at:  
<https://www.clarenceschools.org/district-info/dasa>

### **F. Principals/District Administrators**

All district principals and administrators are expected to:

1. Promote a safe, orderly, and stimulating school environment that supports teaching and learning.
2. Ensure that students and staff have the opportunity to communicate regularly with the principal and/or approach the principal for redress of grievances.
3. Evaluate instructional programs and personnel on a regular basis.
4. Support the development of and student participation in appropriate extracurricular activities.
5. Be responsible for enforcing the Code of Conduct and ensuring that all cases are resolved promptly and fairly.
6. Support and encourage an active Parent Teacher Organization in order to work together for the benefit of children.
7. Maintain and encourage a climate of mutual respect and dignity for all students regardless of actual or perceived race, color, weight, national origin, ethnic group, religion, religious practice, disability, sexual orientation, gender, or sex.

### **G. Superintendent**

The Superintendent is expected to:

1. Promote a safe, orderly, and stimulating school environment that supports active teaching and learning.
2. Review with district administrators the policies of the Board of Education and state and federal laws relating to school operations and management.
3. Inform the Board of Education about educational trends relating to student discipline.
4. Work to create instructional programs that minimize problems of misconduct and are sensitive to student and teacher needs.
5. Work with district administrators in enforcing the Code of Conduct and ensuring that all cases are resolved promptly and fairly.

## **SECTION B: LAWS AND REGULATIONS**

### **B:4 CODE OF CONDUCT (continued)**

6. Maintain and encourage a climate of mutual respect and dignity for all students regardless of actual or perceived race, color, weight, national origin, ethnic group, religion, religious practice, disability, sexual orientation, gender, or sex.

### **H. Board of Education**

The Board of Education is expected to:

1. Collaborate with student, teacher, administrator, parent organizations, school safety personnel, and other school personnel to develop a code of conduct that clearly defines expectations for the behavior of students, district personnel, and visitors on school property and at school functions.
2. Adopt and review, at least annually, the district's code of conduct in order to evaluate its effectiveness, fairness, and consistency of implementation.
3. Conduct Board of Education meetings in a professional, respectful, courteous manner, thus leading by example.
4. Adopt policies to provide students with a school environment free of harassment and/or discrimination.
5. Maintain and encourage a climate of mutual respect and dignity for all students regardless of actual or perceived race, color, weight, national origin, ethnic group, religion, religious practice, disability, sexual orientation, gender, or sex.

### **B:5 CODE OF ETHICS FOR BOARD MEMBERS AND ALL DISTRICT PERSONNEL**

#### **General Provisions**

Pursuant to the provisions of General Municipal Law Section 806, the Board of the Clarence Central School District recognizes that there are rules of ethical conduct for members of the Board and employees of the District that must be observed if a high degree of moral conduct is to be obtained in our unit of local government. It is the purpose of this resolution to promulgate these rules of ethical conduct for the Board members and employees of the District. These rules will serve as a guide for official conduct of the Board members and employees of the District. The rules of ethical conduct of this resolution, as adopted, will not conflict with, but will be in addition to any prohibition of General Municipal Law Article 18 or any other general or special law relating to ethical conduct and interest in contracts of Board members and employees.

Officers and employees of the District hold their positions to serve and benefit the public, and not to obtain unwarranted personal or private gain in the exercise of their official powers and duties. The Board recognizes that, in furtherance of this fundamental principle, there is a need for clear and reasonable standards of ethical conduct. This policy establishes those standards.

#### **Standards of Conduct**

Every Board member, employee or officer of the Clarence Central School District will be subject to and abide by the following standards of conduct:

## **SECTION B: LAWS AND REGULATIONS**

### **B:5 CODE OF ETHICS FOR BOARD MEMBERS AND ALL DISTRICT PERSONNEL (Continued)**

#### Gifts

No person may directly or indirectly, solicit, accept or receive any gift having a value of seventy-five dollars (\$75) or more, under circumstances in which it could reasonably be inferred that the gift was intended or expected to influence the individual in the performance of his or her official duties or was intended as a reward for any official action on the part of the individual. This prohibition applies to any gift, including money, services, loan, travel, entertainment, hospitality, thing or promise, or any other form.

#### Confidential Information

No person may disclose confidential information acquired by him or her in the course of his/her official duties or use this information to further his or her personal interests.

Except as permitted by law, no person may have an interest in any contract with the District when he or she, individually, or as a member of the Board, has the power or duty to: negotiate, prepare, authorize, or approve the contract or authorize or approve payment under the contract; audit bills or claims under the contract; or appoint an officer or employee who has any of these powers or duties.

Likewise, unless permitted by law, no chief fiscal officer, treasurer, or his or her deputy or employee, may have an interest in a bank or trust company designated as a depository, paying agent, registration agent, or for investment of funds of the District.

"Interest," as used in this policy, means a direct or indirect pecuniary or material benefit accruing to a District officer or employee as the result of a contract with the District. A District officer or employee will be considered to have an interest in the contract of: his or her spouse, minor children and dependents, except a contract of employment with the District; a firm, partnership or association of which he or she is a member or employee; a corporation of which he or she is an officer, director or employee; and a corporation any stock of which is owned or controlled directly or indirectly by him or her.

The provisions of the preceding three paragraphs should not be construed to preclude the payment of lawful compensation and necessary expenses of any District officer or employee in one or more positions of public employment, the holding of which is not prohibited by law.

#### Representing Others in Matters Before the District

No person may receive, or enter into any agreement, express or implied, for compensation for services rendered in relation to any matter before the District. Likewise, no one may receive, or enter into any agreement, express or implied, for compensation for services rendered in relation to any matter before the District, where the individual's compensation is contingent upon any action by the District with respect to the matter.

#### Disclosure of Interest in Contracts and Resolutions

Any District officer or employee, who has, will have, or later acquires an interest in or whose spouse has, will have or later acquires an interest in any actual or proposed contract, purchase agreement, lease agreement or other agreement, including oral agreements, with the District must publicly disclose the nature and extent of that interest in writing. The disclosure must be made when the officer or employee first acquires knowledge of the actual or prospective interest and must be filed with the person's immediate supervisor and the Board. Any written disclosure will be made part of and included in the official minutes of the relevant Board meeting.

#### Investments in Conflict with Official Duties

No person may invest or hold any investment directly or indirectly in any financial, business, commercial, or other private transaction, that creates a conflict with his or her official duties, or that would otherwise impair his or her independence of judgment in the exercise or performance of his or her official powers or duties.

## **SECTION B: LAWS AND REGULATIONS**

### **B:5 CODE OF ETHICS FOR BOARD MEMBERS AND ALL DISTRICT PERSONNEL (Continued)**

#### Private employment

No person may engage in, solicit, negotiate for or promise to accept private employment or render services for private interests when that employment or service creates a conflict with or impairs the proper discharge of his or her official duties.

#### Future employment

No person may, after the termination of service or employment with the District, appear before the District on behalf of his or her employer in relation to any case, proceeding, or application in which he or she personally participated during the period of his or her service or employment with the District or which was under his or her active consideration while he or she was with the District.

### **B:6 COPYRIGHTED MATERIALS: USE OF**

It is the intent of the Board of Education to abide by the provisions of the United States Copyright Law (Title 17, United States Code, Section 101, et seq.).

All employees are prohibited from copying materials not specifically allowed by the copyright law, fair use guidelines, licenses or contractual agreements, or the permission of the copyright proprietor.

Any employee who willfully disregards the copyright policy shall be in violation of Federal Copyright Laws and District policy and shall assume all liability.

Regulations and procedures shall be developed by the administration detailing what can and cannot be copied. Appropriate copyright notices will be placed on or near all equipment used for duplication.

### **B:7 CORPORAL PUNISHMENT/EMERGENCY INTERVENTIONS**

#### **Corporal Punishment**

Corporal punishment as a means of discipline will not be used against a student by any teacher, administrator, officer, employee or agent of this District.

Whenever a school employee uses physical force against a student, the school employee will immediately report the situation to the building principal or designee who will within the same school day, make a report to the Superintendent describing in detail the circumstances and the nature of the action taken.

The Superintendent will submit a written report semi-annually to the Commissioner of Education, with copies to the Board, by January 15 and July 15 of each year, setting forth the substance of each written complaint about the use of corporal punishment received by the District authorities during the reporting period, the results of each investigation, and the action, if any, taken by the school authorities in each case.

#### **Emergency Interventions**

If alternative procedures and methods which do not involve physical force do not work, then the use of reasonable physical force is permitted for the following reasons:

- a) Self-protection;
- b) Protection of others;

## **SECTION B: LAWS AND REGULATIONS**

### **B:7 CORPORAL PUNISHMENT (Continued)**

- c) Protection of property; or
- d) Restraining/removing a disruptive student.

Emergency interventions will only be used in situations where alternative procedures and methods that do not involve the use of reasonable physical force cannot reasonably be employed. Emergency interventions will not be used as a punishment or as a substitute for systematic behavioral interventions that are designed to change, replace, modify or eliminate a targeted behavior.

Staff who may be called upon to implement emergency interventions will be provided appropriate training in safe and effective restraint procedures. The parent(s) of the student will be notified whenever an emergency intervention is utilized.

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

- a) Name and date of birth of student;
- b) Setting and location of the incident;
- c) Name of staff or other persons involved;
- d) Restraining or removing a student can only be performed by staff trained and certified in TCI;
- e) A statement as to whether the student has a current behavioral intervention plan; and
- f) Details of any injuries sustained by the student or others, including staff, as a result of the incident.

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

### **B:8 DRUG-FREE WORKPLACE**

The Board affirms that all programs in the District that receive Federal funds will guarantee that their workplaces are free of controlled substances. "Controlled substance" means a controlled substance in schedules I through V of the Controlled Substances Act. An acknowledgment form will be signed by the Superintendent indicating that the District is in full compliance with the Drug-Free Workplace Act. This policy guarantees that not only Federally funded programs, but the entire District is free of controlled substances.

"Workplace" is defined as a school building or other school premises; any school-owned vehicle or any other school-approved vehicle used to transport students to and from school or school activities; off school property during any school-sponsored or school-approved activity, event or function, such as a field trip or athletic event, where students are under the jurisdiction of the District.

The Board directs the administration to develop regulations to comply with this policy, and further supports such actions and activities of the administration as required to maintain a drug-free workplace.

### **B:9 EMPLOYEE POLITICAL ACTIVITIES**

The Board recognizes the right of its employees, as citizens, to engage in political activities and to exercise their constitutionally-protected rights to address matters of public concern.

However, a District employee's constitutional rights to raise matters of public concern are limited when the speech or action occurs on school grounds and/or during school times. When the speech or action occurs on school grounds

## **SECTION B: LAWS AND REGULATIONS**

### **B:9 EMPLOYEE POLITICAL ACTIVITIES (Continued)**

and/or during school time, the Board can impose reasonable restrictions on the time, place and manner of the speech or action, and can further regulate the content of such speech when it materially imperils the efficient operation of the school.

Teachers may not use their classrooms or school surroundings as a means to promote their personal political views and beliefs. However, teachers are encouraged to address issues of current events for their instructional and informational value to students, to invite public and/or political figures to visit the classroom as a community resource, and to motivate students to participate in the political process.

### **B:10 EMPLOYEE PROTECTION**

The District will provide legal defense for an employee being sued for events arising from the individual's performance of duties, provided the employee was, at the time of the incident, acting in the discharge of his/her duties within the scope of his/her employment.

The District shall not be subject to the duty to defend unless the employee, within the time prescribed by specific statute, delivers the original or a copy of the claim to the clerk of the District.

### **B:11 EQUAL EMPLOYMENT OPPORTUNITY**

The District is an equal opportunity employer and does not discriminate against any employee or applicant for employment in its programs and activities on the basis of race, color, national origin, sex, disability, or age. Further, the District does not discriminate on the basis of religion or creed, sexual orientation, military status, genetic status, marital status, domestic violence victim status, criminal arrest or conviction record, or any other basis prohibited by state or federal non-discrimination laws.

#### **Investigation of Complaints and Grievances**

The District will act to promptly, thoroughly, and equitably investigate all complaints, whether verbal or written, of discrimination, and will promptly take appropriate action to protect individuals from further discrimination. All such complaints will be handled in a manner consistent with the District's policies, procedures, and/or regulations regarding the investigation of discrimination and harassment complaints, including Policy #3420 – Non-Discrimination and Anti-Harassment in the District; Policy #6121 – Sexual Harassment of District Personnel; and Policy #6122 – Employee Grievances.

Additional information regarding the District's discrimination and harassment complaint and grievance procedures, including but not limited to the designation of the Civil Rights Compliance Officer (CRCO), knowingly making false accusations, and possible corrective actions, can be found in Policy #3420 – Non-Discrimination and Anti-Harassment in the District.

#### **Prohibition of Retaliatory Behavior**

The Board prohibits any retaliatory behavior directed against complainants, victims, witnesses, and/or any other individuals who participated in the investigation of a complaint of discrimination. Complaints of retaliation may be directed to the CRCO. In the event the CRCO is the alleged offender, the report will be directed to another CRCO, if the District has designated another individual to serve in such a capacity, or to the Superintendent.

When appropriate, follow-up inquiries will be made to ensure that discrimination has not resumed and that all those involved in the investigation of the discrimination have not suffered retaliation.

## **SECTION B: LAWS AND REGULATIONS**

### **B:12 EXPOSURE CONTROL PROGRAM**

The District will establish an exposure control program designed to prevent and control exposure to bloodborne pathogens. According to the New York State Department of Labor's Division of Safety and Health and Occupational Safety and Health Administration (OSHA) standards, the program will consist of:

- a) Guidelines for maintaining a safe, healthy school environment to be followed by staff and students alike;
- b) Written standard operating procedures for blood/body fluid clean-up;
- c) Appropriate staff education/training;
- d) Evaluation of training objectives;
- e) Documentation of training and any incident of exposure to blood/body fluids;
- f) A program of medical management to prevent or reduce the risk of pathogens, specifically hepatitis B and Human Immunodeficiency Virus (HIV);
- g) Written procedures for the disposal of medical waste; and
- h) Provision of protective materials and equipment for all employees who perform job-related tasks involving exposure or potential exposure to blood, body fluids or tissues.

### **B:13 FAMILY EDUCATIONAL RIGHTS AND PRIVACY ACT (FERPA)**

FERPA is a Federal law originally enacted in 1974, established to protect the privacy of parents and students in education records maintained by a school district. Education records can be in many forms (print, photograph, video, e-mail, etc.), contain information directly related to a student, and are maintained by the school district or a party acting for the school district. Examples of education records include test scores, progress and evaluation reports, disciplinary referrals, health records and IEP's.

There are several mandates regulated by FERPA. In particular, a student's education records or personally identifiable information regarding a student from education records will not be disclosed to any party or institution without written parental consent unless the disclosure of information is to another educational institution where the student seeks to enroll, is enrolled or receives services, or to other school officials with a legitimate educational

interest on behalf of the student. Refer to the District policy # 7240 and regulation # 7514 for additional information on disclosure of education records.

### **B:14 FIRE AND EMERGENCY DRILLS**

The administration of each school building will instruct and train students on appropriate emergency responses, through fire and emergency drills, in the event of a sudden emergency.

Fire and emergency drills will be held at least twelve (12) times in each school year; eight (8) of these will be completed by December 31. Eight (8) of all drills will be evacuation drills, four (4) will be through use of the fire escapes on buildings where fire escapes are provided or identified secondary exits. The other four (4) drills will be lock-down drills. Drills will be conducted at different times of the school day. Students will also be instructed in the procedures to be followed in the event that a fire occurs during the regular school lunch period or assembly, however, this additional instruction may be waived if a drill is held during the regular lunch period or assembly.

## **SECTION B: LAWS AND REGULATIONS**

### **B:14 FIRE AND EMERGENCY DRILLS (Continued)**

#### Summer School

At least two (2) additional drills will be held during summer school in buildings where summer school is held, and one (1) of these drills will be held during the first week of summer school.

#### After-School Programs, Events, or Performances

The Building Principal or designee will require those in charge of after-school programs, events, or performances attended by any individuals unfamiliar with that school building, to announce at the beginning of these programs the procedures to be followed in the event of an emergency.

### **B:15 WEAPONS IN SCHOOL AND THE GUN-FREE SCHOOLS ACT**

With the exception of those students who receive prior written permission from the Board or its designee, no student may bring in or possess any "firearm" or "weapon" on school property, on a school bus or District vehicles, in school buildings, or at school sponsored activities or settings under the control or supervision of the District regardless of location. Any student who has been found guilty of bringing in or possessing a firearm or weapon in violation of this policy will be disciplined in a manner consistent with State and Federal law and the District's *Code of Conduct*. Discipline may include a mandatory suspension for a period of not less than one calendar year for a student who is determined to have violated the Federal Gun-Free Schools Act and its implementing provisions in the New York State Education Law, provided that the Superintendent may modify the suspension requirement on a case-by-case basis.

Students who have brought a "weapon" or "firearm" to school, will be referred by the Superintendent to either a presentment agency (the agency or authority responsible for presenting a juvenile delinquency proceeding) or to appropriate law enforcement officials. These referrals will be made as follows: a student is under the age of sixteen (16) and who is not a fourteen (14) or fifteen(15) year old who qualifies for juvenile offender status under the Criminal Procedure Law will be referred to a presentment agency for juvenile delinquency proceedings; a student who is sixteen (16) years old or older or who is fourteen (14) or fifteen (15) and qualifies for juvenile offender status will be referred to the appropriate law enforcement authorities.

For the purposes of this policy, the term "weapon" will be as defined in 18 USC 930(g)(2). For the purposes of this policy, the term "firearm" will be as defined in 18 USC 921(a).

Students with disabilities continue to be entitled to all rights set forth in the Individuals with Disabilities Act and Education Law Article 89. This policy does not authorize suspension of students with disabilities in violation of those authorities.

This policy does not diminish the authority of the Board to offer courses in instruction in the safe use of firearms in accordance with Education Law Section 809-a.

### **B:16 GIFTS: ACCEPTING**

The Board of Education recognizes that gift giving, especially during the holiday season, may be a common practice for many District employees. While the giving or exchanging of gifts may be acceptable among staff members, the Board strongly encourages District employees and students to show appreciation through written notes or greeting cards.

No person may directly or indirectly, solicit, accept or receive any gift having a value of seventy-five dollars (\$75) or more, under circumstances in which it could reasonably be inferred that the gift was intended or expected to influence the individual in the performance of his or her official duties or was intended as a reward for any official action on the part of the individual. This prohibition applies to any gift, including money, services, loan, travel, entertainment, hospitality, thing or promise, or any other form.

## **SECTION B: LAWS AND REGULATIONS**

### **B:17 HUMAN IMMUNODEFICIENCY VIRUS (HIV) RELATED ILLNESS**

The Board of Education contends that a student shall not be denied the right to attend school or continue his/her education nor shall an employee be denied the right to continue his/her employment who has been diagnosed or identified as having a positive blood test for the antibodies to the Human Immunodeficiency Virus (HIV). The Board further contends that under current law and regulations, the disclosure of confidential HIV-related information shall be strictly limited.

Administrative regulations and procedures shall be developed and implemented by the administration based on recommendations from the New York State Education Department and from consultation with appropriate professional and medical staff in the District.

The Superintendent shall also establish protocols for routine sanitary procedures for dealing with the cleaning and handling of body fluids in school, with special emphasis placed on staff awareness.

### **B:18 JURY DUTY**

A District employee called for jury duty shall receive his/her full day's pay from the School District plus mileage from the State. No employee shall be entitled to receive the per diem allowance for any regularly scheduled workday on which jury duty is rendered if on such a day his/her wages are not withheld on account of such service. An employee returning to regular employment after being summoned for jury duty shall produce original or copies of documentation showing date(s) of attendance at jury duty.

### **B:19 MAINTENANCE OF PUBLIC ORDER: RULES AND REGULATIONS FOR DEPARTMENTS**

As directed by Article 55 of Education Law, the Board of Education of the Clarence Central School District, Clarence, New York adopts Rules and Regulation for the Maintenance of Public Order on its school property and provides a program for the enforcement thereof.

#### **Statement of Purpose**

The following rules are adopted in compliance with Article 55, Section 2801 of the Education Law and have been filed with the Commissioner of Education and the Board of Regents on or before November 30, 1972, as required by that section. Said rules shall be subject to amendment or revision and any amendments or revisions thereof shall be filed with the Commissioner of Education and the Board of Regents within ten (10) days after adoption or as otherwise provided by law. Nothing herein is intended, nor shall it be construed, to limit or restrict the freedom of speech or peaceful assembly. Open inquiry and open expression are indispensable to the objectives. These rules shall not be construed to prevent or limit communication between and among faculty, students, administration, parents and the Board of Education, or to relieve the school of its educational responsibility for self-regulation in the preservation of public order. Their purpose is not to prevent or restrain discussion and dissent but to prevent abuse of the rights of others and to maintain that public order appropriate to a public elementary and secondary school without which there can be no intellectual productivity and they shall be interpreted and applied to that end.

## **SECTION B: LAWS AND REGULATIONS**

### **B:19 MAINTENANCE OF PUBLIC ORDER: RULES AND REGULATIONS FOR DEPARTMENTS (Continued)**

#### **Prohibited Conduct**

- a) Personal injury or restraint. No person, alone or with others, shall:
  1. Willfully cause physical injury to any other person, nor threaten to do so for the purpose of compelling or inducing such other person to refrain from any act which he/she has a lawful right to do or to do any act which he/she has a lawful right not to do.
  2. Physically restrain or detain any other person nor remove such person from any place where he/she is authorized to remain.
  3. Willfully damage or destroy property of the institution nor remove or use such property without proper authorization.

#### **Disruption**

- a) No person shall disrupt or prevent the peaceful and orderly conduct of classes, lectures and meetings or deliberately interfere with the freedom of any person to express his/her views, including invited speakers.
- b) No person shall obstruct the free movement of persons and vehicles in any place to which these rules apply.
- c) No person shall enter upon and remain in any building or facility for any purpose other than its authorized uses or in such manner as to obstruct its authorized use by others.
- d) No person shall do anything to disrupt any meeting, sports event, social event, party, dinner, picnic, or meeting of any sort conducted by or sponsored by the Clarence School System or do anything to prevent others at such events from their enjoyment thereof.

#### **Trespassing**

- a) No person shall enter without permission any office of any administrative officer, teacher, or staff member.
- b) No person shall without authorization remain in any building or facility after it is normally closed.
- c) No person shall refuse to leave any building or facility after being required to do so by an authorized School District employee.

#### **Weapons**

No person shall bring upon school property nor into any school building any firearm of any sort whatsoever or any weapon, unless written authorization for such be obtained in advance from a building Principal, Assistant Principal, Superintendent, or Director.

#### **Visitors**

No student shall enter any building except the one where he/she has regularly scheduled classes and no person shall enter any building except by the entrance nearest to the main office or as otherwise designated of that building. Upon entering visitors will follow front door procedures as outlined in the Code of Conduct.

## **SECTION B: LAWS AND REGULATIONS**

### **B:19 MAINTENANCE OF PUBLIC ORDER: RULES AND REGULATIONS FOR DEPARTMENTS (Continued)**

#### **Drugs and Alcoholic Beverages**

No person shall knowingly have in his/her possession, upon any premises to which these rules apply, any alcoholic beverages and/or dangerous drugs. (Dangerous drugs as defined by Penal Law. Section 220.00.)

#### **Penalties**

A Person who shall violate any of the provisions of these rules shall:

- a) If he/she is a licensee or invitee, have his/her authorization to remain upon the school property withdrawn and shall be directed to leave the premises. In the event of his/her failure or refusal to do so, he/she shall be subject to ejection.
- b) If he/she is a trespasser or visitor without specific license or invitation, be subject to ejection.
- c) If he/she is a student, be subject to expulsion or such lesser disciplinary action as the facts of the case may warrant, including suspension, probation, loss of privileges, reprimand or warning, pursuant to the rules, regulations and laws of the State of New York and policies and regulations of the Clarence Central School District.
- d) If he/she is a faculty member having a term of continuing appointment, be subject to the appropriate disciplinary actions as the facts of the case may warrant pursuant to the rules, regulations and laws of the state of New York and in accordance with the administrative code and negotiated contracts of the teachers' organization with the Clarence Central District.
- e) If he/she is a staff member in the classified service of the Civil Service, described in Section 75 of the Civil Service Law, be guilty of misconduct, and be subject to the penalties prescribed in said section.

### **B:20 SEXUAL HARASSMENT IN THE WORKPLACE**

The District is committed to creating and maintaining an environment which is free from harassment and discrimination. This policy addresses sexual harassment and gender discrimination in the workplace. It is intended to inform covered individuals of: their right to work in an environment that is free from sexual harassment and discrimination; what sexual harassment and discrimination look like; how they can prevent and report sexual harassment and discrimination; how they are protected from retaliation after taking action; and the general process for investigating a claim of sexual harassment and discrimination that falls under this policy. This policy is just one component of the District's overall commitment to maintaining a harassment and discrimination -free educational and work environment.

Under New York State Human Rights Law (NYSHRL), it is illegal for an employer to discriminate based on age, race, creed, color, national origin, citizenship or immigration status, sexual orientation, gender identity or expression, military status, sex, disability, predisposing genetic characteristics, familial status, marital status, status as a victim of domestic violence, or criminal history. These different identities impact an individual's perception and understanding of the world. For example, an individual's race, ability, or immigration status may impact their experience with gender discrimination in the workplace. While this policy is focused on sexual harassment and gender discrimination, the process for reporting and investigating discrimination based on other protected classes is generally the same. However, the exact process may vary depending on a number of factors including, but not limited to, who is involved. Other District policies and documents such as regulations, procedures, collective bargaining agreements, and the District's *Code of Conduct* detail the specific process for reporting and investigating discrimination based on other protected identities.

## **SECTION B: LAWS AND REGULATIONS**

### **B:20 SEXUAL HARASSMENT IN THE WORKPLACE (Continued)**

Sexual harassment is a form of workplace discrimination that subjects individuals to inferior conditions of employment due to their gender, gender identity, gender expression (perceived or actual), and/or sexual orientation. Sexual harassment is often viewed simply as a form of gender-based discrimination, but the District recognizes that discrimination can be related to or affected by other identities beyond gender.

Discrimination of any kind, including sexual harassment, is unlawful, a violation of District policy, and may subject the District to liability for the harm experienced by targets of discrimination. All individuals are required to work in a manner designed to prevent sexual harassment and discrimination in the workplace.

Harassers may also be individually subject to liability and supervisors who fail to report or act on harassment may be liable for aiding and abetting sexual harassment and discrimination. Employees at every level who engage in harassment or discrimination, including supervisory personnel who engage in harassment or discrimination or who allow such behavior to continue, will be subject to remedial and/or disciplinary action by the District.

The District adopts this policy as part of its effort to provide for the prompt and equitable resolution of complaints of sexual harassment in the workplace. The District will promptly respond to reports of sexual harassment in the workplace, ensure that all investigations are conducted within a reasonably prompt time frame and under a predictable fair grievance process that provides due process protections, and impose disciplinary measures and implement remedies when warranted.

Inquiries about this policy may be directed to the District's Civil Rights Compliance Officer(s) (CRCO(s)) and/or Title IX Coordinator(s).

#### **Scope and Application**

This policy applies to all instances of sexual harassment and gender discrimination perpetrated against a "covered individual," by anyone in the workplace, including a co-worker, supervisor, or third-party such as a non-employee, paid or unpaid intern, vendor, building security, visitor, volunteer, parent, or student. For purposes of this policy, a "covered individual" includes:

- a) Employees;
- b) Applicants for employment;
- c) Paid or unpaid interns; and
- d) Non-employees, which include anyone who is (or is employed by) a contractor, subcontractor, vendor, consultant, or other person providing services pursuant to a contract in the workplace. These non-employees include persons commonly referred to as independent contractors, gig workers, and temporary workers. Also included are non-employees providing equipment repair, cleaning services, or any other service through a contract with the District.

Other District policies and documents such as regulations, procedures, collective bargaining agreements, and the District's *Code of Conduct* may address misconduct related to sexual harassment and may provide for additional, different, or more specific grievance procedures depending on a number of factors including, but not limited to, who is involved and where the alleged sexual harassment occurred. These documents must be read in conjunction with this policy.

The dismissal of a complaint under one policy or document does not preclude action under another related District policy or document.

## **SECTION B: LAWS AND REGULATIONS**

### **B:20 SEXUAL HARASSMENT IN THE WORKPLACE (Continued)**

#### **What Constitutes Sexual Harassment**

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

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

Under NYSHRL, sexual harassment is unlawful when it subjects an individual to inferior terms, conditions, or privileges of employment. Harassment does not need to be severe or pervasive to be illegal. It can be any harassing behavior that rises above petty slights or trivial inconveniences. Every instance of harassment is unique to those experiencing it, and there is no single boundary between petty slights and harassing behavior. However, NYSHRL specifies that whether harassing conduct is considered petty or trivial is to be viewed from the standpoint of a reasonable victim of discrimination with the same protected characteristics. Generally, any behavior in which a covered individual is treated worse because of their gender (perceived or actual), sexual orientation, or gender expression is considered a violation of District policy. The intent of the behavior, for example, making a joke, does not neutralize a harassment claim. Not intending to harass is not a defense. The impact of the behavior on a person is what counts.

Sexual harassment includes any unwelcome conduct which is either directed at an individual because of that individual's gender identity or expression (perceived or actual), or is of a sexual nature when:

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

There are two main types of sexual harassment:

- a) Hostile work environment which includes, but is not limited to, words, signs, jokes, pranks, intimidation, or physical violence which are of a sexual nature, or which are directed at an individual because of that individual's sex, gender identity, or gender expression. Sexual harassment also consists of any unwanted verbal or physical advances, sexually explicit derogatory, or discriminatory statements which an employee finds offensive or objectionable, causes an employee discomfort or humiliation, or interferes with the employee's job performance.

## **SECTION B: LAWS AND REGULATIONS**

### **B:20 SEXUAL HARASSMENT IN THE WORKPLACE (Continued)**

- b) Quid pro quo harassment which occurs when a person in authority tries to trade job benefits for sexual favors. This can include hiring, promotion, continued employment or any other terms, conditions, or privileges of employment.

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

#### **Examples of Sexual Harassment**

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

- a) Physical acts of a sexual nature, such as:
  - 1. Touching, pinching, patting, kissing, hugging, grabbing, brushing against another individual's body or poking another individual's body; or
  - 2. Rape, sexual battery, molestation or attempts to commit these assaults, which may be considered criminal conduct outside the scope of this policy.
- b) Unwanted sexual comments, advances or propositions, such as:
  - 1. Requests for sexual favors accompanied by implied or overt threats concerning the target's job performance evaluation, a promotion or other job benefits;
  - 2. Subtle or obvious pressure for unwelcome sexual activities; or
  - 3. Repeated requests for dates or romantic gestures, including gift-giving.
- c) Sexually oriented gestures, noises, remarks or jokes, or questions and comments about a person's sexuality, sexual experience, or romantic history which create a hostile work environment. This is not limited to interactions in person. Remarks made over virtual platforms and in messaging apps when employees are working remotely can create a similarly hostile work environment.
- d) Sex stereotyping, which occurs when someone's conduct or personality traits are judged based on other people's ideas or perceptions about how individuals of a particular sex should act or look.
  - 1. Remarks regarding an employee's gender expression, such as wearing a garment typically associated with a different gender identity; or
  - 2. Asking employees to take on traditionally gendered roles, such as asking a woman to serve meeting refreshments when it is not part of, or appropriate to, her job duties.
- e) Sexual or discriminatory displays or publications anywhere in the workplace, such as:
  - 1. Displaying pictures, posters, calendars, graffiti, objects, promotional material, reading materials, or other materials that are sexually demeaning or pornographic. This includes such sexual displays on workplace computers or cell phones and sharing such displays while in the workplace;

## **SECTION B: LAWS AND REGULATIONS**

### **B:20 SEXUAL HARASSMENT IN THE WORKPLACE (Continued)**

2. This also extends to the virtual or remote workspace and can include having such materials visible in the background of one's home during a virtual meeting.
- f) Hostile actions taken against an individual because of that individual's sex, sexual orientation, gender identity, or gender expression, such as:
1. Interfering with, destroying or damaging a person's workstation, tools or equipment, or otherwise interfering with the individual's ability to perform the job;
  2. Sabotaging an individual's work;
  3. Bullying, yelling, or name-calling;
  4. Intentional misuse of an individual's preferred pronouns; or
  5. Creating different expectations for individuals based on their perceived identities:
    - (a) Dress codes that place more emphasis on women's attire;
    - (b) Leaving parents/caregivers out of meetings.

#### **Who Can be a Target of Sexual Harassment?**

Sexual harassment can occur between any individuals, regardless of their sex or gender. Harassment does not have to be between members of the opposite sex or gender. This policy applies to

all instances of sexual harassment perpetrated against a "covered individual" by anyone in the workplace, including a co-worker, supervisor, or third-party such as a non-employee, paid or unpaid intern, vendor, building security, visitor, volunteer, parent, or student.

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

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

## **SECTION B: LAWS AND REGULATIONS**

### **B:20 SEXUAL HARASSMENT IN THE WORKPLACE (Continued)**

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

#### **Where Can Sexual Harassment Occur?**

Unlawful sexual harassment is not limited to the physical workplace itself. Sexual harassment can occur on school property and at school functions which, for purposes of this policy, means a school-sponsored or school-authorized extracurricular event or activity regardless of where the event or activity takes place, including any event or activity that may take place virtually or in another state. It can occur while covered individuals are traveling for District business or at District or industry-sponsored events or parties. Calls, texts, emails, and social media usage by covered individuals can constitute unlawful workplace harassment, even if they occur away from school property, on personal devices, or during non-work hours. Accordingly, conduct or incidents of sexual harassment that create or foreseeably create a disruption within the District may be subject to this policy in certain circumstances.

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

#### **Prohibition of Retaliatory Behavior (Commonly Known as “Whistle-Blower” Protection)**

Retaliation is unlawful and is any action by an employer or supervisor that punishes an individual upon learning of a harassment claim, that seeks to discourage a covered individual from making a formal

complaint or supporting a sexual harassment or discrimination claim, or that punishes those who have come forward. Adverse actions need not be job-related or occur in the workplace to constitute unlawful retaliation. For example, threats of physical violence outside of work hours or disparaging someone on social media would be covered as retaliation under this policy.

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

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

## **SECTION B: LAWS AND REGULATIONS**

### **B:20 SEXUAL HARASSMENT IN THE WORKPLACE (Continued)**

Retaliation is unlawful under federal, state, and (where applicable) local law. The NYSHRL protects any individual who has engaged in "protected activity". Protected activity occurs when a person has:

- a) Made a complaint of sexual harassment or discrimination, either internally or with any government agency;
- b) Testified or assisted in a proceeding involving sexual harassment or discrimination under the NYSHRL or other anti-discrimination law;
- c) Opposed sexual harassment or discrimination by making a verbal or informal complaint, or by simply informing a supervisor, building principal, other administrator, or the CRCO of suspected harassment;
- d) Reported that a covered individual has been sexually harassed or discriminated against; or
- e) Encouraged a covered individual to report harassment.

The District prohibits all retaliation. Any individual that reports an incident of sexual harassment or discrimination, provides information, or otherwise assists in any investigation of a sexual harassment or discrimination complaint is protected from retaliation. No one should fear reporting sexual harassment or discrimination if they believe it has occurred. Even if the alleged harassment does not turn out to rise to the level of a violation of law, the individual is protected from retaliation if the person had a good faith belief that the practices were unlawful. However, the retaliation provision is not intended to protect persons making intentionally false charges of sexual harassment or discrimination.

Any District employee who retaliates against anyone involved in a sexual harassment or discrimination investigation will face disciplinary action, up to and including termination. All covered individuals who believe they have been subject to retaliation should inform a supervisor, building principal, other administrator, or the CRCO.

All employees and covered individuals who believe they have been a target of retaliation may also seek relief from government agencies, as explained in this policy.

#### **Reporting Allegations of Sexual Harassment**

Anyone who experiences, witnesses, or becomes aware of potential instances of sexual harassment is encouraged to report the behavior to a supervisor, building principal, other administrator, or the CRCO. Covered individuals should not feel discouraged from reporting harassment because they do not believe it is bad enough or conversely because they do not want to see someone fired over less severe behavior. Just as harassment can happen in different degrees, potential discipline for engaging in sexual harassment will depend on the degree of harassment and could include education counseling, suspension, or termination.

Reports of sexual harassment may be made verbally or in writing. A written complaint form is posted on the District's website if a covered individual

would like to use it, but the complaint form is not required. Individuals who are reporting sexual harassment on behalf of another individual may use the complaint form and note that it is being submitted on another individual's behalf. A verbal or otherwise written complaint (such as an email) on behalf of oneself or another individual is also acceptable.

Reports may be made to a CRCO in person, by using the contact information for a CRCO, or by any other means that results in a CRCO receiving the person's verbal or written report. This report may be made at any time (including during non-business hours) by using the telephone number or email address, or by mail to the office address, listed for a CRCO.

## **SECTION B: LAWS AND REGULATIONS**

### **B:20 SEXUAL HARASSMENT IN THE WORKPLACE (Continued)**

Reports of sexual harassment may also be made to any other District employee including a supervisor or building principal. All reports of discrimination and/or harassment must be immediately forwarded to the CRCO. Reports may also be forwarded to other District employees depending on the allegations.

District employees must comply with reporting requirements in any other applicable District policy or document.

Covered individuals who believe they have been a target of sexual harassment may at any time seek assistance in additional available forums, as explained in this policy.

#### **Supervisory Responsibilities**

Everyone must work toward preventing sexual harassment, but leadership matters. Supervisors, building principals, other administrators, and the CRCOs have a special responsibility to make sure employees feel safe at work and that workplaces are free from harassment and discrimination. All supervisors, building principals, and other administrators who receive a complaint or information about suspected sexual harassment, observe what may be sexually harassing or discriminatory behavior or for any reason suspect that sexual harassment or discrimination is occurring, are required to report the suspected sexual harassment to the CRCO. If the CRCO is unavailable, including due to a conflict of interest or other disqualifying reason, the report will be directed to another CRCO, if the District has designated another individual to serve in that capacity. If the District has not designated another CRCO, the Superintendent will ensure that another person with the appropriate training and qualifications is appointed to act as the CRCO.

Supervisors, building principals, and other administrators should not be passive and wait for a covered individual to make a claim of harassment. If they observe such behavior, they must act.

Supervisors, building principals, and other administrators can be disciplined if they engage in sexually harassing or discriminatory behavior themselves. Supervisors, building principals, and other administrators, can also be disciplined for failing to report suspected sexual harassment or allowing sexual harassment to continue after they know about it.

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

#### **Bystander Intervention**

Any individual witnessing harassment as a bystander is encouraged to report it. A supervisor, building principal, or other administrator that is a bystander to harassment is **required** to report it. There are five standard methods of bystander intervention that can be used when anyone witnesses harassment or discrimination and wants to help.

- a) A bystander can interrupt the harassment by engaging with the individual being harassed and distracting them from the harassing behavior;
- b) A bystander who feels unsafe interrupting on their own can ask a third-party to help intervene in the harassment;
- c) A bystander can record or take notes on the harassment incident to benefit a future investigation;

## **SECTION B: LAWS AND REGULATIONS**

### **B:20 SEXUAL HARASSMENT IN THE WORKPLACE (Continued)**

- d) A bystander might check in with the person who has been harassed after the incident, see how they are feeling and let them know the behavior was not ok; and
- e) If a bystander feels safe, they can comfort the harassers and name the behavior as inappropriate. When confronting harassment, physically assaulting an individual is never an appropriate response.

Though not exhaustive, and dependent on the circumstances, the guidelines above can serve as a brief guide of how to react when witnessing harassment in the workplace.

#### **Grievance Process for Complaints of Sexual Harassment in the Workplace**

All complaints or information about sexual harassment will be investigated, whether that information was reported in verbal or written form. An investigation of any complaint, information or knowledge of suspected sexual harassment will be prompt, thorough, equitable and started and completed as soon as possible. Investigations will be kept confidential to the extent possible. Disclosure may, however, be necessary to complete a thorough investigation of the charges and/or notify law enforcement officials. All individuals involved, including those making a harassment claim, witnesses, and alleged harassers deserve a fair and impartial investigation.

The CRCO will generally oversee the District's investigation of all complaints of discrimination and/or harassment. In the event an anonymous complaint is filed, the District will respond to the extent possible.

District employees may be required to cooperate as needed in an investigation of suspected sexual harassment. The District recognizes that participating in a harassment investigation can be uncomfortable and has the potential to retraumatize a covered individual. Individuals receiving claims and leading investigations will handle complaints and questions with sensitivity toward participants.

While the process may vary from case to case, investigations will be done in accordance with the following steps. Upon receipt of a complaint, the CRCO:

- a) Will conduct a prompt review of the allegations, assess the appropriate scope of the investigation, and take any interim actions (for example, instructing the individual(s) about whom the complaint was made to refrain from communications with the individual(s) who reported the harassment), as appropriate.

If the CRCO is unavailable, including due to a conflict of interest or other disqualifying reason, the report will be directed to another CRCO, if the District has designated another individual to serve in that capacity. If the District has not designated another CRCO, the Superintendent will ensure that another person with the appropriate training and qualifications is appointed to act as the CRCO.

- b) Will investigate all complaints of sexual harassment regardless of how those complaints are reported and treat all complaints with equal priority. For verbal complaints, the individual will be encouraged to complete, in writing, the complaint form.

If the individual reporting prefers not to fill out the complaint form, a complaint form or equivalent documentation based on the verbal reporting will be prepared. The individual reporting the harassment will be provided a copy of the completed complaint form.

- c) Will take steps to obtain, review, and preserve documents sufficient to assess the allegations, including documents, emails, or phone records that may be relevant to the investigation. The CRCO will consider and implement appropriate document request, review, and preservation measures, including for electronic communications.

## **SECTION B: LAWS AND REGULATIONS**

### **B:20 SEXUAL HARASSMENT IN THE WORKPLACE (Continued)**

- d) Will seek to interview all parties involved, including any relevant witnesses. If a student is involved, the District will follow all applicable District policies and procedures regarding questioning students.
- e) Will create written documentation of the investigation (such as a letter, memo, or email), which contains the following:
  - 1. A list of all documents reviewed, along with a detailed summary of relevant documents;
  - 2. A list of names of those interviewed, along with a detailed summary of their statements;
  - 3. A timeline of events;
  - 4. A summary of any prior relevant incidents disclosed in the investigation, reported or unreported; and
  - 5. The basis for the decision and final resolution of the complaint, together with any corrective action(s).
- f) Will Keep the written documentation and associated documents in a secure and confidential location.
- g) Will Promptly notify the individual(s) who reported the harassment and the individual(s) about whom the complaint was made that the investigation has been completed and implement any corrective actions identified in the written document. Any corrective action taken will be in accordance with applicable law and regulation, as well as  
  
any applicable District policy, regulation, procedure, collective bargaining agreement, third-party contract, or other document such as the District's *Code of Conduct*.
- i) Will Inform the individual(s) who reported the harassment of the right to file a complaint or charge externally as outlined in this policy.

Other District policies and documents address sexual harassment. All complaints will be handled in accordance with the applicable District policies and/or documents.

The determination as to which District policies and/or documents are applicable is fact specific, and the CRCO may work with other District staff such as the District's Title IX Coordinator(s) to determine which District policies and/or documents are applicable to the specific facts of the complaint.

#### **Annual Training**

The District will provide a sexual harassment prevention training program to all employees on an annual basis. The training will be interactive and will include:

- a) An explanation of sexual harassment consistent with guidance issued by the Department of Labor in consultation with the Division of Human Rights;
- b) Examples of conduct that would constitute unlawful sexual harassment;
- c) Information concerning the federal and state statutory provisions concerning sexual harassment and remedies available to victims of sexual harassment;

## **SECTION B: LAWS AND REGULATIONS**

### **B:20 SEXUAL HARASSMENT IN THE WORKPLACE (Continued)**

- d) Information concerning employees' rights of redress and all available forums for adjudicating complaints; and
- e) Information addressing conduct by supervisors and any additional responsibilities for such supervisors.

#### **Notification**

The District will provide this policy to all employees in-person or digitally through email upon hiring and will be posted prominently in all work locations. In addition to sending the policy through email, this policy will also be available on the District's website.

At the time of hiring and at every annual sexual harassment prevention training program, the District will provide each employee a notice containing this policy and the information presented at the District's sexual harassment prevention training program.

This notice will be provided in English and in the language identified by the employee as their primary language, provided that the New York State Department of Labor Commissioner has published a template of the model materials in that language.

The notice will be delivered in writing, either in print or digitally. The notice will either link to or include, as an attachment or printed copy, the policy and training materials.

#### **Legal Protections and External Remedies**

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

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

In addition to those outlined below, individuals may have other legal protections.

#### **New York State Division of Human Rights (NYSDHR)**

The NYSHRL, N.Y. Executive Law, art. 15, Section 290 et seq., applies to all employers in New York State and protects covered individuals, regardless of immigration status. A complaint alleging violation of the NYSHRL may be filed either with the NYSDHR or in New York State Supreme Court.

Complaints of sexual harassment filed with NYSDHR may be submitted any time **within three** years of the harassment. If an individual does not file a complaint with NYSDHR, they can bring a lawsuit directly in state court under the NYSHRL, **within three years** of the alleged sexual harassment. An individual may not file with NYSDHR if they have already filed a NYSHRL complaint in state court.

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

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

## **SECTION B: LAWS AND REGULATIONS**

### **B:20 SEXUAL HARASSMENT IN THE WORKPLACE (Continued)**

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

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

Go to [dhr.ny.gov/complaint](http://dhr.ny.gov/complaint) for more information about filing a complaint with NYSDHR. The website has a digital complaint process that can be completed on a computer or mobile device from start to finish. The website also contains contact information for NYSDHR's regional offices across New York State.

Call the NYSDHR sexual harassment hotline at **1-800-HARASS-3 (1-800-427-2773)** for more information about filing a sexual harassment complaint. This hotline can also provide a referral to a volunteer attorney experienced in sexual harassment matters who can provide limited free assistance and counsel over the phone.

#### The United State Equal Employment Opportunity Commission

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

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

An individual alleging discrimination at work can file a "Charge of Discrimination." The EEOC has district, area, and field offices where complaints can be filed. Contact the EEOC by calling 1-800-669-4000 (TTY: 1-800-669-6820), visiting their website at [www.eeoc.gov](http://www.eeoc.gov) or via email at [info@eeoc.gov](mailto:info@eeoc.gov). To file a complaint with the United States Equal Employment Opportunity Commission, please visit <https://www.eeoc.gov/filing-charge-discrimination>.

If an individual filed an administrative complaint with the NYSDHR, then NYSDHR will automatically file the complaint with the EEOC to preserve the right to proceed in federal court.

#### Title IX

Title IX of the Education Amendments Act of 1972 prohibits discrimination on the basis of sex in education programs and activities that receive federal financial assistance. The U.S. Department of Education's Office for Civil Rights (OCR) enforces Title IX of the Education Amendments Act of 1972.

For more information about how to file a complaint, contact OCR at 800-421-3481 (TDD 800-877-8339) or visit: <https://www2.ed.gov/about/offices/list/ocr/docs/howto.html>. The website contains information about filing the complaint online, by mail, or by email.

## **SECTION B: LAWS AND REGULATIONS**

### **B:20 SEXUAL HARASSMENT IN THE WORKPLACE (Continued)**

#### Local Protections

Many localities enforce laws protecting individuals from sexual harassment and discrimination. An individual should contact the county, city or town in which they live to find out if a law exists.

#### Contact the Local Police Department

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

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

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

29 CFR Section 1604.11(a)

34 CFR Subtitle B, Chapter I

Civil Service Law Section 75-B

New York State Human Rights Law, Executive Law Section 290 et. Seq.

Labor Law Sections 201-g and 740

NOTE: Refer also to Policies #3420 -- Non-Discrimination and Anti-Harassment in the District

#3421 -- Title IX and Sex Discrimination

#6122 -- Employee Grievances

#7551 -- Sexual Harassment of Student

New York State Sexual Harassment Hotline 1-800-HARASS-3 (1-800-427-4773)

Sexual Harassment Complaint Form-Appendix A

### **B:21 SMOKING/TOBACCO USE**

Tobacco use shall not be permitted, and no person shall use tobacco on school grounds. This includes use of e-cigarettes, atomizers or any other similar device whether or not nicotine is present. For purposes of this policy, "school grounds" means any building, structure, vehicle, and surrounding outdoor grounds contained within the District's legally defined property boundaries as registered in the County Clerk's Office; as well as any vehicles used to transport children or school personnel.

The District will prominently post its smoking/Tobacco Use Policy in District buildings and supply a copy upon request to any current or prospective employee. Each administrator and supervisor is designated as an agent who shall be responsible for informing individuals of the policy.

## **SECTION B: LAWS AND REGULATIONS**

### **B:22 WELLNESS**

The Clarence Central School District is committed to providing a school environment that enhances the learning and development of lifelong wellness practices. The District's Wellness and Nutrition Committee (previously known as the Nutrition Committee) is designated as the vehicle for oversight of this policy and will report to the Board of Education as required.

To accomplish the intended goals the Board of Education:

- a) Recognizes that a student's overall emotional wellness will play one of the most important roles in making healthy food and physical activity choices. All student guidance/support services will be recognized as integral parts of any strides in overall wellness.
- b) Requires that each building principal or "wellness designee" meet with the District's Wellness and Nutrition Committee at least annually to review wellness activities in his/her building. Written minutes documenting these activities are to be filed and reviewed as needed by the Board of Education.
- c) Acknowledges that sequential and interdisciplinary nutrition education will be provided and promoted through formal classroom instruction. Health and wellness instruction will be instituted at each grade level through the efforts of the building principals, the Director of Health, Physical Education and Athletics, and the Director of Curriculum and Staff Development. "Team Nutrition" and other valuable resources will be made available.
- d) Requires that all child nutrition programs comply with federal, state and local requirements, and are accessible to all students.
- e) Requires that all schools become a "Choose Sensibly School." This will ensure that snack food sold in school, on school property and in student accessible vending machines before, during and after the school day meets those specific nutritional standards. Certain foods may be exempt from these standards because they are nutrient dense. Limited exceptions, as approved by administration, for special events, tournaments and athletic events may be acceptable.
- f) Requires that the only beverage sold to students in schools, on school property and in student accessible vending machines before, during and after the school day are: milk with a fat content of no more than 2%, water, and vegetable and fruit juices having at least 50% juice. The District's Wellness and Nutrition Committee will have the responsibility to review product and implement changes should new acceptable products become available. Limited exceptions, as approved by administration, for special events, tournaments and athletic events may be acceptable.
- g) Requires that all foods made available will adhere to food safety and security guidelines.
- h) Recommends that food and/or physical activity will not be used as a reward or punishment.
- i) Requires that nutrition information disseminated to students, parents and staff will occur on a regular basis. Items such as newsletter nutrition tips, lunchroom displays, and website menu and nutrition information postings will be utilized.
- j) Requires that elementary classroom teachers incorporate fifteen minutes of physical activity into their daily classroom routine.
- k) Supports that secondary schools, through a coordinated physical education and health curriculum, will offer a variety of non-traditional physical education courses to promote wellness and increase participation within the framework of all New York State standards.
- l) Recognizes that staff wellness will be promoted by supporting staff to participate in wellness activities and/or use building fitness equipment.
- m) Supports using appropriate funding sources for student and staff wellness, including but not limited to: fitness equipment, educational classroom resources, speakers and guidance/student support service enhancements.
- n) Acknowledges that need to cooperate with Parent Teacher Organizations, as well as all school and community support groups, to accomplish wellness goals. Support groups will be encouraged to coordinate with and assist building principals or "Wellness Designees" when planning activities.

## **SECTION B: LAWS AND REGULATIONS**

### **B:22 WELLNESS (Continued)**

- o) Encourages all fund-raising efforts and classroom celebrations follow the District Wellness and Nutrition Standards.

### **B:23 WORKERS' COMPENSATION**

The School District shall make Workers' Compensation coverage available for all employees.

- a) The employee qualified for Workers' Compensation may choose one of the following options:
  - 1) The employee may receive the full amount of his/her salary for as long a period as he/she has accumulated sick leave allowance. If the employee exhausts his/her sick leave during the period of absence, he/she would automatically revert to option 2.
  - 2) The employee may select to receive weekly compensation payments as he/she is entitled to during his/her absence in lieu of his/her regular salary, and days absent would not be deducted from his/her accumulated sick leave allowance.
- b) If the employee chooses option 1, any weekly compensation entitlement received during the period of absence must be remitted to the Board of Education. Depending upon the amount of weekly compensation reimbursed, the employee's sick leave record will be adjusted accordingly.

#### ***Faculty and Staff Injury Protocol***

*Step 1:* Report to the nurse's office

*Step 2:* Perform self-care first aid for minor injuries using the resources available in the nurse's office. School nurses will be available to administer first aid or to provide support in emergent situations

*Step 3:* Complete an "Employee Incident Report" and submit it to the building principal or to the school nurse at the time of the visit to the nurse's office. The forms are available from the nurse or principal, and completed forms will be sent to the Human Resources Office

*Step 4:* If the injury warrants an evaluation from a medical provider, contact the building principal (or immediate supervisor) for coverage. The sick time needed for the medical appointment will be covered by the District

*Step 5:* If seeking medical attention, submit to the provider a "Workers' Compensation Carrier ID Card" which is available from the nurse or principal. For reference, an image of a "Workers' Compensation Carrier ID Card" has been attached. (Note: Because you are filing under "Workers' Compensation," you cannot use your personal insurance plan for the medical appointment)

*Step 6:* Submit any doctor's note for continued absence to the Human Resources Office

*Note: If you would like additional information on rights involving "Personal Injury," "Property Damage," etc. please see Article XXI of the "Negotiated Agreement by and Between the Clarence Central School District and the Clarence Teachers' Association."*

Workers Compensation Employee Incident Report- Appendix B

## **SECTION C: SCHOOL POLICIES**

### **PRIVACY AND SECURITY FOR STUDENT DATA AND TEACHER AND PRINCIPAL DATA**

The District is committed to maintaining the privacy and security of student data and teacher and principal data and will follow all applicable laws and regulations for the handling and storage of this data in the District and when disclosing or releasing it to others, including, but not limited to, third-party contractors. The District adopts this policy to implement the requirements of Education Law Section 2-d and its implementing regulations, as well as to align the District's data privacy and security practices with the National Institute for Standards and Technology Framework for Improving Critical Infrastructure Cybersecurity (Version 1.1).

#### **C:1 ACCEPTABLE USE OF COMPUTERS, TECHNOLOGY AND THE INTERNET**

Technology resources are available to students, employees and the Board in the Clarence Central School District. These resources include software delivered via the District local area network, (LAN), as well as the Internet. We are pleased to provide this access to students, employees and Board Members and believe telecommunications and other technological resources offer vast and unique opportunities to the community. The main use of District equipment is for school related purposes. Personal use may be permitted as long as there is no disruption to District operations or mission.

Generally, the same standards for acceptable staff conduct that apply to any aspect of job performance will also apply to use of the District's technology systems. Employees and Board Members are expected to communicate in a professional manner consistent with applicable District policies and regulations governing the behavior of school staff.

This policy does not attempt to articulate all required and or acceptable uses of the District's technology systems, nor is it the intention of this policy to define all inappropriate usage. Administrative regulations will further define general guidelines of appropriate staff conduct and uses, as well as prescribed behavior.

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

Staff and student data files and electronic storage areas will remain District property, subject to District control and inspection. The Superintendent or his or her designee may access all such files and communications to ensure system integrity and compliance with requirements of this policy and accompanying regulations. **Staff and students should NOT expect that information stored on the District's computer system will be private. Information may be reviewed without prior notice.**

The use of computers is not only of value to schools but is becoming a necessity in working with students and other aspects of schooling. Various work responsibilities result in access to information sources such as software programs, Internet access and the District's computer network. Access and authorization to information and equipment carry a corresponding responsibility for appropriate use. Access should be primarily for educational and professional activities.

**Employees represent the Clarence Central School District and are using a non-private network.**

The following is a list of general expectations of all Clarence employees and students.

#### General Expectations

We expect all employees and students of the Clarence Central School District will:

- 1) Be familiar with building procedures and rules for computer and Internet use. Employees will abide by expectations contained herein.
- 2) Be responsible for the security of their computer equipment, files and passwords.
- 3) Promptly notify their immediate supervisor of security problems.
- 4) Treat student records with confidentiality and not release or share information except as authorized by Federal and State law.

## SECTION C: SCHOOL POLICIES

### **C:1 ACCEPTABLE USE OF COMPUTERS, TECHNOLOGY AND THE INTERNET (continued)**

- 5) Follow acceptable etiquette, which includes:
  - A. Being polite.
  - B. Using appropriate language.

We expect that all employees and students of the Clarence Central School District **will not**:

- 1) Go beyond their authorized access to the District network or other computer equipment or software, including the files or accounts of others.
- 2) Disrupt or attempt to damage or disrupt any computer system, system performance, or data. This includes the propagation of computer viruses and use of the Internet to make unauthorized entry to any other Internet source.
- 3) Use District hardware or software to engage in any illegal act.
- 4) Access or transmit inappropriate items such as pornographic or obscene material, or material that is profane, lewd, rude, inflammatory, or material that contains threatening or disrespectful language.
- 5) Use potentially damaging, dangerous or disruptive material.
- 6) Engage in personal or generalized harassment.
- 7) Transmit false or defamatory information.
- 8) Be involved in plagiarism.
- 9) Be involved in malicious activities or downloading or transmitting copyrighted material.
- 10) Solicit personal information with the intent of using it to cause emotional or physical harm.
- 11) Use District technology for private business purposes or excessive personal use. No personal use of District technology is permitted that would compromise the District's information technology systems, violate the District's mission, its policies and regulations; violate any State or Federal laws or regulations; interfere with the employee's job requirements or diminish student instructional time.
- 12) Download and install unauthorized software programs.

#### When Staff is Working with Students

- 1) All computer use by students requires supervision.
- 2) All student Internet use requires supervision.
- 3) Enforce all aspects of rules governing students.

#### E-mail and Other User Generated Electronic Files

- 1) **Employees and students should not have an expectation of privacy.** The Superintendent of Schools (or designee) has the right of access to all e-mail sent or received. In the event of the Clarence Central School District being involved in any legal proceedings, any relevant e-mail recordings (including Internet e-mail), or other electronic files stored on District equipment may be disclosed.
- 2) Every user is responsible for all e-mail originating from his or her user ID (e-mail address). Forgery or attempted forgery of electronic mail is prohibited. The District e-mail standard is the only allowable e-mail system to be used.
- 3) Attempts to read, delete, copy or modify the e-mail of other users are prohibited.

#### Verification of Employee Understanding

All staff must acknowledge and agree to abide by all regulations, organizational policies, guidelines, and procedures that govern computer network, Internet, and information use.

#### Assumption of Risk

The Clarence Central School District makes no guarantees of any kind, whether expressed or implied, for services provided and is not responsible for any damages suffered while on the system. This includes loss of data and inaccurate or poor-quality information obtained from the system. Furthermore, while use of private devices is acceptable, the owner assumes all the risk for damage, loss or corruption of data.

## **SECTION C: SCHOOL POLICIES**

### **C:1 ACCEPTABLE USE OF COMPUTERS, TECHNOLOGY AND THE INTERNET (continued)**

#### Web Pages

An exciting innovation in technology is the opportunity for teachers and staff to create teacher Web pages. The Board and the administration encourage the development of Web pages by teachers and staff in order to provide information to parents, students and the community about classroom and student activities as well as instructional resources. To be considered authorized by the Clarence Central School District, Web pages must be developed in accordance with this regulation using resources provided by, and hosted on sites provided by, the Clarence Central School District.

The following guidelines apply to all Web pages developed by Clarence Central School District students and staff and housed within Clarence Central School District's realm of ownership. All information must be in compliance with Clarence Central School District policies, regulations, and Web standards.

#### Content Integrity

- 1) All subject matter on the Web pages and their links must relate to:
  - A. Curriculum and instruction.
  - B. Clarence Central School District authorized activities and services.
  - C. Information about the Clarence Central School District or its mission.
- 2) Safety - Information about students and staff posted on a teacher Web page should be general in nature. Do not use students' full names on the Web. Also, do not give specific locations and times when listing a field trip or activity. Remember that this information is public for anyone to access.
- 3) Always refer to our organization by using the proper name, the Clarence Central School District.
- 4) To reduce the possibility of spam, use broken e-mail addresses that do not automatically create a link.
- 5) Confidential information regarding students, staff, or the organization may not be posted on Web pages.
- 6) Treat your audience with respect. Avoid any objectionable language and use proper grammar and spelling at all times.

#### Copyright Information

- 1) Generally, you cannot post a copy of any copyrighted materials on your website without the copyright owner's permission. Merely acknowledging the source of the copyrighted material is *not* a substitute for obtaining this permission. Materials that may be subject to copyright include photographs, logos, music, videos, cartoons, drawings, paintings, graphs, charts, animation, articles, and other Web pages.

Students and staff should assume that any such materials, even if found on the Internet and in the absence of the © symbol or other copyright notice, are subject to copyright.

- 2) Under certain limited circumstances, teachers are authorized to use portions of copyrighted works in traditional classroom settings under the doctrine of "fair use," without specific permission. However, a copy of a copyrighted work placed by a teacher on a website is less likely to be seen as a "fair use" of that work. Therefore, reliance on a website using "fair use" doctrine should be avoided.
- 3) Generally, links to copyrighted resources available elsewhere online may be created as long as the link merely directs the user to another site and does not cause a copy of the copyrighted work to be created and stored on Clarence Central School District sites or servers. Include the link disclaimer language. Framing (displaying another site's Web page within our Clarence Central School District Web page design) is not permitted. Your link must cause a separate Web page to appear.

## **SECTION C: SCHOOL POLICIES**

### **C:1 ACCEPTABLE USE OF COMPUTERS, TECHNOLOGY AND THE INTERNET (continued)**

- 4) Students are the copyright owners of their own work. You must get the written permission of the student, as well as his or her parent, to post a copy of a student's work on your Web page.

#### **Additional Guidelines for the Use of Photos and Images**

- 1) Student photographs, video, audio recordings, or electronic images may be used without prior consent in order to publicize or promote a school district program. If a parent or guardian wishes to refuse permission for the use of a child's photograph, video or audio recording, or electronic images in District publications, media releases, or the District Web site, they must notify the Superintendent of Schools or building principal in writing by September 30 in each academic year.
- 2) When uploading a file containing an approved photo, please make certain the file name does not list student names (ex.: SallyMae.jpg). If it does, please re-save the photo using another generic description then upload onto the Web. Students' names could be inadvertently shared, accessed as part of the image's code, if not corrected.
- 3) Photos of individual students or staff are not recommended for security reasons. Group pictures make it harder to identify a specific person in the photo.
- 4) When using the Clarence Central School District logo, use only the standard logo and do not modify it in any way. When using the logo of another organization (ex.: SkillsUSA), you must get permission in writing first.
- 5) You may only use images on your Web page with the permission of the copyright owner, unless the image is from a source that specifically grants permission for such use. You cannot scan material from a book and paste it onto your Web page. Handouts created by anyone but you cannot be posted on the Web page. Clip art may be used if from a source that grants permission for such use.

#### **Social Media**

The School District recognizes the value of teacher and professional staff inquiry, investigation and communication using new technology tools to enhance student learning experiences. The School District also realizes its obligations to teach and ensure responsible and safe use of these new technologies. Social media, including social networking sites, have great potential to connect people around the globe and enhance communication. Therefore, the Board of Education encourages technologies to supplement the range of communication and educational services.

For purposes of this Policy, the definition of public social media networks or Social Networking Sites (SNS) are defined to include: Web sites, Web logs (blogs), wikis, social networks, online forums, virtual worlds, and any other social media generally available to the school district community, which do not fall within the District's electronic technology network. The definition of District approved password-protected social media tools are those that fall within the District's electronic technology network or which the District had approved for educational use. Within these internal forums, the District has greater authority and ability to protect minors from inappropriate content and can limit public access within these internal forums.

However, personal use of these media during District time or on District-owned equipment is prohibited. In addition, employees are encouraged to maintain the highest levels of professionalism. They have responsibilities for addressing inappropriate behavior or activity on these networks, including requirements for mandated reporting and compliance with all applicable District Policies and Regulations.

#### **Applicable Policy and Regulation**

All development and use of Web pages and communication tools will be subject to other applicable Clarence Central School District policies and regulations regarding the use and development of instructional materials.

## **SECTION C: SCHOOL POLICIES**

### **C:1 ACCEPTABLE USE OF COMPUTERS, TECHNOLOGY AND THE INTERNET (continued)**

#### **Enforcement**

The Superintendent shall be responsible for the enforcement of this policy. Violations of the policy shall be dealt with in accordance with applicable laws, regulations and employee contracts.

### **C:2 ACCIDENTS**

Procedures shall be established and maintained by the Superintendent for the handling of student injuries that occur on school property and during school activities.

#### **Student Emergency Treatment**

All staff members of the School District are responsible to obtain first-aid care for students who are injured or become ill while under school supervision.

In most instances first aid should be rendered, and then the parent should be contacted to come to school and transport the student to the family physician. Beyond first aid, the medical care of the student is the parent's responsibility. However, the student's welfare is always the primary concern, and it is the responsibility of school personnel to exercise good judgement and care under all circumstances.

#### **Transporting an Ill or Injured Student**

In the event of an illness or injury to a student, an ambulance may be called if warranted. This solution will be used after other alternatives, including parent/legal guardian contact, have been made. If a parent is not in attendance, an official from the School District shall accompany, but not transport, the student to the hospital.

### **C:3 ADVERTISING/DISTRIBUTION OF LITERATURE IN THE SCHOOLS**

No materials of a commercial nature shall be distributed through the Clarence Schools except as authorized by law or the Commissioner's Regulations. Neither the staff nor the students of the School District shall be employed in any manner for advertising or otherwise promoting the interests of any commercial, political, or other non-school agency, individual or organization, except that:

- a) Schools may cooperate in furthering the work of any non-profit, community-wide, social service agency, provided that such cooperation does not restrict or impair the educational program of the schools;
- b) The school may use films or other educational materials bearing only simple mention of the producing firm;
- c) The Superintendent of Schools may, at his discretion, announce or authorize to be announced, any lecture or other community activity of particular educational merit;
- d) The schools may, upon approval of the Superintendent of Schools, cooperate with any agency in promoting activities in the general public interest that are non-partisan and non-controversial, and that promotes the education and other best interests of the students.

## **SECTION C: SCHOOL POLICIES**

### **C:4 BUILDING SECURITY**

In order to provide uniform procedures for administering and maintaining a security system on a District-wide basis, and in order to help avoid incidents of breaking and entering, theft and vandalism, the following regulations shall govern all buildings and facilities.

#### **Guidelines:**

- a) No change shall be made on or to any locks/locking devices in any building without the expressed authorization of the Superintendent of Buildings and Grounds.
- b) No faculty/staff member shall possess at any time an area key to facilities which are not within the scope of his/her primary assignment.
- c) No student or non-District employed person shall possess or be given a key for temporary use.
- d) All classroom keys provided for faculty/staff members use shall be issued annually in September and returned the following June as part of the final year-end audit.
- e) All unoccupied areas, including classrooms, laboratories, custodial closets, storage rooms etc. shall be locked at all times.
- f) Although the building administrator(s) is held responsible for the affairs of his/her facilities, after school hours the Superintendent of Buildings and Grounds shall have primary responsibility for District security and building security during the absence of the building administrator.

### **C:5 EMERGENCY CLOSING OF SCHOOL**

The Superintendent of Schools may make the determination to close school in the case of inclement weather or other emergency that may pose a threat to the health or safety of students. When school is closed, all related activities—athletic events, field trips, extracurricular activities, and Community Education classes—will also be cancelled. Also, when Clarence Schools are closed due to inclement weather conditions, Clarence school buses will not transport any students, regardless of the school they attend. Every effort is made to make the decision to close school by 6:00 A.M.

If the decision is made to dismiss early, students in grades 6-12 will be dismissed first. Parents of students in grades 6-12 are, therefore, encouraged to discuss contingency plans with their children in the event school is closed early.

Dismissal for elementary students will remain as close to 2:30 P.M. as possible to avoid sending younger students home where there may not be adult supervision. Finally, if road conditions are deemed too hazardous to safely transport students home, the Superintendent may make the decision to delay dismissal until conditions improve.

Should an urgent situation occur, the District will send an emergency message to affected households through an automated phone notification system. Because power outages may affect the reliability of the automated system, emergency information is released to the following outlets:

- WGRZ-TV, WIVB-TV, and WKBW-TV
- Radio station WBEN 930 AM
- Parent Square
- District Social Media Accounts
- Clarence website: [www.clarenceschools.org](http://www.clarenceschools.org)

### **C:6 MAILBOXES**

Each staff person is assigned a mailbox for the purpose of inter-school communication. Newsletters, bulletins, notes from other staff members, etc., will be placed in your mailbox. It should be checked in the morning and afternoon by each person. Incoming mail, magazines, catalogs, etc. will also be placed in your mailbox. Please do not allow students to pick up mail or place information in the mailboxes.

## **SECTION C: SCHOOL POLICIES**

### **C:7 MAINTENANCE REQUESTS**

All maintenance requests shall be completed on the Buildings and Grounds Help Desk. Essential information should be entered as directed on the form and submitted.

### **C:8 PARENT ORGANIZATION**

An integral component of a successful educational system is a strong partnership between school and home. The parents of this District have exhibited a commitment to outstanding educational opportunities for their children through their participation in parent teacher organizations. Each of our schools boasts a strong, active parent group dedicated to supporting and enhancing the existing program.

### **C:9 PRESIDENT'S COUNCIL**

Officers from our parent organizations meet as a group on a regular basis with the Superintendent of Schools for the purpose of coordinating their efforts and sponsoring joint projects.

### **C:10 PUBLIC RELATIONS**

The high level of confidence and strong community support enjoyed by the Clarence School District is due in large part to the commitment and dedication of its outstanding professional staff. An effective communication plan is essential to building good relations, but the strongest component of a public relations program is at the individual level.

In that respect every employee is an important link in our public relations efforts. As we go about performing our duties, we must be mindful of the role public relations plays in the smooth operation of the district.

We would never do things for public relations value, but certainly everything we do has public relations implications. Public opinion is based on personal observations and experiences. Every contact we have with a colleague, a student, a parent, or a member of the community contributes to that person's perception about our school district.

### **C:11 PURCHASING: HOW TO ORDER SUPPLIES, EQUIPMENT AND SERVICES**

All purchases of supplies, equipment, and services used for school related activities must be approved by each employee's supervisor, building principal and/or the school business manager using the following procedure:

- a) Submit a requisition for the item(s) to immediate supervisor or building principal. Please make sure it is filled out correctly and completely.
- b) Following approval, the building principal will receive the purchasing agent's approval and the purchase order will be mailed to the company.
- c) A receiving copy and department copy of the purchase order will be sent to your building secretary, a copy will then be forwarded to you for approval. If initial shipment completes the order, fill out and return the receiving copy to the Business office. If a partial shipment: check off the items received, make a copy, sign it, and send the copy to the Business Office. When final shipment is received, completing the order, sign and return the original copy to the Business Office.
- d) Additional Purchasing information can be found in the Clarence Forms Library.

## **SECTION C: SCHOOL POLICIES**

### **C:12 SAFETY AND SECURITY**

The Board of Education of the Clarence Central School District hereby declares that it is the policy of the School District to provide a safe and secure environment to all those persons, students, staff and visitors, who lawfully enter upon District property or who travel in District vehicles for the purposes of the District.

It shall be the responsibility of the Superintendent to establish and carry out written regulations that will:

- a) Identify those staff members who will be responsible for the effective administration of the regulations;
- b) Provide staff time and other necessary resources for the effective administration of the regulations;
- c) Establish periodic written review of the activities of the staff to ensure compliance with applicable laws and regulations;
- d) Provide an on-going mechanism for the effective review of safety and security concerns of the staff, students and affected public;
- e) Comply with Project SAVE (Safe Schools Against Violence in Education Act) requirements.

#### **Hazard Communication Standard**

All personnel shall be provided with applicable training to comply with the New York State “Right-to Know” Law and the Hazard Communication Standard.

The Board directs the Superintendent to develop rules and regulations to insure District implementation of this policy which shall include awareness information, employee training and record keeping.

### **C:13 USE OF SCHOOL FACILITIES, MATERIALS AND EQUIPMENT**

#### **School Facilities**

It is the policy of the Board to encourage the greatest possible use of school facilities for community-wide activities including those uses permitted by New York State Law. Groups wishing to use the school facilities must secure written permission from the Superintendent or his or her designee and abide by the rules and regulations established for use including restrictions on alcohol, tobacco and drug use. The Superintendent, at his or her discretion, may consult with the Board. Monthly reports may be made to the Board regarding community use of the school facilities.

The District reserves the right to charge a fee for the use of its facilities in a manner consistent with law, and on terms specified in regulation or by agreement with these organizations.

#### **Materials and Equipment**

Except when used in connection with or when rented under provisions of Education Law Section 414, school-owned materials or equipment may be used by members of the community, Board members, or by District employees and/or students for school related purposes only. Private or personal use of school-owned materials and equipment is strictly prohibited. The loan of equipment and materials for public purposes that serve the welfare of the community is allowed, as long as the equipment is not needed at that time for school purposes and that the proposed use will not disrupt normal school operations.

The Board will permit school materials and equipment to be loaned to Board or staff members when such use is directly or peripherally related to their District responsibilities and/or employment, and to students when the material and equipment is to be used in connection with their studies or extracurricular activities. Community members will be allowed to use school-owned materials and equipment only for educational purposes that relate to school operations. All individuals will be expected to be familiar with the operation of any equipment they propose to borrow. The Board will also allow the loan of equipment to local governments and other entities that benefit the welfare of the surrounding community. The Board supports this intermunicipal cooperation as it saves taxpayer monies and is a more efficient use of scarce or costly equipment and resources.

## **SECTION C: SCHOOL POLICIES**

### **C:13 USE OF SCHOOL FACILITIES, MATERIALS AND EQUIPMENT (continued)**

The Superintendent/designee will establish administrative controls to assure the lender's responsibility for, and return of, all such materials and equipment.

### **C:14 SOLICITATION OF CHARITABLE DONATIONS**

#### **School Children**

Direct solicitation of charitable donations from children in the District schools on school property during regular school hours shall not be permitted. It will be a violation of District policy to ask District school children directly to contribute money or goods for the benefit of a charity during the hours in which District students are compelled to be on school premises.

However, this policy does not prevent the following types of fund raising activities:

- a) Fundraising activities which take place off school premises, or outside of regular school hours during before-school or after-school extracurricular periods;
- b) Arms-length transactions, where the purchaser receives a consideration for his or her donation. For example, the sale of goods or tickets for concerts or social events, where the proceeds go to charity, will not be prohibited as the purchaser will receive consideration - the concert or social event - for the funds expended;
- c) Indirect forms of charitable solicitation on school premises that do not involve coercion, such as placing a bin or collection box in a hallway or other common area for the donation of food, clothing, other goods or money. However, collection of charitable contributions of food, clothing, other goods or funds from students in the classroom or homeroom is prohibited.

The Board will ultimately decide which organizations, groups, etc. can solicit charitable donations and for what purposes, as long as the activities comply with the terms of this policy and the Rules of the Board of Regents.

#### **School Personnel**

Soliciting of funds from school personnel by persons or organizations representing public or private organizations will be prohibited. The Superintendent will have the authority to make exceptions to this policy in cases where such solicitation is considered to be in the District's best interest. The Board will be notified of these instances.

Distribution of information about worthwhile area charities may be made through the Office of the Superintendent of Schools as a service to District personnel.

### **C:15 VANDALISM/THEFT**

When it is discovered that an act of vandalism has occurred at one of our buildings, the following rules will be followed:

- a) Reporting the vandalism

Depending upon the nature and severity of the vandalism, the building principal, director, manager or supervisor and Assistant Superintendent for Finance and Operations will make a determination as to whether or not the police shall be notified. Whenever the vandalism includes the theft of school equipment, the police must be notified of the incident.

- b) Building Principal/Director/Manager or Supervisor's responsibility

## **SECTION C: SCHOOL POLICIES**

### **C:15 VANDALISM/THEFT (continued)**

The building principal, director, manager or supervisor shall prepare a written report which will be forwarded to the Superintendent with a copy to the Assistant Superintendent for Finance and Operations. The report shall include the following:

1. Date of the vandalism.
2. Name of the person who discovered the vandalism.
3. Estimated time of vandalism.
4. A copy of the police report. (Only applicable if the police are notified.)
5. Description of items vandalized or stolen.
6. A cost estimate of necessary repairs and replacement. The Business Manager will assist in determining estimated repair cost.
7. The names and addresses of any person responsible for vandalism.

### **C:16 SCHOOL VOLUNTEERS**

The Board recognizes the need to develop a school volunteer program to support District instructional programs and extracurricular activities. The purpose of the volunteer program will be to:

- a) Assist employees in providing more individualization and enrichment of instruction;
- b) Build an understanding of school programs among interested citizens, thus stimulating widespread involvement in a total educational process;
- c) Strengthen school/community relations through positive participation.

Volunteers are persons who are willing to donate their time and energies to assist Building Principals, teachers, and other school personnel in implementing various phases of school programs. Volunteers will serve in that capacity without compensation or employee benefits except for liability protection under the District's insurance program.

Administrative regulations will be developed to implement the terms of this policy

## **SECTION D: PERSONNEL**

### **D:1 ABSENCES**

Teachers, Teacher Aides and Nurses will contact the Red Rover Service no later than 6:30 am by going to [app.redroverk12.com](http://app.redroverk12.com).

All faculty staff, whether a substitute is required or not, must login to this service and indicate a reason for the absence, where lesson plans, duty assignments, and any necessary materials are located. When you are absent and decide that you will not be able to return the following day, notify the Absence Management Service as soon as possible.

If you need to be absent for an extended period of time, please refer to your contract for specific procedures. When you are absent and decide that you will not be able to return the following day, notify Red Rover Service as soon as possible. This will assist the school and your substitute.

## **SECTION D: PERSONNEL**

### **D:1 ABSENCES (continued)**

Clerical, Buildings & Grounds and Transportation staff must contact the principal's or their supervisor's secretary in the event that they are going to be absent.

Personal Business Day forms are available in the in the Main Office and should be submitted to the principal for approval with advanced notice whenever possible.

Unpaid leaves (i.e. child care) are provided under the collective bargaining agreements or by Board policy. Unpaid health leaves may be requested upon expiration of sick leave. Unpaid leaves are generally limited to one year in length and health insurance is not provided unless required by law (Family/Medical Leave Act).

### **D:2 BARGAINING UNITS AND UNION ACTIVITIES**

#### **Clarence Administrators' Association(CAA)**

This unit covers those positions outlined in Section 1.2 of the collective bargaining agreement. The president for the 2025-2026 school year is Mr. Kenneth Smith.

#### **Clarence Teachers' Association (CTA)**

This Unit covers those positions outlined in Article I, Recognition of the collective bargaining agreement. The president for the 2025-2026 school year is Ms. Elizabeth Dunne.

#### **Civil Service Employees' Association, Inc. (CSEA)**

This unit covers all classified employees except those identified under Section I.02 of the collective bargaining agreement. The president for the 2025-2026 school year is Mr. Timothy Ekkebus.

#### **Union Activity in General**

Except as provided by law or collective bargaining agreement, work time is not to be used to conduct union business or promote activity.

The bargaining units in the District, pursuant to section 209-1 of Civil Service Law, shall not interfere with, restrain or coerce any employees in exercising their individual or collective rights in accordance with article 14 of the Civil Service Law (i.e. Taylor Law).

### **D:3 BLOOD DONATION LEAVE**

New York State Labor Law Section 202-j provides leave time to employees for the purpose of donating blood. Leave granted to employees for off-premises blood donation is not paid leave.

Leave for off-premises donation shall be subject to the following:

- a) Employees taking leave for off-premises blood donation shall be permitted at least one leave period per calendar year of three hours duration during the employee's regular work schedule.
- b) Off-premises blood donation leave does not accrue if it is not used during the calendar year.

As an alternative the high school student council holds blood drives twice per school year. The blood drives are typically held in December and April of each year. An employee who wishes to donate blood at a blood drive held at the high school may do so without loss of pay or without charge to any accrued leave-time. Please call the personnel office at extension 9107 if you have questions.

## **SECTION D: PERSONNEL**

### **D:4 CANCER SCREENING LEAVE**

Effective March 18, 2018, Civil Service Law Section 159-b was amended by broadening the scope of that provision so that it will apply to all cancer screenings. The law allows school district employees to absent themselves for up to four hours on an annual basis (one four-hour period annually between 7/1 and 6/30) to undergo screening for any type of cancer.

The Clarence School District fully supports preventive health practices and encourages its employees to follow established guidelines for screening as recommended by an individual's personal physician. In addition, employees are asked to consider the impact of their absence on the educational program and to schedule screenings at a time which is least disruptive. Employees may wish to schedule appointments during non-work hours or vacation periods.

To facilitate the process of excusing yourself from work, it will be necessary to complete a Cancer Screening Leave Request Form. This form needs to be completed in advance of your scheduled screening appointment and is available in the main office of each building. In addition, you will need to have your screening provider complete the Verification of Cancer Screening Form. Do not provide separate notes from your provider. Only the verification form should be returned to the designated secretary in your building.

### **D:5 COMPLAINTS AND GRIEVANCES BY EMPLOYEES**

In accordance with the provisions of General Municipal Law and the collective bargaining agreements, all District personnel shall have the opportunity to present their complaints or grievances free from interference, coercion, restraint, discrimination or reprisal. The District shall provide at least two procedural stages and an appellate stage for the settlement of any grievance. Complaints or grievances not covered under employee contracts shall be handled and resolved, whenever possible, as close to their origin as possible. The Superintendent is responsible for implementing regulations for the redress of complaints or grievances through proper administrative channels.

#### **Title IX/Section 504, Americans with Disabilities Act, Complaints and Grievances**

Additionally, the Board shall ensure compliance with Title IX of the Educational Amendments of 1972 and Section 504 of the Rehabilitation Act of 1973 and the Americans with Disabilities Act of 1990. The Superintendent shall designate a District employee as their Title IX Section 504 Coordinator and shall also designate at least one District employee to coordinate efforts to comply with and carry out the District's responsibilities under the Americans with Disabilities Act. The District shall make available to all interested parties, the name, address, and telephone number of the employee or employees designated pursuant to this paragraph.

The Superintendent shall implement regulations and procedures to resolve complaints of discrimination based on sex or disability and shall adopt and publish grievance procedures providing for prompt and equitable resolution of complaints alleging any action that would be prohibited by the Americans with Disabilities Act. Prior to the beginning of each school year, the District shall issue an appropriate public announcement which advises students, parents/legal guardians, employees and the general public of the District's established grievance procedures for resolving complaints under Title IX/Section 504 and the Americans with Disabilities Act. The District's designated compliance officers who coordinates the nondiscrimination requirements of Title IX is Mrs. Kristin Overholt, Assistant Superintendent of Curriculum and Instruction and Robert Michel, Assistant Superintendent for Human Resources. The District's designated compliance officer who coordinates the nondiscrimination requirements of Section 504 of the Rehabilitation Act of 1973 is Mrs. Jill Snuszka, Assistant Superintendent of Student Services.

## **SECTION D: PERSONNEL**

### **D:6 EMPLOYEE PERSONNEL RECORD AND RELEASE OF INFORMATION**

#### **Personnel Records**

The Board of Education directs the Superintendent to maintain a personnel file for each teacher, administrator and support staff member employed by the District.

The Board also directs the Superintendent to maintain regulations and procedures governing the inspection by District employees of their personnel files.

#### **Release of Personal Information**

All steps shall be taken to protect the privacy of the employees of the Board of Education. To ensure the individual's privacy, directory or confidential information should not be shared with a third party except in the following situations:

- a) When members of the Board of Education need information from the employee's personnel record to aid them in performing their legal responsibilities in such matters as appointments, assignments, promotion, demotions, remuneration, discipline, dismissal or to aid in the development and implementation of personnel policies.
- b) When the employees grant permission.
- c) When the third party needs to contact a particular staff member in case of an emergency during non-school hours.

Procedures for obtaining consent for release of records to third parties shall be developed by the administration.

#### **Release of Information Concerning Former Employees**

The District shall not release information concerning the employment records, personnel file or past performance of a former employee, unless such information is required to be disclosed by law. Only the initial and final dates of employment and the position held shall be provided through a written request. The former employee may authorize the release of any additional information.

### **D:7 FAMILY AND MEDICAL LEAVE ACT**

The Board of Education, in accordance with the Family and Medical Leave Act of 1993 (FMLA), gives "eligible" employees of the District the right to take unpaid leave for a period of up to twelve (12) workweeks in a twelve-month period as determined by the District. The District will compute the twelve-month period according to the following time frame: a "rolling" twelve-month period will be used that is measured backward from the date an employee uses any FMLA leave.

Employees are "eligible" if they have been employed by the District for at least twelve (12) months and for at least 1,250 hours of service during the previous twelve-month period. Full-time teachers are deemed to meet the 1,250-hour test. The law covers both full-time and part-time employees.

Qualified employees may be granted leave for one (1) or more of the following reasons:

- a) The birth of a child and care for the infant;
- b) Adoption of a child and care for the infant;
- c) The placement with the employee of a child in foster care;

## **SECTION D: PERSONNEL**

### **D:7 FAMILY AND MEDICAL LEAVE ACT (continued)**

- d) To care for a spouse, child or parent who has a serious health condition as defined by the FMLA;
- e) A serious health condition of the employee, as defined by the FMLA, that prevents the employee from performing his/her job;
- f) Leave for the birth or adoption of a child or the placement of a child with the employee for foster care must be taken within twelve (12) months of the birth or placement.

At the Board of Education's or employee's option, certain types of paid leave may be substituted for unpaid leave.

An employee on FMLA leave is also entitled to have health benefits maintained while on leave. If an employee was paying all or part of the premium payments prior to leave, the employee will continue to pay his/her share during the leave period.

In most instances, an employee has a right to return to the same position or an equivalent position with equivalent pay, benefits and working conditions at the conclusion of the leave.

The Board of Education has a right to thirty (30) days advance notice from the employee where practicable. In addition, the Board may require an employee to submit certification from a health care provider to substantiate that the leave is due to the serious health condition of the employee or the employee's immediate family member. Failure to comply with these requirements may result in the denial of FMLA leave. The Board may also require that an employee present a certification of fitness to return to work when the absence was caused by the employee's serious health condition. The Board of Education has the right to deny restoration to employment if the employee does not furnish the certificate of fitness.

A notice which explains the FMLA's provisions and provides information concerning the procedures for filing complaints of violations of the FMLA shall be posted in each school building.

Administration is directed to develop regulations to implement this policy, informing employees of their rights and responsibilities under the FMLA.

### **D:8 FRINGE BENEFITS AVAILABLE THROUGH THE SCHOOL DISTRICT**

For more detailed information, contact the Human Resources Office.

1. Membership in either the New York State Teachers' Retirement System or the New York State Employees' Retirement System.  
Their web addresses are:  
<https://www.nystrs.org/>  
<https://www.osc.ny.gov/retirement>
2. Tax Sheltered Annuity – 403b Plans – A supplement to your retirement planning, allows you to contribute to an annuity in pre-tax dollars. Contributions and earnings are tax free until you begin making withdrawals, generally no earlier than age 59 1/2.

## **SECTION D: PERSONNEL**

### **D:8 FRINGE BENEFITS AVAILABLE THROUGH THE SCHOOL DISTRICT**

(Continued)

Payroll deductions may be made when authorized by employees. Plans currently available through the school include:

American Century Services, LLC.  
Amerprise Financial/River Source  
Aspire Financial Services  
Brighthouse Life Insurance (Metlife CT/Travelers)  
Corebridge Financial (formally AIG/VALIC)  
Equitable (formally AXA)  
GWN/ Employee Deposit Account  
Metlife  
Metlife (FC)  
Orion Portfolio Solutions, LLC (formerly FTJ Fund Choice)  
Primerica Financial Service  
SgROI Financial LLC  
The Legend Group (A Lincoln Investment Company)  
Vanguard Fiduciary Trust Company  
Voya Financial (Natl. NY)

3. New York State's Deferred Compensation Plan – In addition to the New York State Retirement System, and the ability to invest in a tax-sheltered annuity (403b Plan), another method of investing for retirement exists. This plan is the New York State Deferred Compensation Plan, which is commonly referred to as a 457 Plan. The plan is comprised of 32 investment options that include options in each major asset class, a Stable Income Fund, and Life Cycle Funds. In many respects, a 457 Plan is very similar to a 403b Plan. For further information, contact Mark J. Wallace, account executive. He has a local office and his telephone number is 1-800-422-8463 extension 44397.
4. A Flexible Benefit Plan (Section 125 Plan) which allows you to pay for your health insurance premiums, out-of-pocket medical expenses and dependent child care expenses with tax-free dollars.
  - a. Health insurance Premiums – There is no difference in the amount deducted from your paycheck. Clarence Central Schools will continue to withhold your share of the insurance premiums and remit them together with the portion we pay to the insurance company. The difference is that now you will pay NO TAXES on your share of the premiums.
  - b. Eligible Out-of-Pocket Medical Expenses (i.e. Deductible, Co-Payments, etc.) – Reimbursements will be paid out monthly for any claims that are received. Claim forms must be accompanied by a receipt from the service provider with the dates of service clearly stated. You pay NO TAXES on the amount you set aside to pay for these expenses.
  - c. Eligible Dependent Care Expenses – If both you and your spouse work, dependent care expenses may be paid through this account. Qualifying dependent care expenses include expenses necessary for you and your spouse to be gainfully employed, such as:
    - Expenses paid to a dependent care center.
    - Expenses paid for care of a dependent under age 13.
    - Expenses paid for care of another dependent who is physically or mentally incapable of caring for him/herself.
    - You pay NO TAXES on the amounts you set aside for dependent care expenses.

## **SECTION D: PERSONNEL**

### **D:8 FRINGE BENEFITS AVAILABLE THROUGH THE SCHOOL DISTRICT**

(Continued)

The Plan Year is July 1 through June 30. All employees are eligible to enroll in the Flexible Benefit Plan. Each year employees who choose to participate in the plan will be asked to complete a new enrollment form. Employees who fail to submit the required enrollment form prior to the deadline set each year will be excluded from the plan during that plan year, except under certain limited situations. Enrollment is completed electronically by logging on to: [ccsd.bswift.com](http://ccsd.bswift.com).

If you have any questions regarding this plan, please call the District Benefits Clerk at (716) 407-9014.

5. Health insurance benefits are based on an employee's negotiating unit. Administrators, teachers, and non-instructional staff are offered Independent Health. Employee contributions vary depending upon various considerations, i.e. negotiating unit, full-time/part-time status, premium cost, etc.

The monthly premiums are deducted from approximately every bi-weekly paycheck. For those employees who do not work in July or August, a larger deduction is made throughout the year in order to extend coverage to September 1.

Please call the Human Resources Office with any questions regarding health insurance.

6. Dental Plans – Plans are provided in accordance with the negotiated agreement in force.
7. Direct Payroll Deposit – This is a convenient method of payment available to all employees. Nearly all banks and many credit unions participate.
  - You may have up to five accounts (i.e. savings and checking) per person. These do not need to be at the same institution.
  - Due to computer test run requirements needed to verify your information, direct deposit may not take place for up to two pay periods from the date we receive your form.

With this system, funds will be available Friday morning. Do not count on money being available earlier than the scheduled pay day.

- Due to intricacies of direct deposit, there may be a time when the direct deposit automatic clearing house wire system is not functioning. In that case, you will be generated a pay check for your full amount. Therefore, make sure you open your pay envelope to determine if you received direct deposit or the full amount of your check

Contact the payroll/human resources office for a direct payroll deposit authorization form.

8. North Towns Federal Credit Union – Ten teachers, two clerical employees, one custodian and one building administrator formed the North Towns Federal Credit Union in 1954.
  - The credit union is a not-for-profit organization chartered by the Federal Government. Its original purpose was to provide financial services to the employees of the Clarence Central School District and their relatives by blood or marriage.
  - In 2002 the charter was expanded to include all persons who live, work, worship, or attend school in the Town of Clarence. Credit Union membership is also available to all students and employees of the Clarence Central Schools.

## **SECTION D: PERSONNEL**

### **D:8 FRINGE BENEFITS AVAILABLE THROUGH THE SCHOOL DISTRICT** (Continued)

- The credit union office is conveniently located at 9145 Sheridan Drive. Office hours are 9:00a.m. to 4:30p.m. Monday through Thursday and 9:00a.m. to 5:30p.m. on Friday. The telephone number is: 630-0888; messages may be left on an answering device after-hours. The Web site address is: [www.northtownsfcu.com](http://www.northtownsfcu.com).

#### **The Credit Union Offers:**

- Direct Deposit
- Free checking accounts
- Visa Check Card (Debit Card) to accompany checking accounts
- Interest-bearing savings accounts
- CDs
- Roth IRAs, regular IRAs, and education IRAs
- Club accounts
- Personal loans
- New and used vehicle loans
- Loans for boats, RVs and motorcycles
- Loans repaid via direct deposit offered at a discounted rate
- Home equity loans
- First Mortgages
- Fixed rate Visa Credit Card with no annual fee
- No surcharge for ATM usage using SHARENET (Walgreens), Co-op, Allpoint & SEFCU
- Free online banking & bill paying
- Notary Public
- Money Orders
- Discounted tickets for Delta-Sonic, Regal Movie Theaters, Fantasy Island, Darien Lake
- Night deposit box for your convenience
- Savings up to \$250,000 insured by the NCUA (National Credit Union Association)

The mottoes of the credit union are:

“PEOPLE HELPING PEOPLE”

and

“NOT FOR PROFIT, NOT FOR CHARITY, BUT FOR SERVICE”

Want to learn more? Check out their Web site at: [www.northtownsfcu.com](http://www.northtownsfcu.com), or e-mail to [memberservice@northtownsfcu.com](mailto:memberservice@northtownsfcu.com).

9. Employee Assistance program (EAP) which provides free, confidential counseling for you and/or your family members.

## **SECTION D: PERSONNEL**

### **D:8 FRINGE BENEFITS AVAILABLE THROUGH THE SCHOOL DISTRICT** (Continued)

The Clarence Central School District offers all employees and their family members who reside with them, an employee benefit designed to provide free and confidential counseling for personal or family issues. This benefit is called an Employee Assistance Program (EAP) and is available through a contract established with the ESI Group, Educators' EAP, a large professional counseling agency.

Some of the issues which can be handled by the program include, but are not limited to:

- Stress related concerns
- Concerns about children/aging relatives
- Alcohol and drug abuse
- Career decisions
- Marital difficulties
- Legal questions
- Illness and loss

Through the EAP you are eligible to meet with a professional counselor for 1-3 consultations at no cost to you. If the issue requires further or more specialized services, the EAP can refer you to other appropriate resources in the community. Frequently, your health insurance benefits will cover the cost of additional services if required. Most agencies have sliding scale fees.

All services are provided on a strictly confidential basis. Educators' EAP can be reached by phone at: 1-800-252-4555 or 1-800-225-2527. Or online at: [www.EducatorsEAP.com](http://www.EducatorsEAP.com).

### **D:9 HEALTH EXAMINATIONS**

The Board reserves the right to request a health examination at any time during employment, at School District expense, in order to determine the physical and mental capacity of an employee to perform his/her duties.

Support staff personnel initially appointed to positions may be requested to obtain physical examinations at the expense of the School District. The physical examination is to be obtained by the school physician.

All bus drivers and substitute bus drivers shall have yearly physical examinations. Each bus driver initially employed by the School District shall have a physical examination not more than four (4) weeks prior to the opening of school in September.

Annual or more frequent examinations of any employee may be required, when, in the judgement of the school physician and the Superintendent, such procedure is deemed necessary.

The final acceptance or rejection of a medical report with reference to the health of an employee lies within the discretion of the Board. The decision of the physician designated by the Board as the determining physician shall take precedence over all other medical advice.

## **SECTION D: PERSONNEL**

### **D:10 HEALTH INSURANCE**

Health insurance for certified and support staffs shall be in accordance with their respective negotiated agreements as previously explained in the Fringe Benefits section.

#### **Continuation of Medical Insurance Coverage at Termination of Employment**

Under provisions of the Consolidated Omnibus Budget Reconciliation Act of 1985 (COBRA), employees and their dependents are eligible to continue their insurance coverage for up to eighteen (18) months when termination of their insurance is due to a reduction in their hours worked, or upon termination of their employment.

Dependents of employees are eligible to continue their insurance for up to thirty-six (36) months upon occurrence of one of the following events:

- a. Death of the covered employee;
- b. Divorce or legal separation from the covered employee; or
- c. An employee becomes eligible for Medicare and ceases to participate in the employer-sponsored plan; and
- d. The dependents of a covered employee reach the maximum age for dependent coverage.

Those who are eligible to continue coverage have up to sixty (60) days to complete the Continuation of Coverage Election Form. They must pay the full cost of their premium plus administrative costs incurred by the District.

### **D:11 LEAVES OF ABSENCE**

Personal leaves of absence of more than two weeks duration, other than those stipulated in the current negotiated agreement with the C.A.A., C.T.A. and C.S.E.A. or in the Family/Medical Leave Act, may be granted by the Board of Education, if recommended by the Superintendent of Schools, and if deemed to be in the best interest of the School District.

Such personal leaves will be granted without pay. Accrual of sick benefits of persons on such leaves will be suspended during such leaves, but such persons may participate in the medical plan at their own expense. Time on such leaves will not be credited for steps of experience on the salary schedule, or seniority. Teachers are reminded that each day (or half-day) of unpaid absence results in a reduction of seniority standing.

### **D:12 POSTING OF JOB VACANCIES**

Instructional and support staff job vacancies shall be posted in all buildings inviting applicants to apply to the Assistant Superintendent for Human Resources.

The School District will attempt to employ qualified personnel for any position. Certification in the area of position will be a prerequisite for consideration, except in cases for which there are extenuating circumstances.

## **SECTION D: PERSONNEL**

### **D:13 PROBATION AND TENURE**

#### **Probation**

Certified staff members shall be appointed by a majority vote of the Board of Education upon recommendation of the Superintendent of Schools.

Full-time certified staff members shall be appointed to a probationary period of four (4) years. However, the probationary period shall not exceed three (3) years for a member previously appointed to tenure in this or another school district or BOCES within the state, provided the member was not dismissed from the former district. Up to four (4) semesters of "Jarema Act" credit shall be applied towards probationary service. This is service rendered as a regular substitute teacher immediately preceding appointment to a probationary position.

During the probationary period, a member shall be given assistance in adjusting to the new position, but the essential qualifications for acceptable performance shall be assumed because of the possession by the member of the required certification or license.

#### **Tenure**

Certified staff members who have successfully completed a probationary period in the Clarence Central School District may be recommended (by the Superintendent of Schools) to the Board of Education for tenure appointment. The Board will follow all applicable statutes regarding tenure.

#### **Appointment – Support Staff**

The probationary period for all new civil service employees shall be for the maximum period established by the local Civil Service Commission. In most circumstances the period is 26 weeks.

The time, place and conditions of employment shall be assigned by the Superintendent of Schools or his designee.

### **D:14 RESIGNATION OF STAFF MEMBERS**

Since the procurement of qualified staff members requires much time, and the abrupt change of staff members in the school organization has the direct effect of weakening the organization; and since, once committed, staff members are depended upon to fulfill their obligations, the Board of Education expects that due notice in fair time be given in all cases of resignation or termination of service.

Employees are to refer to their perspective negotiated agreements concerning time requirements.

### **D:15 TEACHER CERTIFICATION**

- a. In accordance with applicable statutes, Rules of the Board of Regents, and Regulations of the Commissioner of Education, each employee whose employment requires certification or other licensure shall inform the Superintendent of Schools immediately of any change in the status of his/her certification or licensure. The changes shall include, but not be limited to, the granting, revocation, upgrading, expiration, conversion, and/or extension of these documents as to their periods of validity or their titles.

## **SECTION D: PERSONNEL**

### **D:15 TEACHER CERTIFICATION (continued)**

- b. The original certificates and/or licenses must be presented for examination and copying in the office of the Superintendent of Schools as soon as they are available to the employee. The copies will be maintained in the Superintendent's files in support of the legitimate employment of each affected employee. The failure of any such employee to possess the required certification or other licensure may result in the discharge of that employee,
- c. Whether or not the District verifies an individual's certification or licensure does not waive the responsibility of the employee to maintain what is required for his/her assignment.

### **D:16 TEMPORARY PERSONNEL**

#### **Student Teachers**

The Clarence Central School District cooperates with teacher training institutions in the placement of student teachers to provide them with the best possible student teaching experience. The School District provides student teachers with protection from liability for negligence or other acts resulting in accidental injury to any person, as provided by law.

#### **Substitute Teachers**

The Superintendent of Schools shall have the authority to employ substitute teachers, in accordance with the regulations set forth below. The Assistant Superintendent for Human Resources oversees the activities of all substitute teachers.

A regular salary rate for substitute teaching shall be established by the Board of Education.

A per diem substitute is one who is assigned on a day-to-day basis, to preplace a teacher who is absent for a brief or indefinite period.

#### **Regular Substitute**

A regular substitute is defined as one who is assigned to take the place of a regular teacher who is absent for a semester or longer period of time; i.e. maternity leave, sabbatical leave, etc. A regular substitute is expected to perform all the functions of a permanent teacher:

1. A regular substitute will be paid on the regular teachers' salary schedule.
2. A regular substitute will be appointed for a specific period of time by the Board of Education upon recommendation of the Superintendent of Schools.
3. The Superintendent may assign a regular substitute to a teaching position at a full salary pending approval of the Board of Education.

#### **Extracurricular Class Activities**

The Superintendent of Schools may assign personnel to extracurricular class activity positions pending approval by the Board of Education.

## **SECTION D: PERSONNEL**

### **D:17 WORKPLACE VIOLENCE PREVENTION POLICY STATEMENT**

The Clarence Central School District is committed to the safety and security of our employees. Workplace violence presents a serious threat to the safety of our students, staff and visitors to our campus.

Workplace Violence is defined as any physical assault or act of aggressive behavior occurring where a district employee performs any work-related duty, on or off campus, in the course of their employment. Workplace violence includes but is not limited to:

- Any verbal or physical attempt or threat to inflict physical injury upon an employee.
- Any intentional display of force which gives an employee reason to fear or expect bodily harm.
- Any intentional, wrongful and nonconsensual physical contact with a person that causes injury.
- Stalking an employee to cause fear of harm to an employee's physical safety and health.

Acts of violence against Clarence Central School District employees where any work-related duty is performed will be thoroughly investigated and appropriate action will be taken. All employees are responsible: for creating an environment of mutual respect for each other and our school community; following all workplace policies, procedures and practices; and for assisting in maintaining a safe and secure work environment.

Our workplace violence prevention policy is designed to meet the requirements of NYS Labor Law 27b and highlights some of the elements that are found within our Workplace Violence Prevention Program. The workplace violence prevention law and regulation specify that employers must provide for employee participation in the workplace violence prevention program through an authorized employee representative. Authorized Employee Representative(s) have a right to, at minimum, be involved in:

- evaluating the physical workplace environment to determine workplace violence risk factors;
- developing the Workplace Violence Prevention Program and;
- reviewing workplace violence incident reports at least once a year to identify trends in the types of incidents reported, if any, and evaluate the effectiveness of safeguards and actions taken to reduce the risk of workplace violence.

All employees will participate in the Workplace Violence Prevention Training Program when they are first assigned to our workplace and annually thereafter.

The goal of this policy is to promote the safety and well-being of all people in our workplace. All incidents of violence or threatening behavior will be responded to immediately upon notification. All personnel are responsible for notifying the contact person designated below of any violent incidents or threatening behavior, including threats they have witnessed, received, or have been told about by another person.

Designated Contact Person:

Robert Michel, Assistant Superintendent for Human Resources

Email: [rmichel@clarenceschools.org](mailto:rmichel@clarenceschools.org)

Phone: 716-407-9107

**Clarence Central School District  
Complaint Form for Sexual Harassment in The Workplace**

If you believe that you have been subjected to sexual harassment, you are encouraged to complete this form and submit it to the Civil Rights Compliance Officer (CRCO) – Director of Personnel. You shall not face retaliation for filing a complaint. Questions regarding the completion or submission of this form should be directed to the District's CRCO or a trusted staff member with whom you feel comfortable.

If you are more comfortable reporting verbally or in another manner, the person to whom you report the sexual harassment should complete this form, provide you with a copy and follow the sexual harassment prevention policy by investigating the claims as outlined at the end of this form.

**For additional resources visit: [ny.gov/programs/combating-sexual-harassment-workplace](http://ny.gov/programs/combating-sexual-harassment-workplace)**

**COMPLAINANT INFORMATION**

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

Work Address: \_\_\_\_\_ Work Phone: \_\_\_\_\_

Job Title: \_\_\_\_\_ Email: \_\_\_\_\_

Selected Preferred Communication Method:     Email     Phone     In person

**SUPERVISORY INFORMATION**

Immediate Supervisor's Name: \_\_\_\_\_

Title: \_\_\_\_\_

Work Phone: \_\_\_\_\_ Work Address: \_\_\_\_\_

**COMPLAINT INFORMATION**

1) Your complaint of Sexual Harassment is made about:

Name: \_\_\_\_\_ Title: \_\_\_\_\_

Work Address: \_\_\_\_\_ Work Phone: \_\_\_\_\_

Relationship to you:  Supervisor     Subordinate     Co-Worker     Other

**Clarence Central School District  
Complaint Form for Sexual Harassment in The Workplace (Cont'd.)**

- 2) Please describe what happened and how it is affecting you and your work. Please use additional sheets of paper if necessary and attach any relevant documents or evidence.

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- 3) Date(s) sexual harassment occurred: \_\_\_\_\_

Is the sexual harassment continuing? [ ] Yes [ ] No

- 4) Please list the name and contact information of any witness(es) or individual(s) who may have information related to your complaint:

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*The last question is optional, but may help the investigation.*

- 5) Have you previously complained or provided information (verbal or written) about related incidents? If yes, when and to whom did you complain or provide information?

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If you have retained legal counsel and would like the District to work with your counsel, please provide his/her contact information.

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

**Clarence Central School District  
Complaint Form for Sexual Harassment in The Workplace (Cont'd.)**

**Instructions to the District**

After receiving a complaint about alleged sexual harassment, follow the District's sexual harassment prevention policy and procedure.

Generally, an investigation involves:

- 1) Speaking with the employee;
- 2) Speaking with the alleged harasser;
- 3) Interviewing witnesses; and
- 4) Collecting and reviewing any related documents.

While the process may vary from case to case, all allegations should be investigated promptly and resolved as quickly as possible. The investigation should be kept confidential to the extent possible.

Document the findings of the investigation and basis for the District's decision along with any corrective actions taken and notify the complainant and the individual(s) against whom the complaint was made. This may be done via email.

## Appendix B

### Appendix B

#### CLARENCE CENTRAL SCHOOL DISTRICT EMPLOYEE INCIDENT REPORT

Please print legibly, fill out form completely and return to the Human Resources Office

Name \_\_\_\_\_ DOB \_\_\_\_\_ SS# \_\_\_\_\_

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

Married? Yes  No  How many dependents \_\_\_\_\_ Hire date \_\_\_\_\_ Sex Male  Female

WAS ANY TIME LOST DUE TO THIS INCIDENT? YES  NO  IF YES, WHEN? \_\_\_\_\_

WAS MEDICAL CARE PROVIDED? YES  NO  IF YES, WHEN? \_\_\_\_\_

WILL YOU BE SEEKING OTHER MEDICAL CARE? YES  NO  IF YES, WHEN? \_\_\_\_\_

**If you responded "YES" to any of the questions above, please contact Angela DiSalvo in the Human Resources Office immediately by calling 407-9124.**

Date of accident \_\_\_\_\_ Time of accident \_\_\_\_\_ am \_\_\_\_\_ pm

Address where accident occurred? \_\_\_\_\_

Day & hours usually worked? \_\_\_\_\_

Was accident on employer's premise? Yes  No  Part or full-time worker? \_\_\_\_\_

Department where regularly employed? \_\_\_\_\_ Occupation \_\_\_\_\_

Were there any witnesses? Yes  No  If yes, name \_\_\_\_\_

Name & address of where you were treated: \_\_\_\_\_

Date of treatment: \_\_\_\_\_ Diagnosis: \_\_\_\_\_

Has employee returned to work? Yes  No  If yes, date \_\_\_\_\_

Nature of injury & part(s) of body affected \_\_\_\_\_

What was employee doing when the incident occurred? \_\_\_\_\_

What happened? \_\_\_\_\_

Object or substance that directly injured employee \_\_\_\_\_

Were safety provisions provided or in use? \_\_\_\_\_

Date of this report \_\_\_\_\_ Date supervisor informed \_\_\_\_\_

Supervisor signature if applicable \_\_\_\_\_ Title \_\_\_\_\_

Nurse signature if applicable \_\_\_\_\_

#### HUMAN RESOURCES OFFICE USE ONLY

Reviewed by Asst. Superintendent for H.R.  
cc: Building/Department, Employee

Date

RISK \_\_\_\_\_  
OSHA \_\_\_\_\_

Form #29 1/25/2023

## **IF YOU ARE INJURED ON THE JOB**

### **INITIAL PROCESS**

- \* Inform your supervisor immediately
- \* Fill out an 'Employee Incident Report' and send it to Hope Jankowiak in the District Office ASAP
- \* If you lose any time or seek any sort of medical care please let Hope Jankowiak know immediately
- \* Explain to the caregiver that this is a worker's compensation case
- \* DO NOT use your own private medical insurance
- \* If your medical provider needs your claim number or they need to verify employment have them call Angela DiSalvo at (716) 407-9124

### **CLAIM INFORMATION**

Once you have filed your claim, you will be receiving an acknowledgement letter or call from PERMA, which will give you your claim number and mailing information. If you have any questions regarding your claim, please call PERMA at 1-888-737-6269. Let the operator know your name and that you work for the Clarence Central School District. You will be directed to the 'Case Analyst' who is handling your injury.

### **MEDICAL BILLING/REPORTS**

Please forward all medical billing and /or medical reports to the address below:  
(PERMA)  
Public Employer Risk Management Association, Inc.  
PO Box 12250  
Albany, New York 12212-2250  
Toll Free Phone: (888) 737-6269  
Fax: (877) 737-6232  
Coverage #: WC0001387-00

## Appendix C

### CLARENCE CENTRAL SCHOOL DISTRICT WORKPLACE VIOLENCE INCIDENT REPORT FORM

The District prohibits workplace violence and will not tolerate violence, threats of violence, or intimidating conduct in the workplace.

Workplace violence is any physical assault or acts of aggressive behavior occurring where an employee performs any work-related duty, on or off campus, in the course of their employment including, but not limited to:

- a) An attempt or threat, whether verbal or physical, to inflict physical injury upon an employee;
- b) Any intentional display of force which would give an employee reason to fear or expect bodily harm;
- c) Intentional and wrongful physical contact with an employee without their consent that entails some injury;
- d) Stalking an employee with the intent of causing fear of material harm to the physical safety and health of the employee when the stalking has arisen through and in the course of employment.

#### **Instructions**

Following an incident of workplace violence, this report must be completed by the employee and submitted to the Workplace Violence Prevention Coordinator within five days of the incident. After the conclusion of the investigation, this form will be maintained for use in the annual Workplace Violence Prevention Program review and update.

#### **Workplace Violence Prevention Coordinator:**

Robert Michel, Assistant Superintendent for Human Resources

Email: [rmichel@clarenceschools.org](mailto:rmichel@clarenceschools.org)

Phone: 716-407-9107

#### **Information about the Alleged Victim**

(The employee alleged to have been injured or threatened by the workplace violence.)

Name:

*If this is a privacy concern case, "Privacy Concern Case" should be entered above in the Name section. The District treats incidents involving the following injuries or illnesses as privacy concern cases: (1) an injury or illness to an intimate body part or the reproductive system; (2) an injury or illness resulting from a sexual assault; (3) mental illness; (4) HIV infection; (5) needle stick injuries and cuts from sharp objects that are or may be contaminated with another persons blood or other potentially infectious material; and (6) other injuries or illnesses, if the employee independently and voluntarily requests that their name not be entered on the Report.*

Job title:

Work address: -----

Home phone: \_\_\_\_\_ Cell phone: \_\_\_\_\_ Work phone: \_\_\_\_\_

**Information about the Alleged Perpetrator**

(The person alleged to have committed the workplace violence.)

Name:

Alleged perpetrator's relationship to the District:

- Student                                       Employee                                       Job applicant
- Parent/legal guardian                       Volunteer                                       Contractor/subcontractor/vendor/consultant
- Student teacher                                       Volunteer                                       Other \_\_\_\_\_

Primary building or location: \_\_\_\_\_

Further details including, if applicable, grade or title: \_\_\_\_\_

Alleged perpetrator's contact information:

Address: \_\_\_\_\_

Home Phone: \_\_\_\_\_ Cell Phone: \_\_\_\_\_ Work Phone: \_\_\_\_\_

Email: \_\_\_\_\_

**Information about the Alleged Incident**

**Date:** \_\_\_\_\_ **Time:** \_\_\_\_\_ **Location:** \_\_\_\_\_

**Provide a detailed description of the alleged incident, including events leading up to the incident and how the incident ended:**

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Describe the nature and extent of any injuries arising from the incident, including the name of the individual(s) injured:

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**Information about Witnesses**

If possible, please list the names and known contact information for any witnesses, individuals who may have information related to this report, or individuals you have discussed the alleged incident(s) with:

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**District Response (Completed by the Workplace Violence Prevention Coordinator)**

Detail the actions that the District has taken in response to this incident of workplace violence:

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Detail the actions that the District has taken or is considering as a result of the incident to prevent similar occurrences from happening in the future:

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Completed on: \_\_\_\_\_