

Employee Handbook

2025-2026

HEMPSTEAD UNION FREE SCHOOL DISTRICT



Hempstead Union Free School District Teachers, Teaching Assistants, Civil Service, Facilities and Administrators

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<https://www.hempsteadschools.org>

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SECTION 1

WELCOME STATEMENT

If you are a new employee, welcome to our team at The Hempstead Union Free School District ("District"). Our District is a culturally diverse public school system dedicated to ensuring that students achieve personal growth and academic success and become productive citizens in a global society, through engaging students, staff, family, and community in a comprehensive, challenging curriculum and effective instructional program which responds to each student's needs and aspirations in a safe and nurturing environment.

Our District employs over 1,300 employees dedicated to supporting these educational goals. The Office of Human Resources is committed to supporting all employees in this mission. The District does not discriminate in employment or in its educational programs and activities against qualified individuals on the basis of race, color, ethnic group, national origin, religion, age, sex, sexual orientation, gender identity or identification, marital status, amnesty, disability, or status as a Vietnam-era or special disabled veteran.

The goal of the District is to recruit and retain well-qualified employees to support our mission of meeting the individual learning needs of all students. We believe that all students are entitled to an education that prepares them for success in college, careers and in life.

Dr. Rodney Gilmore
Associate Superintendent for Human Resources
(516) 434-4020
RGilmore@hempsteadschools.org

HUMAN RESOURCES STAFF DIRECTORY

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INTRODUCTION

The purpose of this handbook is to provide information that will help with questions and pave the way for a successful year. Not all District policies and procedures are included. Those that are, have been summarized. Suggestions for additions and improvements to this handbook are welcome and may be sent to Dr. Rodney Gilmore at rgilmore@hempsteadschools.org.

This handbook is neither a contract nor a substitute for the official District policy manual. Nor is it intended to alter the at-will status of employees in any way. Rather, it is a guide to, and brief explanation of District policies and procedures related to employment. These policies and procedures can change at any time; these changes shall supersede any handbook provisions that are not compatible with the change. District policies can be accessed online at <https://www.hempsteadschools.org/>.

MISSION STATEMENT, GOALS AND OBJECTIVES

Mission Statement: The mission of the District (a Long Island suburban-urban culturally diverse public school system) is to ensure that students achieve personal growth and academic success and become productive citizens in a global society by engaging students, staff, family and community in a comprehensive, challenging curriculum and effective instructional program which responds to each student's needs and aspirations in a safe and nurturing environment.

BOARD OF EDUCATION

New York State law grants the Board of Education the power to govern and oversee the management of the District's schools. The Board is the policy-making body within the District and has overall responsibility for the curriculum, school taxes, annual budget, employment of the Superintendent and other professional staff and facilities. The Board has complete and final control over school matters within limits established by State and federal laws and regulations.

The Board of Education is elected by the voters of the District to represent the community's commitment to a strong educational program for the District's children. Board members are elected and serve 3-year terms. Board members serve without compensation, must be qualified voters, and must reside in the District.

Current board members include:

- Mr. Jeffrey Spencer, President
- Mr. Victor Pratt, Vice President
- Mr. LaMont E. Johnson, Trustee
- Mrs. Elise Nicholson, Trustee
- Dr. Joylette Williams, Trustee

The Board usually meets on the 3rd Thursday of each month at 7 p.m. Special meetings may be called when necessary. A written notice of regular and special meetings will be posted on the District's website at least 24 hours before the scheduled meeting time. The written notice will show the date, time, place and potential subjects of each meeting.

DISTRICT CALENDAR

School Calendar: The school calendar shall be determined by the Board. The determination of the structure of the days, e.g., instructional, in-service, workdays, etc. shall be at the discretion of the Board.

(See 2025-2026 calendar on following page)

TOTAL DAYS FOR STUDENTS = 181 TOTAL DAYS FOR TEACHERS = 183

2025-2026 Calendar - Revised February 26, 2025

JULY						
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 T=21 S=21						
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

JANUARY T=19 S=19						
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

APRIL T=15 S=15						
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	

AUGUST T=2 S=0						
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						

NOVEMBER T=17 S=17						
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						

FEBRUARY T=15 S=15						
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

MAY T=19 S=19						
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						

SEPTEMBER T=19 S=19						
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				

DECEMBER T=15 S=15						
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			

MARCH T=22 S=22						
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				

JUNE T=19 S=19						
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				

Aug. 27 - 28	Supt. Conf. Day School Closed for Students
Aug. 29 . Sept 1	Closed for Labor Day
Sept. 2	First Day of School for Students
Sept. 23 - 24	Closed for Rosh Hashanah
Oct. 2	Closed for Yom Kippur
Oct. 13	Closed for Columbus Day
Nov. 4	Professional Dev. Day-1/2 Day for Students
Nov. 11	Closed for Veterans Day
Nov. 13	PreK & K Conf. Day-Half Day for Students
Nov. 17	Conf. Day-Elementary-Half Day for Students
Nov. 18	Conf. Day-Secondary-Half Day for Students
Nov. 26	1/2 Day (District Wide Evacuation Drill)
Nov. 27-28	Closed for Thanksgiving Recess
Dec. 22-Jan.2	Closed for Holiday Recess
Jan. 19	Closed for MLK Holiday
Jan. 20-23	January Regents
Feb. 2	Conf. Day-Elementary-Half Day for Students
Feb. 3	Conf. Day-Secondary-Half Day for Students
Feb. 4	PreK & K Conf. Day-Half Day for Students
Feb. 16-20	Closed for Winter Recess
Feb. 17	Closed for Luna New Year
Apr. 2	1st Snow Day (otherwise school closed)
Apr 3-10	Spring Recess
May. 4	PreK & K Conf. Day-1/2 Day for Students
May. 5	Conf. Day- Elem./ENL-1/2 Day for Students
May. 6	Conf. Day-Second./Bill/ENL-1/2 Day for Students
May 11-21	NYSESLAT Listening, Reading, Writing
May. 22	2nd Snow Day (otherwise school closed)
May. 25	Closed for Memorial Day
June 9-10	New Regents in Algebra II /Chemistry/ Physics
Jun. 17-26	June Regents Exams
Jun. 19	School Closed for Juneteenth
Jun. 26	Last Day of School. Early Dismissal for students only.

Inclement Weather Make-Up Days	
Apr. 2	1st. Snow Day (otherwise school closed)
May. 22	2nd. Snow Day (otherwise school closed)

Light Blue	First and Last Day of School
Orange	Superintendent Conference Days
Red	School Closed
Green	Parent/Teacher Conference Dates
Purple	Professional Development Day
Yellow	Testing Dates
Dark Blue	District Wide Evacuation Drill
Light Purple	Snow Days

EMPLOYMENT DISCLAIMER

This handbook governs your terms and conditions of employment with the District. It is intended to provide you with notice, and an understanding of the District's personnel policies. You are obligated to read this handbook and you are expected to be knowledgeable of its contents.

The policies in this handbook are not intended to create any contractual obligations upon

the District. This handbook is not a contract between the District and any of its employees. Nor is it to be construed or interpreted as establishing any permanent terms or conditions of your employment at the District. Rather, its purpose is to forth the official set of policies and procedures of the District in effect on the date it was issued.

The District has developed the provisions of this handbook in order to retain the necessary flexibility in the administration of its employment policies and procedures, consistent with the Civil Service Law and corresponding regulations. The District reserves the right, in its sole discretion, to revise or eliminate or add to any of the policies described in it as needed. Nonetheless, effective **July 1, 2025**, the following terms and conditions of employment of this handbook are to be in effect for all employees and personnel employed by the District.

Please understand that no supervisor or representative of the District other than the Superintendent of Schools has the authority to enter into any agreement with you for employment for any specified period of time or to make any promises or commitments contrary to the foregoing. Further, any employment agreement entered into by the Superintendent of Schools will not be enforceable unless issued with written and properly authorized approval by the Board of Education.

CODE OF CONDUCT

The District and the Board of Education are committed to providing a safe and orderly school environment where students receive, and District personnel deliver quality educational services without disruption or interference. Responsible behavior by students, teachers, other District personnel, parents and other visitors is essential to achieving this goal.

The District encourages open and ongoing communication between teachers, school administrators, central administrators, parents, and students to expeditiously address disciplinary concerns. Such concerns should ideally be addressed prior to the initiation of formal disciplinary proceedings and the exclusion of the student from his/her class should be taken only when necessary to ensure the safety, health, and welfare of the students and staff. The District promotes and supports positive behavioral strategies to address acts of student misconduct to effectuate long lasting results. (However, the formal disciplinary hearing should be undertaken when less formal strategies have not been successful, or the misconduct poses an immediate and serious threat to the safety, health and welfare of the staff and students.)

Any person working within the District, regardless of his/her position within the District, plays an important role in providing invaluable services to the students we serve and educate. The basis for the helping relationship in this District lies in promoting and protecting the best

interests of the students. In this regard, conduct detrimental to the care to students, or to the ability of the District to carry out its purpose, is considered a violation of District policies. Examples of such actions include, but are not limited to:

- Use of obscenity or abusive language.
- Negligence or misuse of student or District property, records, or files.
- Creating unsafe or unsanitary conditions.
- Reading or disclosing student or District confidential records to unauthorized individuals.
- Conduct which insults or intimidates students or other employees or encourages inappropriate relationships.

It is the policy of the District that all activity be conducted in a courteous, respectful, and helpful manner. This extends to students, their families, visitors, fellow employees, supervisors, and subordinates. The District also expects all employees who represent the District in dealing with outside parties, agencies or the government to act at all times in a manner consistent with the District's policies and standards of conduct and dress code. This describes the true meaning of "leading by example" to the students, their families, and to the community we serve.

SECTION 2 NONDISCRIMINATION POLICY

EQUAL EMPLOYMENT OPPORTUNITY

The Hempstead School District provides equal employment opportunities (EEO) to all employees and applicants for employment without regard to race, color, ethnic group, national origin, religion, age, sex, sexual orientation, gender identity or identification, marital status, amnesty, disability, or status as a Vietnam-era or special disabled veteran, in accordance with applicable federal, state and local laws. The District agrees to comply with applicable state and local laws governing non-discrimination in employment. This policy applies to all terms and conditions of employment, including but not limited to hiring, placement, promotion, termination, layoff, recall, and transfer, leaves of absence, compensation, and training.

ANTI-DISCRIMINATION

The District does not discriminate on the basis of any protected class, and it prohibits any and all forms of employee harassment based on race, color, religion, gender, sexual orientation, national origin, age, disability, or veteran status. Any interference to the ability of such a District employee to perform the duties of their job will not be tolerated by the District. In the event an

employee feels that he or she has been discriminated against by an action prohibited by law, he or she may seek the assistance of the Associate Superintendent for Human Resources. Informal discussions to resolve the problem are encouraged before a formal complaint is made.

Complaints brought to the Office of Human Resources will be handled in a confidential fashion, and to the extent possible and practicable, will be investigated thoroughly and resolutions will be recommended. An employee may contact the Office of Human Resources without fear of retaliation regarding his or her employment status. However, frivolous, or fraudulent complaints will not be entertained and may result in disciplinary action. Employees are encouraged to refer to the Board of Education Policy regarding discrimination and should review their Collective Bargaining Agreement for specific information related to grievance procedures.

SEXUAL HARASSMENT

Hempstead Union Free School District is committed to maintaining a workplace free from sexual harassment. Sexual harassment is a form of workplace discrimination. The District has a zero-tolerance policy for any form of sexual harassment, and all employees are required to work in a manner that prevents sexual harassment in the workplace. This Policy is one component of the District's commitment to a discrimination-free work environment.

Sexual harassment is against the law. All employees have a legal right to a workplace free from sexual harassment, and employees can enforce this right by filing a complaint with the District, or with a government agency or in court under federal, state or local antidiscrimination laws.

Policy:

1. The District's Policy applies to all employees, applicants for employment, interns, whether paid or unpaid, contractors and people conducting business with the District.
2. Sexual harassment will not be tolerated. Any employee or individual covered by this policy who engages in sexual harassment or retaliation will be subject to remedial and/or disciplinary action, up to and including termination.
3. Retaliation Prohibition: No person covered by this Policy shall be subject to adverse employment action including being discharged, disciplined, discriminated against, or otherwise subject to adverse employment action because the employee reports an incident of sexual harassment, provides information, or otherwise assists in any investigation of a sexual harassment complaint. The District has a zero-tolerance policy for such retaliation against anyone who, in good faith complains or provides information about suspected sexual harassment. Any employee of the District who retaliates against anyone involved in a sexual harassment investigation will be subjected to disciplinary action, up to and including termination. Any employee paid or unpaid intern, or non-employee working in the District who believes they have

been subject to such retaliation should inform a supervisor, manager, or Rodney Gilmore, Ed. D., the Associate Superintendent for Human Resources, who is appointed with the authority to handle such matters. Any employee, paid or unpaid intern or non-employee who believes they have been a victim of such retaliation may also seek compensation in other available forums, as explained below in the section on Legal Protections.

4. Sexual harassment is offensive, is a violation of our policies, is unlawful, and subjects the District to liability for harm to victims of sexual harassment. Harassers may also be individually subject to liability. Employees of every level, who engage in sexual harassment, including managers and supervisors who engage in sexual harassment or who knowingly allow such behavior to continue, will be penalized for such misconduct.

5. The District will conduct a prompt, thorough and confidential investigation that ensures due process for all parties, whenever the District receives a complaint about sexual harassment, or otherwise knows of possible sexual harassment occurring. Effective corrective action will be taken whenever sexual harassment is found to have occurred. All employees, including managers and supervisors, are required to cooperate with any internal investigation of sexual harassment.

6. All employees are encouraged to report any harassment or behaviors that violate this policy. The District will provide all employees a complaint form for employees to report harassment and file complaints.

7. Managers and supervisors are required to report any complaint that they receive, or any harassment that they observe, to Rodney Gilmore, Ed. D.

8. This policy applies to all employees, paid or unpaid interns, and non-employees and all must follow and uphold this policy. This policy must be posted prominently throughout the District and be provided to employees upon hiring.

What Is “Sexual Harassment”?

Sexual harassment is a form of sex discrimination and is unlawful under federal, state, and local law. Sexual harassment includes harassment on the basis of sex, sexual orientation, gender identity and the status of being transgender.

Sexual harassment includes unwelcome conduct which is either of a sexual nature, or which is directed at an individual because of that individual’s sex when:

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

A sexually harassing hostile work environment consists of 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. Sexual harassment also consists of any unwanted verbal or physical advances, sexually explicit derogatory statements or sexually discriminatory remarks made by someone which are offensive or objectionable to the recipient, which cause the recipient discomfort or humiliation, which interfere with the recipient's job performance.

Sexual harassment also occurs when a person in authority tries to trade job benefits for sexual favors. This can include hiring, promotion, continued employment or any other terms, conditions, or privileges of employment. This is also called "quid pro quo" harassment.

Any employee who feels harassed should complain so that any violation of this policy can be corrected promptly. Any harassing conduct, even a single incident, can be addressed under this policy.

Examples of sexual harassment

The following describes some of the types of acts that may be unlawful sexual harassment and that are strictly prohibited:

- Physical assaults of a sexual nature, such as:
 - Touching, pinching, patting, grabbing, brushing against another employee's body or poking another employees' body.
 - Rape, sexual battery, molestation or attempts to commit these assaults.
- Unwanted sexual advances or propositions, such as:
 - Requests for sexual favors accompanied by implied or overt threats concerning the victim's job performance evaluation, a promotion or other job benefits or detriments.
 - Subtle or obvious pressure for unwelcome sexual activities.
- Sexually oriented gestures, noises, remarks, jokes or comments about a person's sexuality or sexual experience, which create a hostile work environment.
- Sexual or discriminatory displays or publications anywhere in the workplace, such as:
 - Displaying pictures, posters, calendars, graffiti, objects, promotional material, reading materials or other materials that are sexually demeaning or pornographic. This includes such sexual displays on workplace computers or cell phones and sharing such displays while in the workplace.
- Hostile actions taken against an individual because of that individual's sex, sexual orientation, gender identity and the status of being transgender, such as:
 - Interfering with, destroying or damaging a person's workstation, tools or equipment, or otherwise interfering with the individual's ability to perform their job.

- Sabotaging an individual’s work.
- Bullying, yelling, name-calling.

Who can be a target of sexual harassment?

Sexual harassment can occur between any individuals, regardless of their sex or gender. New York Law protects employees, paid or unpaid interns, and non-employees, including independent contractors, and those employed by companies contracting to provide services in the workplace. A perpetrator of sexual harassment can be a superior, a subordinate, a coworker or anyone in the workplace including an independent contractor, contract worker, vendor, client, customer, or visitor.

Where can sexual harassment occur?

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

What is “Retaliation”?

Unlawful retaliation can be any action that would keep a worker from coming forward to make or support a sexual harassment claim. Adverse action need not be job-related or occur in the workplace to constitute unlawful retaliation. Such retaliation is unlawful under federal, state, and local law. The New York State Human Rights Law protects any individual who has engaged in “protected activity.” Protected activity occurs when a person has:

- filed a complaint of sexual harassment, either internally or with any anti-discrimination agency.
- testified or assisted in a proceeding involving sexual harassment under the Human Rights Law or other anti-discrimination law.
- opposed sexual harassment by making a verbal or informal complaint to management, or by simply informing a supervisor or manager of harassment.
- complained that another employee has been sexually harassed; or
- encouraged a fellow employee to report harassment.

Reporting Sexual Harassment

Preventing sexual harassment is everyone’s responsibility. The District cannot prevent or remedy sexual harassment unless it knows about it. Any employee paid or unpaid intern or non-employee who has been subjected to behavior that may constitute sexual harassment is

encouraged to report such behavior to an administrator, or a supervisor, or to Rodney Gilmore, Ed. D. Associate Superintendent for Human Resources. Anyone who witnesses or becomes aware of potential instances of sexual harassment should report such behavior to an administrator, or a supervisor, or to the Associate Superintendent for Human Resources.

Reports of sexual harassment may be made verbally or in writing. A form for submission of a written complaint is attached to this Policy, and all employees are encouraged to use this complaint form. Employees who are reporting sexual harassment on behalf of other employees should use the complaint form and note that it is on another employee's behalf. All employees, paid or unpaid intern or non-employees who believe they have been a victim of sexual harassment may also seek assistance in other available forums, as explained below in the section on Legal Protections.

Supervisory Responsibilities

All administrators or supervisors who receive a complaint or information about suspected sexual harassment, observe what may be sexually harassing behavior or for any reason suspect that sexual harassment is occurring, **are required to report** such suspected sexual harassment to the Associate Superintendent for Human Resources.

In addition to being subject to discipline if they engaged in sexually harassing conduct themselves, administrators or supervisors will be subject to discipline for failing to report suspected sexual harassment or otherwise knowingly allowing sexual harassment to continue. Supervisors and managers will also be subject to discipline for engaging in any retaliation.

Complaint and Investigation of Sexual Harassment

All complaints or information about suspected sexual harassment will be investigated, whether that information was reported in verbal or written form. Investigations will be conducted in a timely manner and will be confidential to the extent possible.

An investigation of any complaint, information or knowledge of suspected sexual harassment will be prompt and thorough and should be completed within 30 days. The investigation will be confidential to the extent possible. All persons involved, including complainants, witnesses and alleged perpetrators will be accorded due process to protect their rights to a fair and impartial investigation.

Any employee may be required to cooperate as needed in an investigation of suspected sexual harassment. Employees who participate in any investigation will not be retaliated against. Investigations will be done in accordance with the following steps:

- Upon receipt of complaint, the Associate Superintendent for Human Resources will conduct an immediate review of the allegations, and take any interim actions, as appropriate. If the complaint is oral, encourage the individual to complete the “Complaint Form” in writing. If he or she refuses, prepare a Complaint Form based on the oral reporting.
- If documents, emails, or phone records are relevant to the allegations, take steps to obtain and preserve them.
- Request and review all relevant documents, including all electronic communications.
- Interview all parties involved, including any relevant witnesses.
- Create a written documentation of the investigation (such as a letter, memo or email), which contains the following:
 - A list of all documents reviewed, along with a detailed summary of relevant documents.
 - A list of names of those interviewed, along with a detailed summary of their statements.
 - A timeline of events.
 - A summary of prior relevant incidents, reported or unreported; and
 - The final resolution of the complaint, together with any corrective actions action(s).
- Keep the written documentation and associated documents in the employer’s records.
- Promptly notify the individual who complained and the individual(s) who responded of the final determination and implement any corrective actions identified in the written document.
- Inform the individual who complained of their right to file a complaint or charge externally as outlined below.

Legal Protections and External Remedies

Sexual harassment is not only prohibited by the District, but is *also* prohibited by state, federal, and local law. Aside from the internal process at the District, employees may also choose to pursue legal remedies with the following governmental entities **at any time**.

New York State Division of Human Rights (DHR)

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

Complaints with DHR may be filed any time **within one year** of the harassment. If an individual did not file at DHR, they can sue directly in state court under the HRL, **within one year** of the alleged discrimination. See, N.Y. Education Law § 3813. An individual may not file with DHR if they have already filed a HRL complaint in state court.

Complaining internally to the District does not extend your time to file with DHR or in Court. The one year is counted from date of the most recent incident of harassment. You do not need an attorney to file a complaint with DHR, and there is no cost to file with DHR.

DHR will investigate your complaint and determine whether there is probable cause to believe that discrimination has occurred. Probable cause cases are forwarded to a public hearing before an administrative law judge. If discrimination is found after a hearing, DHR has the power to award relief, which varies but may include requiring the District to take action to stop the harassment, or redress the damage caused, including paying monetary damages, attorneys' fees and civil fines.

DHR's main office contact information is:

NYS Division of Human Rights
One Fordham Plaza, Fourth Floor
Bronx, New York 10458
(718) 741-8400
www.dhr.ny.gov

Contact DHR at (888) 392-3644 or visit dhr.ny.gov/complaint for more information about filing a complaint. The website has a complaint form that can be downloaded, filled out, notarized and mailed to DHR. The website also contains contact information for DHR's regional offices across New York State.

United States Equal Employment Opportunity Commission (EEOC)

The EEOC enforces federal anti-discrimination laws, including Title VII of the 1964 federal Civil Rights Act (codified as 42 U.S.C. § 2000e et seq.). An individual can file a complaint with the EEOC anytime within 300 days of the harassment. There is no cost to file a complaint with the EEOC. The EEOC will investigate the complaint and determine whether there is reasonable cause to believe that discrimination has occurred, at which point the EEOC will issue a Right to Sue letter permitting the individual to file a complaint in federal court.

The EEOC does not hold hearings or award relief but may take other action including pursuing cases in federal court on behalf of complaining parties. Federal courts may award remedies

if discrimination is found to have occurred.

If an employee believes that he/she has been discriminated against at work, he/she 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 (1-800-669-6820 (TTY)), visiting their website at www.eeoc.gov or via email at info@eeoc.gov

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

Local Protections

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

Contact the Local Police Department

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

COMPLAINTS OF DISCRIMINATION

Each member of District administration is responsible for creating an atmosphere free from discrimination. Furthermore, employees are responsible for respecting the rights of their co-workers. If you experience any job-related discrimination or harassment on the basis of your race, color, ethnic group, national origin, religion, age, sex, sexual orientation, gender identity or identification, marital status, amnesty, disability, or status as a Vietnam-era or special disabled veteran, or if you believe you have been treated in an unlawful, discriminatory manner or have been unlawfully harassed, please promptly report the incident to your supervisor. If you believe it would be inappropriate to discuss the matter with your supervisor, then report it directly to the Associate Superintendent for Human Resources. The District takes all complaints very seriously, and upon becoming aware of your complaint, the District is committed to commencing an immediate, and thorough investigation of the allegations. Your complaint will always be kept confidential to the maximum extent possible.

If, at the completion of the investigation, the District determines that an employee is guilty of discriminatory or harassing behavior, appropriate disciplinary action will be taken against the offending employee. The District prohibits any form of retaliation against any employee

for their filing of a good-faith complaint under this policy, or for assisting in any investigation. If, however, after investigating any complaint of unlawful discrimination, the District determines that any employee intentionally or knowingly provided false information regarding the complaint, then disciplinary action will be taken against such individual(s) who provided the false information.

STAFF-STUDENT RELATIONS (FRATERNIZATION)

POLICY INTENT

The Board of Education requires that all Hempstead Union Free School District (herein referred to as the “District”), employees, service providers, and District vendors (herein referred to as “School District Adults”) maintain a professional and ethical relationship with students that is conducive to an effective and safe learning environment, and that School District Adults shall act as role models for students at all times, whether on or off school property and both during and outside of school hours. School District Adults shall establish appropriate professional boundaries with students and not engage in any behavior that is unprofessional or could lead to even the appearance of impropriety.

School District Adults are prohibited under any circumstances from engaging in any unacceptable or inappropriate conduct with students, as defined in Sexual Harassment Policy 0110 and Sexual Harassment Policy Regulation 0110-R, regardless of a student’s age and/or whether or not the student welcomes the behavior and/or reciprocates the attention. Any unprofessional relationship is considered highly unethical, in violation of District policy, and may result in the notification to law enforcement officials and the filing of criminal charges and/or disciplinary action by the District, up to and including termination of employment and/or services. Any inappropriate behavior, criminal or not, reported may result in the permanent loss of responsibilities not protected by tenure should the District find the complaint credible after an investigation.

COMMUNICATION WITH STUDENTS

All communication with a student must only occur through official District-approved platforms (e.g.: District-assigned email, as well as other approved District communication platforms). Communication with students via text messages, social media, or any platform that is NOT approved by the District is strictly prohibited.

PROHIBITED CONDUCT

All School District Adults, as defined in this policy, are prohibited under any circumstances to

engage in any of the following types of prohibited conduct, regardless of whether the conduct occurs on or off school property or whether the conduct occurs during or outside of school hours. The following list of prohibited conduct is not intended to constitute the entire list of conduct for which discipline may be imposed:

- a) Engaging in any unacceptable conduct with students, as defined in Sexual Harassment Policy 0110 and Sexual Harassment Policy Regulation
- b) Engaging in any sexual conduct or sexual contact with students, including but not limited to inappropriate physical displays of affection or sexually suggestive comments between staff and students, regardless of whether staff or student initiates the behavior, whether the relationship is consensual, or whether the student has parental permission, on or off school property;
- c) Grooming¹.
- d) Fostering, encouraging, or participating in inappropriate emotionally or socially intimate relationships with students in which the relationship is outside the bounds of the reasonable, professional adult-student relationship and in which the relationship could reasonably cause a student to view the School District Adult as more than a teacher, administrator, or advisor;
- e) Initiating or continuing communications with students for reasons unrelated to any appropriate purpose, including oral or written communication; telephone calls; electronic communication such as texting, instant messaging, email, chat rooms, or other social networking sites; webcams; or photographs. Electronic and online communications with students must only occur through official District-approved platforms (e.g.: District- assigned email, as well as other approved District communication platforms). Communication with students via text messages, social media, or any platform that is NOT approved by the District is strictly prohibited;
- f) Socializing with students outside of class time for reasons unrelated to any appropriate purpose in such a manner as to create the perception to other District staff, other students, parents or the public that an unprofessional relationship or inappropriate favoritism exists;
- g) Providing alcohol or drugs to students (regardless of age) and associating with students who are under the influence of drugs or alcohol off school property; and
- h) Engaging in any criminal sexual contact and/or sexual relations, as defined by the New York State Penal Law, with a student.

REPORTING AND INVESTIGATING PROCEDURES:

- a) Any person with knowledge or reasonable suspicion of a School District Adult engaging in prohibited conduct, as enumerated in this policy, but not limited to,

with student(s), shall report the incident to any staff member who in turn must follow the official reporting process noted in Step #2 below within 48 hours.

- b) As mandated reporters, all school District employees, service providers, and/or District vendors who have knowledge or a reasonable suspicion of other School District Adults engaging in prohibited conduct with student(s), shall report the incident through state-

1 Grooming consists of, but is not limited to, building trust with a student in an effort to gain access to and have alone time, with the ultimate goal of engaging in intimate or sexual conduct and/or contact with students. Specifically, it is the systematic “physical and psychological desensitization of a child through engagement in a behavior or set of behaviors used to develop trust, gain access to build rapport, create opportunity, establish compliance, and ensure secrecy of a target victim.” Taken from Grooming Hurts Too: The Effects of Types of Perpetrator Grooming on Trauma Symptoms in Adult Survivors of Child Sexual Abuse. Wolf and Pruitt. Journal of Child Sexual Abuse (2019).

2 For purposes of this policy, Reasonable Suspicion, is defined as a particularized and objective basis, supported by specific and articulable facts, for suspecting a person of prohibited conduct. (Black’s Law Dictionary: 11th ed. 2019).

mandated reporting procedures. They must also report to the District’s Title IX Officer and through the official District reporting process as outlined in the Sexual Harassment Policy 0110 – R section titled “Reporting Complaints.” For purposes of clarity, state mandated reporting includes notifying law enforcement of cases that define “Child Abuse in the

Educational Setting,” notifying the New York State Education Department Part 83 Office, and/or notifying Child Protective Services (CPS), if applicable, when child abuse occurs in the home setting.

- c) All complaints (including, but not limited to, complaints from current students and/or alumni) of prohibited conduct with student(s) shall also be investigated by the District pursuant to the Sexual Harassment Policy 0110 and 0110-R, regardless of when they allegedly occurred.
- d) If a student initiated prohibited behavior toward a School District Adult, that adult shall document the incident and report it to his or her building principal/supervisor, the District Title IX Officer and through the official District reporting process.
- e) In all cases, the District committee, consisting of those appointed annually by the Hempstead Board of Education, shall promptly investigate all complaints of prohibited School District Adult-student conduct, and shall take prompt corrective action to stop such conduct immediately, if founded.
- f) Reports of prohibited School District Adult-student conduct will be treated as confidential and private to the extent possible within legal constraints.
- g) The willing violation of a mandated reporter’s duty to report, based on one’s knowledge or reasonable suspicion of prohibited School District Adult-student conduct, may result in the notification of law enforcement officials, the filing of criminal charges and/or disciplinary action by the District, including suspension and/or revocation of extracurricular duties and/or termination of employment/services.

PROHIBITION OF RETALIATION

The Board of Education prohibits any retaliatory behavior directed against complainants, victims, witnesses and/or any other individuals who participate in the investigation of allegations of inappropriate School District Adult-Student conduct. Follow-up inquiries and continuous monitoring shall be made to ensure that the alleged prohibited conduct has not resumed and that all those involved in the investigation have not suffered retaliation. Any act of retaliation is subject to appropriate disciplinary action by the District.

RESPONSIBILITY OF TRAINING

The principal of each school and/or program supervisor shall be responsible for providing an annual, age-appropriate training in the first trimester (grades K-6) or first quarter (grades 7-12) of each new school year to students, that informs students of the requirements of this policy, including the duty to report and the procedures established for investigation and resolution of complaints. Newly hired District employees will receive a copy of this policy within 30 days of their official start date. Further, annual training shall be provided by the District to all School District Adults to facilitate their understanding and compliance with this policy. Documentation of training provided to School District Adults will be collected annually by the District, requiring employee signature upon completion of training; documentation of student trainings will be collected by each school principal and turned into the District Title IX Officer annually. The District's policy shall be disseminated as appropriate to students, parents, and School District Adults. Further, this topic shall be addressed in the District Code of Conduct.

DISCIPLINARY SANCTIONS

Any School District Adult who violates this policy shall be subject to appropriate disciplinary measures up to and including termination of employment and/or services in accordance with legal guidelines, District policy and regulation, and the applicable collective bargaining agreements. A violation of this policy may also subject the School District Adult to criminal and/or civil sanctions as well as disciplinary action by the State Education Department.

Ref: Title IX of the Education Amendments of 1972, 20 United State Code (USC) Section

SECTION 3: GOVERNING PRACTICES OF YOUR EMPLOYMENT

HIRING PROCEDURES

All prospective employees of the District will go through the same application process, which includes fingerprinting and at least one interview, and will ultimately be selected for employment based on the necessary skills and job requirements.

The District relies upon the accuracy of the information contained in each applicant's employment application, as well as the accuracy of other data presented to or obtained by the District throughout the hiring and employment process. If an applicant submits false documents, or makes any misrepresentations, falsifications, or material omissions of any relevant information, as determined by the District, then the applicant may be excluded from further consideration for employment by the District. If the applicant becomes employed before any such misrepresentations, falsifications, or material omissions are discovered, then the applicant's employment may be terminated.

All employees must complete two (2) District reference release forms upon an offer of employment. The reference forms will be sent to your former employer(s) for verification, and the returned reference forms will then be maintained in your personnel file in confidence.

FINGERPRINTING

All new employees of the District must be fingerprinted in accordance with Education Law. Fingerprinting information is available through the Office of Human Resources during the application process for new hires. Candidates recommended for employment may not commence working for the District without full fingerprint clearance.

INITIAL EMPLOYMENT PROBATION PERIOD

All new employees begin their employment on a probationary period. The probationary period is an opportunity for a new employee and the District to get to know each other, for the employee to decide whether the job is the right job for him/her, and for the District to evaluate the quality of the new employee's service.

After a new employee completes the probationary period and if the District decides that he/she has met the District's standards, he/she may obtain new employment benefits depending upon title and bargaining unit.

CERTIFICATION STATUS

All employees and staff members are expected to maintain current and updated certification(s)

for their position. In this respect, knowledge of one's certification status, certification(s) expiration dates, the relevant grade-levels, and all other relevant details of the certification(s) are the responsibility of the teacher or employee. You, the holder of such certification(s), hold the duty and obligation to promptly update all such certification(s) and are expected to do so prior to commencing or resuming all your duties. Failure to maintain a current certification may impact your status with the District. Teachers are reminded to review and utilize the NYS-TEACH system for certification and personal profile updates as necessary.

COURSE APPROVALS

The District encourages all staff members to participate in ongoing professional development as part of their individual growth as educators. Instructional staff members must submit requests for course approval and/or conferences through My Learning Plan. All requests are electronically forwarded to the Superintendent or Associate Superintendent for Curriculum and Instruction for final approval. Teachers should not register for coursework to be used for salary advancement without obtaining prior approval through the Office of Human Resources. All District required paperwork must be submitted in a timely fashion as part of the approval process.

ATTENDANCE AND PUNCTUALITY

Attendance and punctuality are important requirements of your job. Employees are expected to be on time in accordance with the schedule that has been assigned to them. Poor attendance and/or frequent lateness will result in disciplinary action. If you must leave your workplace at any time while on duty, permission must first be obtained from the District. If you know in advance that you are going to be late or absent for any reason whatsoever, you must notify the District as soon as possible so that coverage for your absence can be arranged.

STAFF WORK HOURS, SCHEDULE, LUNCH HOURS AND BREAKS

The District's operational workweek is five (5) days a week, Monday through Friday. Although District offices are generally open from 8:00 AM until 4:00 PM each day, certain employees may be assigned to different work schedules and/or shifts outside of normal office hours. If an employee must be out of the school or office for non-business-related reasons during their normal work schedule, permission is required from their direct supervisor. The regular work hours for employees are below:

- 1) Administrators:** 8:00 AM – 4:00 PM

- 2) **Secondary Admin:** 7:30 AM – 3:30 PM **or** 8:00 AM – 4:00 PM
- 3) **Secondary Teachers:** 7:30 AM – 2:30 PM **or** 8:00 AM – 3:00 PM / **Lunch:** 1 Period.
- 4) **Elementary Teachers:** 8:15 AM – 3:15 PM / **Lunch:** 1 hour.
- 5) **Teaching Assistants:** 8:15 AM – 3:15 PM / **Lunch:** Same as teachers in their buildings.
- 6) **Security:** 7:30 AM – 4:00 PM or 8-hour workday agreed by supervisor / **Lunch:** 30 min.
- 7) **Food Service:** 6:30 AM – 2:30 PM or 8-hour workday agreed by supervisor / **Lunch:** 30min.
- 8) **Nurses:** 7:30 AM – 3:30 PM or 8-hour workday agreed by supervisor / **Lunch:** 1 hour or 30 minutes and two 15-minute breaks.
- 9) **Clerical:** 8:00 AM– 4:00 PM or 8-hour workday agreed by supervisor / **Lunch:** 1 hour or 30 minutes and two 15-minute breaks.
- 10) **UPSEU:**
 - Full Time Day Shift:** Lunch 1 hour.
 - Full Time Night Shift:** Lunch 30 minutes.
 - ALL UPSEU During July & August:** Lunch 30 minutes.
- 11) **Cleaners:** 7:00 AM– 3:30 PM **or** 10:00 AM – 6:30 PM **or** 2:30 PM – 10:30 PM
- 12) **Head Custodians:** 6:00 AM – 2:30 PM
- 13) **Grounds:** 7:00 AM – 3:30 PM
- 14) **Maintainers:** 7:00 AM – 3:30 PM

AESOP

Teachers are required to use the Absence Management (formerly “AESOP”) online substitute service to report their attendance. **Teaching Assistants are also required to report their absences in AESOP.**

ANNUAL PROFESSIONAL PERFORMANCE REVIEWS

All employees will receive an Annual Professional Performance Review (APPR) or a District Annual Evaluation at the end of year. Annual Performance Reviews will be conducted by administrators and/or the employee’s direct supervisor(s) and sent to the Office of Human Resources to be placed in the employee’s personnel file. Employees are entitled to write demurrer (objection) responses to any review. This response will be attached to the evaluation and placed in the personnel file. For clarification purposes, employees should consult with the building Principal with questions regarding their annual evaluation. In order to be in compliance with current New York State law and regulations, updates will be required to the APPR practice for instructional and administrative staff as well as the applicable collective bargaining provisions.

PERFORMANCE EVALUATION

Evaluation of an employee’s job performance is a continuous process that focuses on

improvement. Performance evaluation is based on an employee's assigned job duties and other job-related criteria. All employees will participate in the evaluation process with their assigned supervisor at least annually. Written evaluations will be completed on forms approved by the District. Reports, correspondence, and memoranda also can be used to document performance information. All employees will receive a copy of their written evaluation, participate in a performance conference with their supervisor, and have the opportunity to respond to the evaluation.

TERMINATION OF EMPLOYMENT

An employee's employment relationship shall be broken and terminated by:

1. termination pursuant to the terms of the employee's union contract or state law.
2. voluntary resignation.
3. failure to return to work the day following the expiration of an authorized leave of absence; and
4. job abandonment.

Upon the termination of your employment with the District, all property of the District must be immediately returned.

EXIT INTERVIEWS

Exit interviews will be scheduled for all employees leaving the district and will take place with the Associate Superintendent for Human Resource or the employee's direct supervisor. Information on the continuation of benefits, release of information, and procedures for requesting references will be provided at that time. All District keys, books, property, including intellectual property, and equipment must be returned upon separation from employment. Separating employees are asked to provide the District with a forwarding address and phone number and to complete a questionnaire that provides the District with feedback on his or her employment experience. Employees are encouraged to provide candid comments and suggestions that may help improve future District-employee relations and ultimately make the District a better place to work. Employee comments will be reviewed confidentially with the Superintendent of Schools. When an in-person exit interview is not possible, the Office of Human Resources may mail the Exit Interview Form to the departing employee. Responding to Exit Survey information is voluntary and is only used to improve the District.

NAME AND ADDRESS CHANGES

It is important that employment records be kept up to date. Employees must notify the Office of

Human Resources if there are any changes or corrections to their name, home address, contact telephone number, emergency contact or beneficiary.

SECTION 4 OPERATIONAL POLICIES

EMPLOYEE AND STAFF DRESS CODE

All employees of the District must use professional discretion in wearing attire that is appropriate for the school workplace and student interaction. District employees are expected to dress neatly and practice good grooming and hygiene. You should dress appropriately for your job and come to work in clean and appropriate fitting clothing suitable for your job. If you are required to wear a uniform, please report for duty in uniform. While the District firmly stands behind its policy that all employees should report to work daily in professional attire, we also strongly discourage all employees from wearing flip flops, open toe shoes, sandals, halter/midriff tops, hats, shorts, T-shirts, tank tops, and other revealing or similar casual clothing that may not be worn to school.

(Physical Education teachers and District employees participating in special school-wide events, such as Field Day, are the exception to the policy against wearing shorts to work).

BULLETIN BOARDS

From time to time, important notices will be posted on bulletin boards throughout the District. It is your responsibility to routinely check the bulletin boards to keep current with District activities, events, announcements, and other items of interest. Only authorized personnel may remove items posted by the District. Employees who wish to post items on bulletin boards must first obtain permission to do so from the Superintendent. Unauthorized items may be removed.

CONFIDENTIAL SCHOOL AND DISTRICT INFORMATION

The District is entrusted with the responsibility of protecting the personal information of its student body and of its own affairs. Therefore, it is your duty not to disclose to any unauthorized individual, any information or documentation that relates to:

- a student's personal matters.
- a student's medical matters.
- personal information of affairs of the District; and/or
- personal operational or business-related information of the District.

RECORD RETENTION

All personnel files of staff, employees, and students are the property of the District and it is District policy to maintain records of all files and documents that are created or obtained during the course of the District's operations. Employees are responsible for informing the District when there is a change in their residence, marital status, education, emergency contacts, and any other information necessary to keep personnel files current and useful.

As an employee of the District, it is your duty as well to maintain, preserve, and ensure the proper filing of all student records and documentation that is created or received during your work with the District.

No one may alter or remove documents from personnel files. If your personal information, including address changes, you are required to update it as soon as possible. If you fail to timely notify the District of any change in information that may affect your employment benefits, the consequences of any such delay shall be borne by you and you shall be solely responsible.

ACCESS TO SCHOOL AND EMPLOYMENT RECORDS

Personnel files are kept in the Department of Human Resources. Official District records and documentation filed and stored in the Department of Human Resources are not publicly made available except upon specific/special request.

STUDENT RECORDS

Student records are confidential and are protected from unauthorized inspection or use. Employees should take precautions to maintain the confidentiality of all student records. The following people are the only people who have general access to a student's records:

- Parents: Married, separated or divorced unless parental rights have been legally terminated and the school has been given a copy of the Court Order terminating parental rights.
- The student: The rights of parents transfer to a student who turns 18 or is enrolled in an institution of post-secondary education. A district is not prohibited from granting the student access to the student's records before this time.
- School officials with legitimate educational interests and needs.

The student handbook provides parents and students with detailed information on student

records. Parents or students who want to review student records should be directed to the building Principal for assistance.

RIGHT TO INSPECT

In the event that the District has reasonable suspicion to believe that an employee is holding or is in possession of any illegal item or object, including but not limited to alcohol, drugs, or weapons, the District reserves the right to its personnel to check any employee in order to ascertain the veracity of the District's belief of such individual actually being in possession of such items.

An authorized school official of the District may conduct a search for an employee's person or belongings, even without reasonable suspicion, as long as the school official of the District has any legitimate reason to do so. This may also be done by use of a metal detector or hand-held scanning device.

The District is not responsible or liable for any personal property that is lost, stolen or damaged. In order to minimize risk, the District advises employees not to carry unnecessary amounts of cash or other valuables. If employees bring personal items to work, they are expected to exercise reasonable care to safeguard them. The District is not liable for vandalism, theft or any damage to cars parked on school property.

Employees shall have no expectation of privacy with respect to any item or document stored in or on District-owned property, which includes, but is not limited to, desks, filing cabinets, mailboxes, lockers, tables, shelves, and other storage spaces in or out of the classroom. Accordingly, the District may at any time and in its sole discretion conduct a search of such property, regardless of whether the searched areas or items of furniture are locked or unlocked.

USE OF SCHOOL COMPUTERS AND SYSTEMS

The District makes available to its employees a variety of supplies, equipment, and resources, to assist and enable them to carry out their respective responsibilities. In addition to textbooks and school supplies, this includes, but is not limited to, computers, copying machines, and other machinery, and Wi-Fi and internet networks operated and maintained by the District. Notwithstanding their availability for employee use, they remain the property of the District and may only be used for school and educational purposes. Thus, the use of such equipment and data for personal purposes is prohibited.

The misuse or abuse of such District property may result in discipline, fines, and liabilities. The District expects that any lost or damaged equipment will be reported immediately to a supervisor. Moreover, any hacking, unauthorized access, manipulation or alteration to any of the District's systems may result in discipline, penalties, suspension, or termination.

TEXTING AND PERSONAL TELEPHONE CALLS

In order to ensure a high degree of focus, attention, and ensure that an employee's job duties are carried out, personal cell phone use is prohibited during work hours. During work hours, cell phones should be turned off, or in the alternative, should be placed silent and should not be attended to until an authorized and permitted break period has arrived. Personal calls or text messages made by employees or received by them during working hours are not permitted.

The District recognizes, however, that from time to time there may be an emergency or a special instance that requires an employee to either make or receive a personal telephone call or text during working hours. If an emergency arises requiring you to make or take a call or text, you must promptly discuss these circumstances with your supervisor before an occurrence or immediately thereafter.

Employees who are determined to excessively or persistently violate the District's cell phone use policy with respect to personal phone calls and/or text messages may be subject to discipline.

SOCIAL MEDIA

Social media are powerful communications tools that have a significant impact on organizational and professional reputations. Social media are defined as media designed to be disseminated through social interaction, created using highly accessible publishing techniques.

The term "social media" includes, but is not limited to:

- Social Networking Sites (Facebook, Myspace, Foursquare, LinkedIn)
- Micro-blogging Sites (Twitter)
- Blogs (including school district and personal blogs, as well as comments)
- Video and Photo Sharing Websites (Flickr, YouTube, Instagram)
- Forums and Discussion Boards (Google Groups, Yahoo! Groups)
- Online Encyclopedias (Wikipedia)
- Electronic Communication (Email, Texting and Snapchat)

When acting in a professional role using social media, employees are expected to follow the same behavioral standards online as they would in the classroom. The same laws, professional

expectations, and guidelines for interacting with co-workers, students and parents apply to teachers and other employees when acting in a professional capacity online. When a teacher or employee is interacting with students online, a teacher/employee is presumed to be acting in his or her professional capacity. At all times, a teacher/employee is expected to utilize social media in a manner consistent with his or her capacity as a role model for students.

The following rules are applicable to all employees, faculty, and staff regarding social media:

1. Employees, faculty, and staff have no expectation of privacy in anything posted on the Internet using social media and/or social networking websites (like Myspace or Facebook).
2. Employees, faculty and staff must not misrepresent their personal views as those of the District. When an employee might be perceived online as an agent of the District, the employee needs to be clear that he/she is sharing his/her views as an individual and not as a representative of the District.
3. All employees, faculty and staff of the District who participate in social networking websites shall not post any data, documents, photos or inappropriate information on any website that might result in a disruption of the classroom and/or the school environment or the health, safety and well-being of students. This determination will be made by the Superintendent.
4. Inappropriate fraternization via the Internet and/or social media between employees, faculty or staff and students is prohibited.
5. Faculty is expected to conduct themselves in a manner consistent with their obligations as a role model when communicating with students via social media. Faculty communication with students via social media shall: (1) be consistent with his or her professional obligations as a role model; (2) not constitute bullying, harassment and/or discrimination; and (3) provide each student in a class with an equal opportunity to engage in the mode and manner of communication in order to avoid any favoritism or appearance of impropriety.
6. Access of social networking websites for individual use during school hours is prohibited. District employees shall maintain separate personal and professional accounts while using all forms of social media. Employees must never use their District e-mail account or password in conjunction with a personal social networking or social media site.
7. Employees shall not use the District logos, wordmarks, athletic logos or any other marks or images on their personal online sites. Employees shall not use the District's name to promote or endorse any product, cause or political party candidate.
8. Employees shall not post confidential or proprietary information about the District, its students, its alumni or District employees. Employees shall use good ethical judgement and follow District policies, as well as state and federal privacy laws.
9. The Board prohibits all conduct, including online activity, which may constitute bullying, harassment, and/or a violation of Board policy, State and federal laws including the Dignity for All Students Act.
10. All use of social media utilizing the District's computers and/or network shall be subject to and comply with the District's Acceptable Use Policy.

CONTACT WITH THE MEDIA

The Superintendent of Schools is responsible for coordinating all internal and external communications regarding school-related situations. When necessary and appropriate, the Superintendent will provide accurate information as soon as possible to parents, students, school employees, and the media personnel. Only the Superintendent of Schools or the Superintendent's designee may speak with any representative of the media on behalf of the District. It should also be noted that communication might be limited, restricted, or controlled by law enforcement agencies or by the District in many emergency situations for a variety of reasons.

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 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 when on school property or attending a school function including students, teachers, District personnel, and visitors.

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 to peacefully assemble. The District recognizes that free inquiry and free expression are indispensable to the objectives of the District. The purpose of this policy is to maintain public order and prevent abuse of the rights of others.

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

A. Prohibited Conduct

No person, either alone or with others, shall:

1. Intentionally injure and person or threaten to do so.
2. Intentionally damage or destroy school district property or the personal property of a teacher, administrator, other District employee or any person lawfully on school property, including graffiti or arson.
3. Disrupt the orderly conduct of classes, school programs, public school board meetings or other school activities.
4. Distribute or wear materials on school grounds or at school functions that are obscene, advocate illegal action, appear libelous, obstruct the rights of others, or are disruptive to the school program.
5. Intimidate, harass or discriminate against any person on the basis of actual or perceived

- race, creed, color, weight, national origin, ethnic group, religion, religious practice, disability, sex, sexual orientation or gender (including gender identity and expression).
6. Enter any portion of the school premises without authorization or remain in any building or facility after it is normally closed.
 7. Obstruct the free movement of any person in any place to which this code is applied.
 8. Violate the traffic laws, parking regulations or other restrictions on vehicles.
 9. Possess, consume, sell, distribute, or exchange alcoholic beverages, controlled substances, or be under the influence of either on school property or at a school function.
 10. Possess or use weapons in or on school property or at a school function, except in the case of law enforcement officers or except as specifically authorized by the school district.
 11. Loiter on or about school property.
 12. Gamble on school property or at school functions.
 13. Refuse to comply with any reasonable order of identifiable school district officials performing their duties.
 14. Willfully incite others to commit any of these acts prohibited by this code.
 15. Violate any federal or state statute, local ordinance, or Board policy while on school property or while at a school function or meeting.

B. Penalties

Persons who violate this code shall be subject to the following penalties:

1. Visitors' authorization, if any, to remain on school grounds or at the school function shall be withdrawn and they shall be directed to leave the premises. If they refuse to leave, the appropriate authorities shall be notified to take the necessary action, which may include ejection from the premises.
2. Students shall be subject to disciplinary action as the facts may warrant, in accordance with the due process requirements.
3. Tenured faculty members shall be subject to disciplinary action as the facts may warrant in accordance with Education Law 3020-a or any other legal rights they may have.
4. Staff members in the classified service of the civil service entitled to the protection of Civil Service Law 75 shall be subjected to immediate ejection and to disciplinary action as the facts may warrant in accordance with Civil Service Law 75 or any other legal rights that they may have.
5. Staff members other than those described in subdivisions 3 and 4 shall be subject to warning, reprimand, suspension, or dismissal as the facts may warrant in accordance with any legal rights they may have.

C. Enforcement

The Principal, his/her designee, or the Superintendent of Schools shall be responsible for enforcing this policy. When a supervisor sees an individual engaged in prohibited conduct, which in his or her judgement does not pose any immediate threat of injury to persons or property, they shall tell the individual that the conduct is prohibited and attempt to persuade the individual to stop. The supervisor shall also warn the individual of the consequences for failing to stop. If the person refuses to stop engaging in the prohibited conduct or if the persons' conduct poses an immediate threat of injury to persons or property, the supervisor shall have the

individual removed immediately from the school property or the school function, including public school board meetings. If necessary, local law enforcement authorities will be contacted to assist in removing the person. The District shall initiate disciplinary action against any student or staff member, as appropriate. In addition, the District reserves its right to pursue a civil or criminal legal action against any person violating this policy.

Standards of Conduct

All employees are expected to work together in a cooperative spirit to serve the best interests of the District and to be courteous to students, one another, and the public. Employees are expected to observe the following standards of conduct:

- Recognize and respect the rights of students, parents, other employees, and members of the community.
- Maintain confidentiality in all matters relating to students and coworkers.
- Report to work according to the assigned schedule.
- Notify their immediate supervisor in advance or as early as possible in the event that they must be absent or late. Unauthorized absences, chronic absenteeism, tardiness, and failure to follow procedures for reporting an absence may be cause for disciplinary action.
- Know and comply with department and District policies and procedures.
- Express concerns, complaints, or criticism through appropriate channels.
- Observe all safety rules and regulations and report injuries or unsafe conditions to a supervisor immediately.
- Use District time, funds and property for authorized District business and activities only.

All District employees should perform their duties in accordance with state and federal law, District policies and procedures, and ethical standards. Violation of policies, regulations or guidelines may result in disciplinary action, including termination.

ALCOHOL AND DRUG-ABUSE PREVENTION

The District is committed to maintaining an alcohol- and drug-free environment and will not tolerate the use of alcohol or illegal drugs in the workplace or at school-related or school-sanctioned activities on or off school property. Employees who use or are under the influence of alcohol or illegal drugs during working hours may be dismissed. The District's policy regarding employee drug use follows: District Policy #8414.5R (Alcohol and Drug Testing).

TOBACCO PRODUCTS AND E-CIGARETTE USE

State law prohibits smoking, using tobacco products, or e-cigarettes on all District-owned property and at school-related or school-sanctioned activities, on or off school property. This includes all buildings, playground areas, parking facilities, and facilities used for athletics and other activities. Drivers of District-owned vehicles are prohibited from smoking, using tobacco products, or e-cigarettes while inside the vehicle. Notices stating that smoking is prohibited by law and punishable by a fine are displayed in prominent places in all school buildings.

SMOKING POLICY

The District is dedicated to providing a healthy, comfortable and productive learning environment for its students, and its employees. Therefore, smoking and “vaping” is prohibited in all areas inside all of the District’s buildings and premises.

WEAPON, DRUG AND ALCOHOL POLICY

It is the policy of the Hempstead School District to create and ensure a drug-free and alcohol-free environment. Therefore, the consumption of any alcohol or any drugs, before or during a school day is strictly prohibited and will not be tolerated. The District takes this rule very seriously as drug and alcohol consumption poses unforeseen and unacceptable safety risks to the children that we are responsible for and jeopardizes the District’s ability to operate effectively and safely.

In this respect, the unlawful manufacture, distribution, dispensation, possession, sale or use of any controlled substance is strictly prohibited even when you are off work or not at the District. To the extent that in the opinion of the District, an employee’s ability to perform on the job is impaired, or threatens the reputation or integrity of the District, the District may take any disciplinary action as needed. The District will also take any and all lawful steps to ensure that the facilities under its control are drug-free. To this end the District may:

- Distribute and make available literature addressing the dangers of drug usage and abuse.
- Strictly enforce this policy, which includes discipline for its violation that may include termination from employment; and
- Provide an opportunity for rehabilitation to any employee who has not violated this policy but has instead come forward with a substance abuse problem and requests assistance.

The legal use of prescribed drugs is permitted on the job only so long as it does not impair an employee’s ability to perform the essential functions of his or her job and does not endanger

other individuals or students in the District. An employee must report to his or her supervisor on arrival at work if he or she is using a drug or medicine that may induce sleepiness, drowsiness, incoherence, or other impairment of sensory faculties that workday.

Similarly, the District takes a strong stand against the possession of any weapon at any time. The District takes this policy very seriously and all firearms and dangerous weapons are prohibited on all property of the District. The prohibition includes firearms in vehicles on school property. Just as all alcohol and illegal substances found shall be confiscated immediately, all weapons found will be confiscated immediately as well. Such confiscation, when from a student, will be followed by notification by the appropriate administrative authority to the parent of the student involved and the appropriate disciplinary sanction which may include permanent suspension and referral for prosecution.

The reporting of criminal acts to the local law enforcement agency is required by law. In order to ensure compliance and consistency, the reporting system shall be instituted on a District-wide basis.

FRAUD AND FINANCIAL IMPROPRIETY

All employees should act with integrity and diligence in duties involving the District's financial resources. The District prohibits fraud and financial impropriety, as defined below. Fraud and financial impropriety include the following:

- Forgery or unauthorized alteration of any document or account belonging to the District
- Forgery or unauthorized alteration of a check, bank draft or any other financial document
- Misappropriation of funds, securities, supplies or other District assets including employee time.
- Impropriety in the handling of money or reporting of District financial transactions.
- Profiteering as a result of insider knowledge of District information or activities
- Unauthorized disclosure of confidential or proprietary information to outside parties
- Unauthorized disclosure of investment activities engaged in or contemplated by the District.
- Accepting or seeking anything of material value from contractors, vendors, or other persons providing services or materials to the District, except as otherwise permitted by law or District policy
- Inappropriately destroying, removing, or using records, furniture, fixtures or equipment
- Failing to provide financial records required by federal, state or local entities.
- Failure to disclose conflicts of interest as required by law or District policy
- Any other dishonest act regarding the finances of the District
- Failure to comply with requirements imposed by law, the awarding agency, or a pass-through entity for State and federal awards.

COPYRIGHTED MATERIALS

Employees are expected to comply with the provisions of federal copyright law relating to the unauthorized use, reproduction, distribution, performance, or display of copyrighted materials (i.e., printed material, videos, computer data and programs, etc.). Electronic media, including motion pictures and other audiovisual works, are to be used in the classroom for instructional purposes only. Duplication is to be used in the classroom for educational purposes only. Duplication or backup of computer programs and data must be made within the provisions of the purchase agreement.

VISITORS IN THE WORKPLACE

All visitors are expected to enter any District facility through the main entrance and sign in or report to the building's main office. Authorized visitors will receive directions or be escorted to their destination. Employees who observe an unauthorized individual on the District premises should immediately direct him or her to the building office or contact the administrator in charge.

District Policy #5300.60

GENERAL PROCEDURES

BAD WEATHER CLOSING

The District may close schools because of bad weather or emergency conditions. When such conditions exist, the Interim Superintendent will make the official decision concerning the closing of the District's facilities. When it becomes necessary to open late, to release students early, or to cancel school, District officials will post a notice on the district's website and notify the following radio and television stations:

Radio: WMJC-KJOY 94.3 AM, WALK 97.5 AM, WINS 1010 AM

Television: FIOS-Channel 1, NEWS12-Channel 12, WCBS-Channel 2, WNBC-Channel 4, WYNW-Channel 5, WABC-Channel 7

EMERGENCIES

All employees should be familiar with the safety procedures for responding to emergencies, including a medical emergency, and the evacuation diagrams posted in their work areas. Emergency drills will be conducted to familiarize employees and students with safety and evacuation procedures. Each building is equipped with an automatic external defibrillator. Fire

extinguishers are located throughout all District buildings. Employees should know the location of these devices and procedures for their use.

PURCHASING PROCEDURES

All requests for purchases must be submitted to the Business Department on an official District purchase order (PO) form with the appropriate approval signatures. No purchases, charges, or commitments to buy goods or services for the district can be made without a PO number. The District will not reimburse employees or assume responsibility for purchases made without authorization. Employees are not permitted to purchase supplies or equipment for personal use through the District's business office. Contact khalop@hempsteadschools.org for additional information on purchasing procedures.

SECTION 5 STUDENT OPERATIONAL POLICIES

CHILD ABUSE AND NEGLECT REPORTING

Mandated reporters, including teachers and other school officials, must make a report of suspected child abuse or maltreatment as soon as it is suspected; a failure to report is punishable as a misdemeanor. The Child Protective Services Hotline is 1-800-635-1522.

School employees are mandated reporters regarding child abuse and neglect. Any school employee who is aware of or suspects that a child's health or welfare has been or appears to have been harmed as a result of child abuse or neglect, has a legal responsibility and duty to report the case in accordance with *school procedures*. Child Protective Service reports must be made firsthand and are no longer the sole responsibility of the Social Worker, Nurse, or Principal of the school. If you have any questions regarding your responsibilities or role, you must contact your immediate supervisor for assistance.

Consistent with the District's commitment to keep students safe from harm and the obligation of school officials to report to child protective services when they have reasonable cause to suspect that a student has been abused or maltreated, the District will cooperate with local child protective services workers who wish to conduct interviews of students on school property relating to allegations of suspected child abuse, and/or neglect, or custody investigations. A child protective services worker may not remove a student from school property without a Court Order, unless the worker reasonably believes that the student would be subject to danger of abuse if he or she were not removed from school before a Court Order can reasonably be obtained. If the worker believes the student would be subject to danger of abuse, the worker may remove the student without a Court Order and without the parent's consent. The District employee must

confirm the worker's request and identification with a supervisor at the agency that sent him or her to the school.

BULLYING REPORTING

Consistent with The Dignity for All Students Act ("DASA"), school employees who witness or receive a report of harassment, bullying or discrimination must notify the principal, superintendent, or designee within one school day after witnessing the incident or receiving the report and must file a written report within two school days thereafter. The Principal, Superintendent or designee will be required to notify appropriate local law enforcement when they believe that any harassment, bullying, or discrimination constitutes criminal conduct.

FIRE AND BOMB THREAT PROCEDURES

Fire safety is an essential element of having a safe working environment at the District. Employees should know the following:

1. The location of fire alarms.
2. The location of fire extinguishers.
3. Evacuation routes; and
4. Whom to notify in case of fire.

Employees need to take precautions to prevent fires from occurring. In the event of a fire, the most important task is to sound the alarm and clear the building. Employees should not risk their safety in fighting fires.

Employees are expected to review their building/departmental level Emergency Response Plan for additional information on various emergency situations. The person receiving a bomb threat via phone should try to get as much information as possible, including:

- Immediately after the call, write down the caller's phone number, if available. Inform direct supervisor immediately.
- Dial 9 for an outside line, and then call 911.
- Call Superintendent of Schools – 434-4012
- The supervisor will issue a verbal "Evacuate" directive.
- Evacuate the building. Search Team will check bathrooms, classrooms, and other spaces to assure that everyone is out of the building. Search Team will report to the Main Office after they have checked their designated areas.
- The principal will designate a Command Center and will be located at the post.

- Wait for the police to arrive. Have the person who received the threat and who traced the call available to police at the Command Center.
- No one should re-enter the building until the police and Fire Marshall give clearance.

ADMINISTERING MEDICATION TO STUDENTS

Only designated employees may administer prescription medication, nonprescription medication, and herbal or dietary supplements to students. Exceptions apply to the self-administration of asthma medication, medication of anaphylaxis (e.g., EpiPen), and medication for diabetes management, if the medication is self-administered in accordance with District policy and procedures. A student who must take any other medication during the school day must bring a written request from his or her parents and the medicine in its original, properly labeled container. Contact the Principal or school nurse for information on procedures that must be followed when administering medications to students.

SECTION 6 BENEFITS AND COMPENSATION

CANCER SCREENING

The District allows excused leave for up to 4 hours annually for the purpose of cancer screening. The time off will be considered paid time and will not be deducted from sick, personal, or other accrued time off. Screening forms are required to be submitted in advance unless there is an emergency situation.

DIRECT DEPOSIT

A payroll check direct deposit is available and recommended for all employees. Employees using direct deposit are responsible for completing all required paperwork and will receive a statement of deposit on payday that contains the same information a paycheck does. Direct deposit is a convenient and secure way to quickly access your pay. All employees are required to sign receipt of their paycheck. Paychecks remaining in schools will be returned to payroll for employee pickup. Only the employee may sign in place of another employee.

AUTOMATIC PAYROLL DEPOSIT

Employees have the option to have their paychecks electronically deposited into a designated account. A notification period of 15 days is necessary to activate this service. Contact mmacri@hempsteadschools.org for more information about the automatic payroll deposit service.

PAYROLL DEDUCTIONS

The District is required to make the following automatic payroll deductions:

- Teacher Retirement System of New York or Social Security employee contributions
- Federal income tax required for all full-time employees.
- Medicare tax (applicable only to employees hired after March 31, 1986)
- Child support and spousal maintenance, if applicable
- Delinquent federal education loan payments, if applicable

Other payroll deductions employees may elect include deductions for the employee's share of premiums for health, dental, life and vision insurance; annuities; and higher education savings plans or prepaid tuition programs. Employees also may request payroll deduction for payments of membership dues to professional organizations. Salary deductions are automatically made for unauthorized or unpaid leave.

SUPPLEMENTAL INSURANCE BENEFITS

At their own expense, employees may enroll in supplemental insurance programs for dental, vision, life, and disability. Premiums for these programs can be paid by payroll deduction. Employees should contact shargrove@hempsteadschools.org or mvalerie@hempsteadschools.org for more information.

TRAVEL EXPENSE REIMBURSEMENT

Before any travel expenses are incurred by an employee, the employee's supervisor must give approval. For approved travel, employees will be reimbursed for mileage and other travel expenditures according to the current rate schedule established by the District. Employees must submit receipts, to the extent possible, to be reimbursed for allowable expenses other than mileage.

WORKERS' COMPENSATION

The District, in accordance with State law, provides Workers' Compensation benefits to

employees who suffer a work-related illness or are injured on the job. The District has Workers' Compensation coverage with Wright Risk Insurance.

Worker's Compensation Insurance may cover employees who are injured on the job while working at the District. It is the employee's responsibility to immediately notify the direct supervisor who will notify the Human Resources Department. The District encourages injured employees to seek immediate medical attention. All medical expenses related to the treatment of an injury, sustained on the job, and paid directly to medical expenses related to medical providers.

Any employee who is injured on the job shall report the injury to their immediate supervisor prior to seeking medical attention if at all possible. In the event of an emergency, the employee shall notify his/her immediate supervisor within twenty-four (24) hours after the occurrence of the injury or as soon as practicable. The employee shall fill out a C-3 accident report form.

All work-related accidents or injuries should be reported immediately to yadams@hempsteadschools.org.

UNEMPLOYMENT COMPENSATION INSURANCE

Employees who have been laid off or terminated through no fault of their own may be eligible for unemployment compensation benefits. Employees are not eligible to collect unemployment benefits during regularly scheduled breaks in the school year or the summer months if they have employment contracts or reasonable assurance of returning to service. Employees with questions about unemployment benefits should contact Dr. Rodney Gilmore.

EMPLOYEE ASSISTANCE PROGRAMS

EMPLOYEE TUITION REIMBURSEMENT

1. The employee must fill out a tuition reimbursement form.
2. The immediate supervisor must review and approve/deny the request.
3. A Purchase Order Requisition is then prepared for the anticipated cost.
4. The Union President reviews, approves, and signs off on the request.
5. The request is then forwarded to the Office of Human Resources to review and sign off on the request.
6. The Office of Human Resources will then forward the documents to the Purchasing Agent for conversion to a purchase order.
7. After successful completion of the course the employee will submit the payment receipt along with certified college/university transcripts indicating the grade to the Office of

Human Resources.

8. The Tuition Reimbursement Package will then be forwarded to Accounts Payable for preparation of check reimbursement.
9. It will then be presented to the claim's auditor for review and approval.
10. The employee will then receive their tuition reimbursement payment.

JURY DUTY

The District provides paid leave to employees who are summoned to jury duty. Employees who report to the Court for jury duty may keep any compensation the Court provides. An employee should report a summons for jury duty to his or her supervisor as soon as it is received and may be required to provide the District a copy of the summons to document the need for leave.

An employee may be required to report back to work as soon as they are released from jury duty. A copy of the release from jury duty or documentation of time spent at the court may be required.

COMPLIANCE WITH A SUBPOENA

Employees will be paid while on leave to comply with a valid subpoena to appear in a civil, criminal, legislative or administrative proceeding and will not be required to use personal leave. Employees may be required to submit documentation of their need for leave for Court appearances.

RELIGIOUS OBSERVANCE

The District will reasonably accommodate an employee's request for absence for a religious holiday or observance. Accommodation such as changes to work schedules or approving a day of absence will be made unless this poses an undue hardship to the District. The employee may use any accumulated personal leave for this purpose. Employees who have exhausted applicable paid leave may be granted an unpaid day of absence.

SECTION 7 TIME OFF

FAMILY AND MEDICAL LEAVE (FMLA)

The Family and Medical Leave Act of 1993 gives "eligible" employees of the District the right to take unpaid leave for a period of twelve (12) work weeks in a twelve-month period.

Eligible employees must have worked a minimum of 1,250 hours in the previous twelve (12) month period. District employees will be placed on FMLA as early as the District is notified of an extended absence or a pending extending absence, or an intermittent absence due to: the birth or adoption of an infant, care of an infant child, care for a spouse, child or parent with a “serious health condition” or to care for their own health condition. Additional information is available through the Office for Human Resources.

When an employee requests FMLA leave, or when the employer acquires knowledge that an employee's leave may be for an FMLA-qualifying reason, the employer must notify the employee of the employee's eligibility to take FMLA leave within five business days, absent extenuating circumstances. 29 C.F.R. § 825.300(b).

The District shall provide written notice outlining specific obligations of the employee and explaining any consequences of not meeting those requirements. 29 C.F.R. § 825.300(c). The District is satisfying this notice requirement by directing the employee to the following website, which combines the eligibility notice and the rights and responsibilities notice into a single form: U.S. DEP’T OF LABOR, *Notice of Eligibility and Rights & Responsibilities (FMLA)*, available at <http://www.dol.gov/whd/fmla/finalrule/WH381.pdf>. The District will then inform employees in writing whether leave requested under the FMLA has been determined to be covered under the FMLA.

FAMILY AND MEDICAL LEAVE ACT (FMLA) – GENERAL PROVISIONS

The following text is from the federal notice, Employee Rights and Responsibilities Under the Family and Medical Leave Act. Specific information that the District has adopted to implement the FMLA follows this general notice.

LEAVE ENTITLEMENTS

Eligible employees who work for a covered employer can take up to 12 weeks of unpaid, job-protected leave in a 12-month period for the following reasons:

- The birth of a child or placement of a child for adoption or foster care.
- To bond with a child (leave must be taken within 1 year of the child’s birth or placement).
- To care for the employee’s spouse, child or parent who has a qualifying serious health condition.
- For the employee’s own qualifying serious health condition that makes the employee unable to perform the employee’s job.

- For qualifying exigencies related to the foreign deployment of a military member who is the employee's spouse, child, or parent.

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

An employee does not need to use leave in one block. When it is medically necessary or otherwise permitted, employees may take leave intermittently or on a reduced schedule.

Employees may choose, or an employer may require, the use of accrued paid leave while taking FMLA leave. If an employee substitute accrued paid leave for FMLA leave, the employee must comply with the employer's normal paid leave policies.

BENEFITS AND PROTECTIONS

While employees are on FMLA leave, employers must continue health insurance coverage as if the employees were not on leave.

Upon return from FMLA leave, most employees must be restored to the same job or one nearly identical to it with equivalent pay, benefits and other employment terms and conditions.

An employer may not interfere with an individual's FMLA rights or retaliate against someone for using or trying to use FMLA leave, opposing and practice made unlawful by the FMLA, or being involved in any proceeding under or related to the FMLA.

ELIGIBILITY REQUIREMENTS

An employee who works for a covered employer must meet three criteria in order to be eligible for FMLA leave. The employee must:

- Have worked for the employer for at least 12 months.
- Have at least 1,250 hours of service in the 12 months before taking leave; and*
- Work at a location where the employer has at least 50 members within 75 miles of the employee's worksite.

*Special hours of service eligibility requirements apply to airline flight crew members.

REQUESTING LEAVE

Generally, employees must give 30 days' advance notice of the need for FMLA leave. If it is not possible to give 30 days' notice, an employee must notify the employer as soon as possible and, generally, follow the employer's usual procedures.

Employees do not have to share medical diagnosis but must provide enough information to the employer so it can determine if the leave qualifies for FMLA protection.

Sufficient information could include informing an employer that the employee is or will be unable to perform his or her job functions, that a family member cannot perform daily activities or that hospitalization or continuing medical treatment is necessary. Employees must inform the employer if the need for leave is for a reason for which FMLA leave was previously taken or certified.

Employers can require a certification or periodic recertification supporting the need for leave. If the employer determines that the certification is incomplete, it must provide a written notice indicating what additional information is required.

EMPLOYER RESPONSIBILITIES

Once an employer becomes aware that an employee's need for leave is for a reason that may qualify under FMLA, the employer must notify the employee if he or she is eligible for FMLA leave, and if the employee is not eligible the employer must provide a reason for ineligibility.

Employers must notify their employees if leave will be designated as FMLA leave, and if so, how much leave will be designated as FMLA leave.

Local Family and Medical Leave Provisions

Eligible employees can take up to 12 weeks of unpaid leave in the 12-month period measured backward from the date an employee uses FMLA.

Use of Paid Leave: FMLA runs concurrently with accrued sick and personal leaves, temporary disability leaves, compensatory time, assault leaves and absences due to a work-related illness or injury. The district will designate the leave as FMLA, if applicable, and notify the employee that accumulated leave will run concurrently.

Combined Leave for Spouses: Spouses who are employed by the district are limited to a combined total of 12 weeks of FMLA to care for a parent with a serious health condition; or for the birth, adoption or foster placement of a child. Military caregivers leave for spouses is limited to a combined total of 26 weeks.

Intermittent Leave: When medically necessary or in the case of a qualifying exigency an employee may take leave intermittently or on a reduced schedule.

Fitness for Duty: An employee that takes FMLA due to the employee's own serious health condition shall provide, before resuming work, a fitness-for-duty certification from the health care provider. If certification of the employee's ability to perform essential job function is required, the district shall provide a list of essential job functions (e.g., job description) to the employee with the FMLA designation notice to share with the health care provider.

Reinstatement: An employee returning to work at the end of FMLA will be returned to the same position held when the leave began or to an equivalent position with equivalent employment, benefits, pay and other terms and conditions of employment.

In certain cases, instructional employees desiring to return to work at or near the conclusion of a semester may be required to continue on family and medical leave until the end of the semester. The additional time off is not counted against the employee's FMLA entitlement and the district will maintain the employees group health insurance and reinstate the employee at the end of the leave.

District Contact: Employees that require FMLA or have questions should contact the office of Human Resources for details on eligibility, requirements, and limitations.

MEDICAL CERTIFICATION

Any employee, who is absent more than 4 days because of a personal illness, must submit a medical certification from a qualified healthcare provider confirming the specific dates of the illness, the reason for the illness and the employees' fitness to return to work.

The Genetic Information Nondiscrimination Act of 2008 (GINA) prohibits covered employers from requesting or requiring genetic information of an individual or family member of the individual, except a specifically allowed by this law. To comply with this law, we ask that employees and healthcare providers do not provide genetic information in any medical certification. "Genetic information," as defined by GINA, includes an individual's family medical history, the results of an individual's or family member's genetic tests, the fact that an individual or individual's family member sought or received genetic services and genetic information of a fetus carried by an individual or individual's family member, or an embryo lawfully held by an individual or family member receiving assistive reproductive services.

CONTINUATION OF HEALTH INSURANCE

Employees, on an approved leave of absence other than family and medical leave, may continue their insurance benefits at their own expense. Health insurance benefits for employees on paid leave and leave designated under the Family and Medical Leave Act will be paid by the District as they were prior to the leave. Otherwise, the District does not pay any portion of insurance premiums for employees who are on unpaid leave.

SECTION 8 MISCELLANEOUS

RECIPT OF SEXUAL HARASSMENT POLICY

The receipt for the New York State mandated sexual harassment training is obtained upon the successful completion of the online course through the Global Compliance Network which will be emailed and tracked for all employees in the District.

ACKNOWLEDGMENT OF AND AGREEMENT TO HANDBOOK POLICIES

This employee handbook has been prepared for your information and understanding of the policies, philosophies and practices of the District. Please read it carefully. Upon completion of your review of this handbook, please sign the statement below and return it to the Office of Human Resources.

I have accessed a copy of the District Handbook, which outlines the goals, policies, benefits, and expectations of the District, as well as my responsibilities as an employee.

Additionally, I have familiarized myself with the contents of this handbook. By my signature below, I acknowledge, understand, accept and agree to comply with the information contained in the Employee Handbook provided to me in electronic format by the District. I understand this handbook is not intended to cover every situation that may arise during my employment, but is simply a general guide to the goals, policies, practices, benefits and expectations of the District.

I understand that the District Employee Handbook is not a contract of employment and should not be deemed as such. Furthermore, I understand that updates to this handbook may take place at any time throughout my employment.

(The District will maintain this page in the employee’s personnel file. After the employee ceases employment with the District, the District will maintain this record pursuant to its records retention schedule, or if none, for a period of no less than 7 years.)

Employee Name-Printed _____

Employee Signature _____ Date _____

***If you received this employee handbook through our Global Compliance**

Training site you will be able to electronically acknowledge that it was distributed to you and that you read through it*