Agenda

Glen Cove Board of Education

Wednesday, August 19, 2026 at 7:00 PM

Finley Middle School - Library

Via Livestream: www.glencoveschools.org

Page

I. Opening Ceremony - 6:00PM

A) Anticipated Executive Session

B) Return to Public Session - 7:00PM

C) Salute to the Flag

D) Roll Call

II. Approval of Minutes of the Board of Education Meeting

A) Minutes of July 22, 2026 - Presented by District Clerk 4
Regular Meeting - New - Jul 22 2026 - Minutes - Html

B) Minutes of August 6, 2026 - Presented by District Clerk 15
Special Meeting of the Board of Education - Aug 06 2026 - Minutes - Html

III. Committee Reports - No Reports

IV. Student Board Member Report- No Report

V. Superintendent Report

A) Updates

VI. Public Participation on Agenda Items

This section gives opportunity to residents who wish to raise a question or make a brief statement on agenda items.

VII. Instructional Report

A) Committee on Special Education - BOE INSTRUCTIONAL REPORT - CSE.pdf 28

B) Committee on Preschool Special Education - BOE INSTRUCTIONAL REPORT - CPSE.pdf 124

C) Adoption - Glen Cove City School Distirict -Code of Conduct 2026-2027 BOE INSTRUCTIONAL REPORT - Code of Conduct (C).pdf 138

D) Readoption -Glen Cove City School District - Counseling Plan 2026-2027 -BOE INSTRUCTIONAL REPORT - Counseling Plan (D).pdf 193

E) Readoption -Glen Cove City School District -Plan for Special Education 2026-2027 - 225

BOE INSTRUCTIONAL REPORT - Plan For Special Education (E).pdf

F) Adoption - Glen Cove Plan -Professional Learning Plan 2026-2028 - BOE INSTRUCTIONAL REPORT - Professional Learning Plan (F).pdf 389

G) Readoption - Glen Cove City School District -Response to Intervention 2026-2027 - BOE INSTRUCTIONAL REPORT RtI Plan (G).pdf 416

VIII. Business Affairs

A) Finance 509

1. Treasurer's Report - Month of June 2026 June 2026 Treasurer's Report.pdf
2. Financial Reports
   a. Bank Reconciliations - Month of June 2026 June 2026 Bank Reconciliations.pdf
   b. Revenue Budget Status Report - Month of June 2026 June 2026 Revenue Status Report.pdf
   c. Appropriation Budget Status Report - Month of June 2026 June 2026 Appropriation Status Report.pdf
   d. Register of Bills - Month of June 2026 June 2026 Register of Bills.pdf
   e. Check Registers - Month of June 2026 June 2026 Check Registers.pdf

B) Business Affairs - Operations 690

1. Contract - YMCA - UPK Contract 2026-2027 -(1)BOE BUSINESS AFFAIRS - OPERATIONS - Contract - YMCA PreK.pdf
2. Excessing Equipment - Cafeteria Tables Middle School - (2)BOE BUSINESS AFFAIRS - OPERATIONS - Excessing MS Cafeteria Tables.pdf
3. Budget Transfers - 2025-2026 -(3)BOE -BUSINESS AFFAIRS - OPERATIONS -Budget Transfer 25-26.pdf
4. Budget Transfers - 2026-2027 -(4)BOE -BUSINESS AFFAIRS - OPERATIONS Budget Transfer 26-27.pdf
5. Adoption of Building-Level Safety Plans 2026-2027 -(5)BOE -BUSINESS AFFAIRS - OPERATIONS Adoption Building Level Safety Plans 26-27.pdf

IX. Personnel

A) Certified -8-19-26 BOE CERTIFIED PERSONNEL AGENDA.pdf 711

1. Memorandum of Agreement (Glen Cove Educational Administrators' Association)
2. Appointment of Probationary Administrators
3. Appointment of Administrator
4. Appointment of Probationary Teachers
5. Appointment of Teacher
6. Appointment of Part-time Teachers
7. Appointment of Teachers on Special Assignments
8. Appointment of 6th Period Class Teacher
9. Appointment of Regular Substitute Teachers
10. Appointment of Permanent Substitute Teachers

11. Appointment of Per Diem Substitute Teachers
12. Appointment of Home Tutors
13. Appointment of Part-Time Teaching Assistants
14. Rescission of Appointments

B) Classified -8-19-26 BOE CLASSIFIED PERSONNEL AGENDA.pdf 724

1. Change in Status
2. Appointment of School Monitors
3. Request for Leave of Absence
4. Resignation

X. Unfinished Business 728

1. **GC Policy # 0115 (Update) Third Reading and Adoption -Glen Cove Policy 0115 Title IX and Sex Discrimination - (Update).pdf**
2. **GC Policy # 0110 (Update) Third Reading and Adoption - Glen Cove Policy 0110 PROHIBITION AGAINST SEXUAL HARASSMENT - (Update).pdf**
3. **GC Policy # 2350 (Update) Second Reading and Adoption -GC Policy 2350 Update.pdf**

XI. New Business

XII. Board Comments

XIII Public Participation

- This section gives opportunity to residents who wish to raise a question or make a brief statement on matters including, but not limited to, agenda items.

XIV. Adjournment

XV. Executive Session (if necessary)

VII. **Instructional Report**

A. Committee on Special Education

RESOLVED, on the recommendation of the Superintendent of Schools, the Board of Education approves the recommendations of the Committee on Special Education for Initial Placement Programs/Services for cases listed as per the attached from meetings and approves the authorization of funds to implement the special education programs and services.

VII. **Instructional Report**

B. Committee on Preschool Special Education

RESOLVED, on the recommendation of the Superintendent of Schools, the Board of Education approves the recommendations of the Committee on Preschool Special Education for Initial Placement Programs/Services for cases listed as per the attached from meetings.

VII. Instructional Report

C. Glen Cove City School District Code of Conduct 2026-2027

RESOLVED, on the recommendation of the Superintendent of Schools, the Board of Education adopts the Glen Cove City School District Code of Conduct 2026-27, in compliance with the requirements of New York State Education Department 100.2 (l) Regulations, as revised on July 31, 2026.

Regular Meeting – Board of Education – August 19, 2026

VII. Instructional Report

D. Glen Cove City School District Counseling Plan 2026-2027

RESOLVED, on the recommendation of the Superintendent of Schools, the Board of Education readopts the Glen Cove City School District Counseling Plan 2026-27, in compliance with the requirements of New York State Education Department 100.2 (j) Regulations.

VII. Instructional Report

E. Glen Cove City School District Plan for Special Education 2026-2027

RESOLVED, on the recommendation of the Superintendent of Schools, the Board of Education readopts the Glen Cove City School District's 2026-2027 Plan of Service for Special Education.

VII. Instructional Report

F. Glen Cove City School District Professional Learning Plan 2026-2028

RESOLVED, on the recommendation of the Superintendent of Schools, the Board of Education adopts the Glen Cove City School District Professional Learning Plan 2026-28, in compliance with New York State Education Department 100.2 (dd) Regulations, as revised on July 31, 2026.

Regular Meeting – Board of Education – August 19, 2026

VII. Instructional Report

G. Glen Cove City School District Response to Intervention Plan 2026-2027

RESOLVED, on the recommendation of the Superintendent of Schools, the Board of Education readopts the Glen Cove City School Response to Intervention Plan 2026-27, in compliance with the requirements of New York State Education Department 100.2 (ii) Regulations.

VIII. **Business Affairs**

B. Operations

1. Contract – YMCA

RESOLVED, on the recommendation of the Superintendent of Schools, the Board of Education approves the agreement between the district and the Young Men's Christian Association of Long Island, Inc. d/b/a YMCA at Glen Cove., for services as outlined on the attached contract for the 2026-2027 school year.

Provider	Address	Service	Rate
Young Men's Christian Association of Long Island, Inc. d/b/a YMCA at Glen Cove	121 Dosoris Lane Glen Cove, NY 11542	Annual cost of $8,200.00 per student	Outlined in contract; September 1, 2026-June 30, 2027

Regular Meeting – Board of Education – August 19, 2026

VIII. **Business Affairs**

B. Operations

2. Excessing Middle School Cafeteria Tables

RESOLVED, on the recommendation of the Superintendent of Schools, the Board of Education approves the excessing of damaged cafeteria tables on the attached list – Finley Middle School.

Regular Meeting – Board of Education – August 19, 2026

VIII. **Business Affairs**

B. Operations

3. Budget Transfers

RESOLVED, on the recommendation of the Superintendent of Schools, the Board of Education approves the attached 2025-2026 budget transfer.

BUDGET TRANSFER(S)			
Account Code	**Account Name**	**Transfer In**	**Transfer Out**
A 1620 161 08	Custodian/Cleaner HS	$ 18,532.35	
A 1620 161 05	Custodian/Cleaner Landing		$ 18,532.35
Total		**$ 18,532.35**	**$ 18,532.35**
To transfer funds to cover retirement payout			

Regular Meeting – Board of Education – August 19, 2026

VIII. **Business Affairs**

B. Operations

4. Budget Transfers

RESOLVED, on the recommendation of the Superintendent of Schools, the Board of Education approves the attached 2026-2027 budget transfer.

BUDGET TRANSFER(S)			
Account Code	**Account Name**	**Transfer In**	**Transfer Out**
A 2630 466	Repair/Replacement	$ 45,000.00	
A 2630 460 25	Software Aided Public		$ 45,000.00
Total		**$ 45,000.00**	**$ 45,000.00**
To transfer funds to cover the cost of device insurance			

Regular Meeting – Board of Education – August 19, 2026

VIII. **Business Affairs**

B. Operations

5. Adoption of Building-Level Safety Plans 2026-2027

RESOLVED, on the recommendation of the Superintendent of Schools, and in accordance with Education Law § 2801-a and Commissioner's Regulation 155.17, the Board of Education hereby adopts the 2026-2027 Building-Level Safety Plans as confidential documents.

GLEN COVE CITY SCHOOL DISTRICT

TITLE IX AND SEX DISCRIMINATION **Policy 0115**

The School District is committed to creating and maintaining education programs and activities which are free from discrimination and harassment on the basis of sex. This policy addresses complaints of sex discrimination, including sexual harassment, made under Title IX of the Education Amendments Act of 1972 and its implementing regulations ("Title IX"). It is just one component of the School District's overall commitment to maintaining an educational and work environment free from discrimination and harassment.

Title IX protects individuals in the United States from discrimination on the basis of sex in education programs or activities that receive Federal financial assistance.

Scope and Application of Policy

This policy is limited to addressing complaints of sex discrimination, including sexual harassment, that fall within the scope of Title IX, which has a specific definition of "sexual harassment" and applies only to sex discrimination occurring against a person in the United States. This policy applies to any individual participating in or attempting to participate in the School District's education programs or activities, including students and employees.

Other School District policies and documents address sex-based discrimination and may have different definitions, standards of review, and grievance procedures. These policies and documents must be read in conjunction with this policy as they may cover incidents of sex-based discrimination which are not covered by Title IX. *See* policies 0100 [Equal Opportunity], 0110 [Prohibition Against Sexual Harassment], and 0120 [Prohibition Against Bullying].

If the allegations forming the basis of a formal complaint of sexual harassment, if proven, would constitute prohibited conduct under Title IX, then the grievance process outlined in this policy shall be applied to the investigation and adjudication of all the allegations. Depending on the allegations, additional grievance procedures may apply.

The dismissal of a formal complaint of sexual harassment under Title IX does not preclude action under another related School District policy, procedure, collective bargaining agreement, or other document such as the School District's Code of Conduct.

Sex Discrimination Covered by Title IX

Title IX prohibits various types of sex discrimination including, but not limited to:

sexual harassment; the failure to provide equal athletic opportunity; sex-based discrimination in a School District's courses and programs; and discrimination based on pregnancy.

Under Title IX, sexual harassment includes conduct on the basis of sex that satisfies one or more of the following:

a. An employee of the School District conditioning the provision of an aid, benefit, or service of the School District on an individual's participation in unwelcome sexual conduct;

b. Unwelcome conduct determined by a reasonable person to be so severe, pervasive, and objectively offensive that it effectively denies a person equal access to the School District's education program or activity;

c. Sexual assault, meaning an offense classified as a forcible or nonforcible sex offense under the uniform crime reporting system of the Federal Bureau of Investigation;

d. Dating violence, meaning violence committed by a person:

    1. who is or has been in a social relationship of a romantic or intimate nature with the victim; and

    2. where the existence of such a relationship will be determined based on a consideration of the following factors:
        i. length of the relationship;
        ii. type of relationship;
        iii. frequency of interaction between the persons involved in the relationship;

e. domestic violence, meaning felony or misdemeanor crimes of violence committed by a current or former spouse or intimate partner of the victim, by a person with whom the victim shares a child in common, by a person who is cohabitating with or has cohabitated with the victim as a spouse or intimate partner, by a person similarly situated to a spouse of the victim under the domestic or family violence laws of the jurisdiction receiving grant monies, or by any other person against an adult or youth victim who is protected from that person's acts under the domestic or family violence laws of the jurisdiction; or

f. stalking, meaning engaging in a course of conduct directed at a specific person that would cause a reasonable person to fear for their safety or the safety of others; or suffer substantial emotional distress.

Title IX Coordinator

The Board of Education will designate an individual(s) to serve as its Title IX Coordinator(s).

The Title IX Coordinator(s) will coordinate the School District's efforts to comply with its responsibilities under Title IX.

Where appropriate, the Title IX Coordinator(s) may seek the assistance of the School District's Civil Rights Compliance Officer(s) ("Compliance Officer(s)") and/or Dignity Act Coordinator(s) ("DAC(s)") in investigating, responding to, and remedying complaints of sex discrimination, including sexual harassment.

In all circumstances, the Board of Education reserves the right to appoint an outside third party to investigate complaints filed pursuant to this policy.

Reporting Allegations of Sex Discrimination

Any person may report sex discrimination, including sexual harassment, regardless of whether they are the alleged victim or not. Reports of sex discrimination, including sexual harassment, should be reported to the Title IX Coordinator. Reports of sex discrimination, including sexual harassment, may also be made to any other School District employee including a supervisor, building principal, or the School District's Compliance Officer or DAC. All reports of sex discrimination, including sexual harassment, will be forwarded to the School District's Title IX Coordinator.

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

All School District employees who witness or receive an oral or written report of sex discrimination must immediately inform the Title IX Coordinator. Failure to immediately

inform the Title IX Coordinator may subject the employee to discipline, up to and including termination.

Reports may be made at any time (including during non-business hours) either in person or by using the telephone number or email address, or by mail to the office address, listed for the Title IX Coordinator, or by any other means that results in the Title IX Coordinator receiving the person's oral or written report.

Making a report of sexual harassment is not the same as filing a formal complaint of sexual harassment. A formal complaint is a document either filed by a Complainant or a parent or person in parental relation who has a right to act on behalf of the Complainant or signed by the Title IX Coordinator which alleges sexual harassment against a Respondent and requests that the School District investigate the allegations. While the School District must respond to all reports it receives of sexual harassment, the Title IX grievance process is only initiated with the filing of a formal complaint.

In addition to this policy, School District employees must comply with any other applicable School District policy, procedure, collective bargaining agreement, or other document such as the School District's Code of Conduct and Policy 0120 -- Prohibition Against Bullying (DASA).

Grievance Process for Complaints of Sex Discrimination Other than Sexual Harassment

The School District will provide for the prompt and equitable resolution of reports of sex discrimination other than sexual harassment. In responding to these reports, the Title IX Coordinator will utilize, as applicable, the grievance process set forth in Policy #0100 -- Equal Opportunity and any other applicable School District policy, procedure, collective bargaining agreement, or other document such as the School District's Code of Conduct.

Grievance Process for Formal Complaints of Sexual Harassment

The School District will respond to allegations of sexual harassment whenever it has actual knowledge of sexual harassment in an education program or activity of the School District. For purposes of reports and formal complaints of sexual harassment under Title IX, education program or activity includes locations, events, or circumstances over which the School District exercised substantial control over both the Respondent(s) and the context in which the sexual harassment occurred.

The School District will conduct the grievance process in a timely manner designed to

provide all parties with a prompt and equitable resolution. It is anticipated that, in most cases, the grievance process will be conducted within a reasonably prompt manner and follow the time frames established in this policy.

Definitions

a. "Actual knowledge" means notice of sexual harassment or allegations of sexual harassment to a School District's Title IX Coordinator or any official of the School District who has authority to institute corrective measures on behalf of the School District, or to any School District employee. Imputation of knowledge based solely on vicarious liability or constructive notice is insufficient to constitute actual knowledge. This standard is not met when the only official of the School District with actual knowledge is the Respondent. The mere ability or obligation to report sexual harassment or to inform a student about how to report sexual harassment, or having been trained to do so, does not qualify an individual as one who has authority to institute corrective measures on behalf of the School District. "Notice" as used in this paragraph includes, but is not limited to, a report of sexual harassment to the Title IX Coordinator as described in this policy.

b. "Complainant" means an individual who is alleged to be the victim of conduct that could constitute sexual harassment.

c. "Days" means business days, but excludes any weekday during which the school is closed.

d. "Formal complaint" means a document filed by a Complainant, or a parent or person in parental relation who has a right to act on behalf of the Complainant, or signed by the Title IX Coordinator alleging sexual harassment against a Respondent and requesting that the School District investigate the allegation of sexual harassment. At the time of filing a formal complaint, a Complainant must be participating in or attempting to participate in the education program or activity of the School District with which the formal complaint is filed. A formal complaint may be filed with the Title IX Coordinator in person, by mail, or by email, by using the contact information required to be listed for the Title IX Coordinator, and by any additional method designated by the School District. As used in this paragraph, the phrase "document filed by a Complainant" means a document or electronic submission (such as by email or through an online portal provided for this purpose by the School District) that contains the Complainant's physical or digital signature, or otherwise indicates that the Complainant is the person filing the formal

complaint. Where the Title IX Coordinator signs a formal complaint, the Title IX Coordinator is not a Complainant or otherwise a party, and must comply with the requirements of law and regulation.

e. "Respondent" means an individual who has been reported to be the perpetrator of conduct that could constitute sexual harassment.

f. "Supportive measures" means non-disciplinary, non-punitive individualized services offered as appropriate, as reasonably available, and without fee or charge to the Complainant or the Respondent before or after the filing of a formal complaint or where no formal complaint has been filed. These measures are designed to restore or preserve equal access to the School District's education program or activity without unreasonably burdening the other party, including measures designed to protect the safety of all parties or the School District's educational environment, or deter sexual harassment. Supportive measures may include counseling, extensions of deadlines or other course-related adjustments, modifications of work or class schedules, campus escort services, mutual restrictions on contact between the parties, changes in work or housing locations, leaves of absence, increased security and monitoring of certain areas of the campus, and other similar measures. The School District must maintain as confidential any supportive measures provided to the Complainant or Respondent, to the extent that maintaining such confidentiality would not impair the ability of the School District to provide the supportive measures. The Title IX Coordinator is responsible for coordinating the effective implementation of supportive measures.

General Requirements for the Investigative and Grievance Process

During the investigation of a formal complaint of sexual harassment and throughout the grievance process, the School District will:

a. treat Complainants and Respondents equitably. This includes applying any provisions, rules, or practices incorporated into the School District's grievance process, other than those required by law or regulation, equally to both parties.

b. objectively evaluate all relevant evidence, including both inculpatory and exculpatory evidence. Inculpatory evidence implicates or tends to implicate an individual in a crime or wrongdoing. Exculpatory evidence frees or tends to free an individual from blame or accusation.

c. confirm that the Title IX Coordinator, investigator, decision-maker involved in the grievance process, or any person designated by the School District to facilitate any informal resolution process does not have a conflict of interest or bias for or against Complainants or Respondents generally or an individual Complainant or Respondent.

d. presume that Respondents are not responsible for the alleged conduct until a determination regarding responsibility is made at the conclusion of the grievance process.

e. conclude the grievance process, including any appeals or informal resolutions, within a reasonably prompt time frame and temporarily delay or extend the grievance process only for good cause. Good cause includes, but is not limited to, considerations such as the absence of a party, a party's advisor, or a witness; concurrent law enforcement activity; or the need for language assistance or accommodation of disabilities. Whenever the time frame is temporarily delayed or extended, written notice will be provided to all Complainants and Respondents of the delay or extension and the reasons for the action.

f. describe the range of possible disciplinary sanctions and remedies that may be implemented by the School District following any determination regarding responsibility to any known party.

g. use the same standard of evidence to determine responsibility in all formal complaints.

h. make the procedures and permissible bases for an appeal known to all Complainants and Respondents.

i. make the range of supportive measures available known to all Complainants and Respondents.

j. avoid the requirement, allowance of, reliance on, or otherwise use of questions or evidence that constitute, or seek disclosure of, information protected under a legally recognized privilege, unless the person holding the privilege has waived the privilege.

k. assume the burden of proof and the burden of gathering evidence sufficient to reach a determination regarding responsibility, and not place such burdens on the parties.

l. prohibit the Title IX Coordinator, the investigator, any decision-maker, or any other person participating on behalf the School District from accessing, considering, disclosing, or otherwise using a party's records that are made or maintained by a physician, psychiatrist, psychologist, or other recognized professional or paraprofessional acting in the professional's or paraprofessional's capacity, or assisting in that capacity, and which are made and maintained in connection with the provision of treatment to the party, unless the School District obtains that party's voluntary, written consent to do so for the grievance process. If the party is not an eligible student, as defined in FERPA as a student who has reached 18 years of age or is attending a post-secondary institution, the School District will obtain the voluntary, written consent of a parent.

m. afford the parties an equal opportunity to present witnesses, including fact and expert witnesses, and other inculpatory and exculpatory evidence.

n. abstain from basing credibility determinations on a person's status as a Complainant, Respondent, or witness.

o. afford all parties the ability to discuss the allegations under investigation and to gather and present relevant evidence.

p. afford the parties the same opportunities to have others present during any grievance proceeding, including the opportunity to be accompanied to any related meeting or proceeding by the advisor of their choice, who may be, but is not required to be, an attorney, and not limit the choice or presence of advisor for any Complainant or Respondent in any meeting or grievance proceeding. However, the School District may establish restrictions regarding the extent to which the advisor may participate in the proceedings, as long as the restrictions apply equally to both parties.

q. provide written notice of the date, time, location, participants, and purpose for all investigative interviews and other meetings to any party whose participation is invited or expected with sufficient time for the party to prepare to participate.

r. provide the parties with equal opportunity to inspect and review any evidence obtained as part of the investigation that is directly related to the allegations raised in a formal complaint, including the evidence upon which the School District does not intend to rely on in reaching a determination regarding responsibility and

inculpatory or exculpatory evidence whether obtained from a party or other source so that each party can meaningfully respond to the evidence prior to conclusion of the investigation.

s. send a copy of any document which is sent to a minor or legally incompetent person to the party's parent or person in parental relation.

t. send a copy of any document which is sent to a party to the party's advisor, if known.

After a Report of Sexual Harassment Has Been Made

After receiving a report of sexual harassment, the Title IX Coordinator will:

a. promptly contact the Complainant to discuss and offer supportive measures;

b. inform the Complainant both of the range of supportive measures available and that these measures are available regardless of whether a formal complaint is filed;

c. consider the Complainant's wishes with respect to supportive measures; and

d. explain to the Complainant the process for filing a formal complaint.

The Title IX Coordinator may also contact the Respondent to discuss and/or impose supportive measures.

Requests for confidentiality or use of anonymous reporting may limit how the School District is able to respond to a report of sexual harassment.

Emergency Removal of Students

At any point after receiving a report or formal complaint of sexual harassment, the School District may immediately remove a Respondent who is a student from the School District's education program or activity on an emergency basis, provided that the School District:

a. conducts an individualized safety and risk analysis;
b. determines that an immediate threat to the physical health or safety of any student or other individual arising from the allegations of sexual harassment justifies

removal; and

c. provides the Respondent with notice and an opportunity to challenge the decision immediately following the removal.

The School District should coordinate their Title IX compliance efforts with special education staff when initiating an emergency removal of a student with a disability from an education program or activity as the removal could constitute a change of placement under the IDEA or Section 504.

Filing a Formal Complaint

A Complainant may file a formal complaint with the Title IX Coordinator in person or by mail, email, or other method made available by the School District. The Complainant must be participating in or attempting to participate in the education program or activity of the School District at the time of filing the complaint. The filing of a formal complaint initiates the grievance process.

A formal complaint must be signed by the Complainant, the Complainant's parent or person in parental relation as appropriate, or the Title IX Coordinator. Where a parent or person in parental relation signs the complaint, the parent or person in parental relation does not become the Complainant; rather the parent or person in parental relation acts on behalf of the Complainant. The Title IX Coordinator may sign the formal complaint, but their signature does not make them a Complainant or a party to the complaint. If the formal complaint is signed by the Title IX Coordinator, the Title IX Coordinator is still obligated to comply with the grievance process outlined in this policy.

The Complainant, or the Complainant's parent or person in parental relation, must physically or digitally sign the formal complaint, or otherwise indicate that the Complainant is the person filing the formal complaint. When a formal complaint is filed, the Title IX Coordinator must send a written notice of allegations to all parties which includes the identities of all known parties.

The School District will not discriminate on the basis of sex in its treatment of a Complainant or a Respondent in responding to a formal complaint of sexual harassment. The formal complaint form may be obtained from the School District's Title IX Coordinator or found on the School District's website.

Consolidation of Formal Complaints

The School District may consolidate formal complaints of sexual harassment against more than one Respondent, or by more than one Complainant against one or more Respondents, or by one party against the other party, where the allegations of sexual harassment arise out of the same facts or circumstances.

Written Notice of Allegations

Upon receipt of a formal complaint, the School District will send all known parties written notice of:

a. the School District's grievance process, including any informal resolution process; and

b. the allegations of sexual harassment which will:

1. provide sufficient details known at the time and sufficient time to prepare a response before any initial interview. Sufficient details include the identities of the parties involved in the incident, if known, the conduct allegedly constituting sexual harassment, and the date and location of the alleged incident, if known;

2. state that the Respondent is presumed not to be responsible for the alleged conduct and that a determination regarding responsibility is made at the conclusion of the grievance process;

3. inform the parties that they may have an advisor of their choice, who may be, but is not required to be, an attorney;

4. inform the parties that they may inspect and review any evidence obtained as part of the investigation that is directly related to the allegations raised in the formal complaint; and

5. include notice of any provision in any applicable School District policy, procedure, collective bargaining agreement, or other document such as the School District's Code of Conduct that prohibits knowingly making false statements or knowingly submitting false information during the grievance process.

If, in the course of an investigation, the School District decides to investigate allegations

about any Complainant or Respondent that were not included in the initial notice, the School District will provide another notice of the additional allegations to the parties whose identities are known.

Investigation of a Formal Complaint

The Title IX Coordinator will oversee the School District's investigation of all formal complaints. During the investigation of a formal complaint, the Title IX Coordinator or another School District employee may serve as the School District's investigator. The School District may also outsource all or part of an investigation to appropriate third parties. The outsourcing of all or part of an investigation does not relieve the School District from its obligation to comply with law and regulation.

It is anticipated that most investigations will be completed within thirty (30) days after receiving a formal complaint. During the investigation of a formal complaint, the investigator will, as appropriate:

a. Collect, review, and preserve all evidence including, but not limited to, any relevant documents, videos, electronic communications, and phone records.

b. Interview all relevant persons including, but not limited to, any Complainants, Respondents, and witnesses. Interviews of Complainants and Respondents will be conducted separately. If a student is involved, the School District will follow any applicable School District policy, procedure, or other document such as the School District's Code of Conduct regarding the questioning of students.

c. Create written documentation of the investigation (such as a letter, memo, or email), which contains the following:

    1. A list of all documents reviewed, along with a detailed summary of relevant documents;

    2. A list of names of those interviewed, along with a detailed summary of their statements;

    3. A timeline of events; and

    4. A summary of prior relevant incidents, reported or unreported.

d. Keep any written documentation and associated documents in a secure and confidential location.

Prior to completion of the investigative report, the School District will send to each party and the party's advisor, if any, the evidence subject to inspection and review in an electronic format or a hard copy. The parties will have at least ten (10) days to submit a written response, which the investigator will consider prior to completion of the investigative report.

At the end of the investigation, an investigative report will be created that fairly summarizes all relevant evidence.

At least ten (10) days prior to a determination regarding responsibility, the investigative report will be sent to each party and the party's advisor, if any, in an electronic format or a hard copy, for their review and written response.

Dismissal of a Formal Complaint

The School District must dismiss a formal complaint under Title IX if the conduct alleged in the formal complaint:

a. Would not constitute sexual harassment, as defined in Title IX, even if proven;

b. Did not occur in the School District's education program or activity; or

c. Did not occur against a person in the United States.

Further, the School District may dismiss a formal complaint or any of its allegations under Title IX, if at any time during the investigation:

a. The Complainant notifies the Title IX Coordinator in writing that the Complainant would like to withdraw the formal complaint or any of its allegations;

b. The Respondent is no longer enrolled or employed by the School District; or

c. Specific circumstances prevent the School District from gathering evidence sufficient to reach a determination as to the formal complaint or any of its allegations.

Upon a dismissal of a formal complaint, the School District will promptly send written notice of the dismissal and reason(s) for the dismissal simultaneously to the parties.

The dismissal of a formal complaint under Title IX does not preclude action under another related School District policy, procedure, collective bargaining agreement, or other document such as the School District's Code of Conduct.

Informal Resolution

Before reaching a determination regarding responsibility, but only after a formal complaint is filed, the School District may offer and facilitate the use of an informal resolution process, such as mediation, that does not involve a full investigation and adjudication of the formal complaint.

It is anticipated that most informal resolutions will be completed within ten (10) days.

The School District will not require that parties participate in an informal resolution process. The School District will not offer or facilitate an informal resolution process to resolve allegations that an employee sexually harassed a student. Further, the School District will not require the waiver of the right to an investigation and adjudication of formal complaints of sexual harassment as a condition of enrollment or continuing enrollment, or employment or continuing employment, or enjoyment of any other right.

If the School District offers and facilitates the use of an informal resolution process, it will:

a. Provide written notice to all known parties which details:

    1. The allegations in the formal complaint;

    2. The requirements of the informal resolution process including the circumstances under which it precludes the parties from resuming a formal complaint arising from the same allegations, provided, however, that at any time prior to agreeing to a resolution, any party has the right to withdraw from the informal resolution process and resume the grievance process with respect to the formal complaint;

    3. Any consequences resulting from participating in the informal resolution process, including the records that will be maintained or could be shared; and

b. Obtain the parties' voluntary, written consent to the informal resolution process.

Determination Regarding Responsibility

The School District has designated and authorized the Superintendent of Schools to serve as the decision-maker for the School District. However, where appropriate, a third-party may be designated as decision-maker. The decision-maker will not be the same individual as either the Title IX Coordinator or the investigator(s).

Before reaching a determination regarding responsibility, the Superintendent of Schools will afford each party the opportunity to:

a. Submit written, relevant questions that a party wants asked of any party or witness. Such submission must be received within ten (10) days after the parties have received the investigative report;

b. Provide each party with the answers given by any party or witness within ten (10) days.

c. Allow for additional, limited follow-up questions and responses from each party to occur within five (5) days after the parties have received responses to their initial questions.

Questions and evidence about a Complainant's sexual predisposition or prior sexual behavior will not be considered, unless the questions and evidence about the Complainant's prior sexual behavior are offered to prove that someone other than the Respondent committed the conduct alleged by the Complainant, or if the questions and evidence concern specific incidents of the Complainant's prior sexual behavior with respect to the Respondent and are offered to prove consent. The Superintendent of Schools will explain to the party proposing the questions any decision to exclude a question as not relevant.

The Superintendent of Schools will issue a written determination regarding responsibility to the Title IX Coordinator and all parties simultaneously within thirty (30) days after all follow-up questions have been responded to.

To reach this determination, the Superintendent of Schools will use the clear and convincing evidence standard which is the standard of evidence that will be applied in all formal complaints of sexual harassment. This standard is understood to mean

concluding that a fact is highly probable to be true.

The written notice of the determination regarding responsibility will include:

a. Identification of the allegations potentially constituting sexual harassment;

b. A description of the procedural steps taken from the receipt of the formal complaint through the determination, including any notifications to the parties, interviews with parties and witnesses, site visits, and methods used to gather other evidence;

c. Findings of fact supporting the determination;

d. Conclusions regarding the application of any applicable School District policy, procedure, collective bargaining agreement, or other document such as the School District's Code of Conduct to the facts;

e. A statement of, and rationale for, the result as to each allegation, including a determination regarding responsibility, any disciplinary sanctions the School District is imposing on the Respondent, and whether remedies designed to restore or preserve equal access to the School District's education program or activity will be provided by the School District to the Complainant; and

f. The School District's procedures and permissible bases for the Complainant and Respondent to appeal.

Finality of Determination Regarding Responsibility

The determination regarding responsibility becomes final either on the date that the School District provides the parties with the written determination of the result of the appeal, if an appeal is filed, or if an appeal is not filed, the date on which an appeal would no longer be considered timely.

Where a determination regarding responsibility for sexual harassment has been made against the Respondent, remedies will be provided to a Complainant and disciplinary sanctions may be imposed on a Respondent. Remedies will be designed to restore or preserve equal access to the School District's education program or activity. Remedies and disciplinary sanctions will be implemented in accordance with applicable laws and regulations, as well as any School District policy, procedure, collective bargaining agreement, or other document such as the School District's Code of Conduct.

The Title IX Coordinator is responsible for the effective implementation of any remedies and/or disciplinary sanctions. The Title IX Coordinator will work with other individuals as necessary to effectively implement remedies and/or disciplinary sanctions.

Appeals

Either party may file an appeal from a determination regarding responsibility or from the School District's dismissal of a formal complaint or any of its allegations. Appeals must be submitted in writing to the Title IX Coordinator within twenty (20) days of the written notice of the determination regarding responsibility or dismissal of the formal complaint or any of its allegations. The Board of Education will decide all appeals.

An appeal may only be based upon one or more of the following bases:

a. Procedural irregularity that affected the outcome of the matter;

b. New evidence that was not reasonably available at the time the determination regarding responsibility or dismissal was made, that could affect the outcome of the matter; and

c. The Title IX Coordinator, investigator, or decision-maker(s) had a conflict of interest or bias for or against Complainants or Respondents generally or the individual Complainant or Respondent that affected the outcome of the matter.

The bases on which a party is seeking an appeal should be specifically stated in the party's written appeal. Upon receipt of an appeal, the School District will:

a. Notify the other party in writing that an appeal has been filed and implement appeal procedures equally for both parties;

b. Ensure that any decision-maker for the appeal:

    1. is not the same person as any decision-maker that reached the initial determination regarding responsibility or dismissal, investigator, or Title IX Coordinator; and

    2. does not have any conflict of interest or bias for or against Complainants or Respondents generally or an individual Complainant or Respondent.

c. Give all parties a reasonable, equal opportunity to submit a written statement in support of, or challenging, the outcome. Parties will have to submit these written statements within ten (10) days after the parties have been notified of the appeal;

d. Issue a written decision describing the result of the appeal and the rationale for the result; and

e. Provide the written decision simultaneously to the Title IX Coordinator, the Superintendent of Schools, and all parties within ten (10) days after receiving the parties written statements in support of, or challenging, the outcome.

Prohibition of Retaliatory Behavior (Commonly Known as "Whistle-Blower" Protection)

The School District prohibits retaliation against any individual for the purpose of interfering with their Title IX rights or because the individual made a report or complaint, testified, assisted, or participated or refused to participate in an investigation, or proceeding under Title IX.
All complaints alleging retaliation will be handled in a manner consistent with the School District's policies and procedures regarding the investigation of discrimination and harassment complaints, including Policy #0100 -- Equal Opportunity.

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

Confidentiality

Except where disclosure may be permitted or required by law or regulation, the School District will keep confidential the identity of any:

a. Individual who has made a report or complaint of sex discrimination;

b. Individual who has made a report or filed a formal complaint of sexual harassment;

c. Complainant;

d. Individual who has been reported to be the perpetrator of sex discrimination;

e. Respondent; and

f. Witness.

Training

The District will ensure that:

a. All Title IX Coordinators, investigators, decision-makers, or persons who facilitate an informal resolution process receive training on:

    1. The definition of sexual harassment as defined in Title IX;

    2. The scope of the District's education program or activity;

    3. How to conduct an investigation and grievance process including appeals, and informal resolution processes, as applicable; and

    4. How to serve impartially, including by avoiding prejudgment of the facts at issue, conflicts of interest, and bias.

b. All decision-makers receive training on any technology to be used at a live hearing and on issues of relevance of questions and evidence, including when questions and evidence about a Complainant's sexual predisposition or prior sexual behavior are not relevant.

c. All investigators receive training on issues of relevance to create an investigative report that fairly summarizes relevant evidence.

d. All School District employees receive training on mandatory reporting obligations and any other responsibilities that they may have relative to Title IX.

Materials used to train Title IX Coordinators, investigators, decision-makers, and any person who facilitates an informal resolution process will not rely on sex stereotypes and

will promote impartial investigations and adjudications of formal complaints of sexual harassment. Training materials will be made publicly available on the School District's website.

Notification

The School District will notify students, parents or **person(s) in parental relation** of students, employees, applicants for employment, and all unions or professional organizations holding collective bargaining or professional agreements with the School District of this policy.

Further, the School District will prominently publish this policy and the contact information for the Title IX Coordinator(s) on its website and in other publications, including in each handbook or catalog that it makes available to the individuals and entities referenced above.

Inquiries about this policy or the application of Title IX may be directed to the School District's Title IX Coordinator(s), the Assistant Secretary for Civil Rights of the United States Department of Education, or both.

External Remedies

The U.S. Department of Education's Office for Civil Rights (OCR) is responsible for the enforcement of Title IX. OCR evaluates, investigates, and resolves complaints alleging sex discrimination. OCR also conducts proactive investigations, called compliance reviews, to examine potential systemic violations based on sources of information other than complaints.

For assistance related to Title IX or other civil rights laws, please contact OCR at OCR@ed.gov or 800-421-3481, TDD 800-877-8339.

Cross Ref: 0100, Equal Opportunity
0115, Title IX and Sex Discrimination
0120, Prohibition Against Bullying (DASA)
5300, Code of Conduct

Ref: Education Amendments of 1972, Title IX, 20 U.S.C. §1681 *et seq.*
Title VII of Civil Rights Act (1964), 42 U.S.C. §2000-e; 34 CFR §100 *et seq.*

GLEN COVE CITY SCHOOL DISTRICT

TITLE IX AND SEX DISCRIMINATION **Policy 0115**

Adoption date:

Complaint Form for Reporting Sexual Harassment

New York State Labor Law requires all employers to adopt a sexual harassment prevention policy that includes a complaint form for targets to report alleged incidents of sexual harassment.

If you believe that you have been subjected to sexual harassment, you are encouraged to complete this form to the best of your ability and submit it to the Title IX Coordinator. You will not be retaliated against for filing a complaint. Supportive Measures are available and do not require the filing of a Formal Complaint. Please contact the Title IX Coordinator for more information.

If you are more comfortable reporting verbally or in another manner, the district should complete this form, provide you with a copy and follow its sexual harassment prevention policy by investigating the claims as outlined at the end of this form. For additional resources, visit: http://www.ny.gov/programs/combating-sexual-harassment-workplace

YOUR INFORMATION (for all persons making a complaint)
Your Name:

Home Address:

Home or Cell Phone:

Email:

Work Address:

Work Phone:

Job Title:

Preferred Communication Method (please select one): phone, email, mail, in person

SUPERVISOR INFORMATION

Immediate Supervisor's Name:

Title:

Work Phone:

Work Address:

COMPLAINT INFORMATION

1. Your complaint of Sexual Harassment is made against (please include as much information as possible, if known):

Name:

Job Title (if an employee):

Grade/Class (if a student):

School/Work Location:

Phone:

Relationship to you (please circle one below):

Supervisor / Subordinate / Co-Worker / Student / Other: _____

(Please use the following additional space if the complaint is against multiple people.)

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

3. Date(s) and location(s) sexual harassment occurred: _____

Is the sexual harassment continuing? ____ Yes ____ No

4. Please list the name and contact information (if known) of any witnesses or individuals who may have information related to your complaint:

The following question is optional, but may help the district's investigation.

5. Have you previously complained about or provided information (verbal or written) about sexual harassment or related incidents to the district? ____ Yes ____ No

If yes, when and to whom did you complain or provide information?

If you have retained legal counsel and would like us to work with them, please provide their contact information.

I request that the Glen Cove City School District conduct an investigation into the allegations of sexual harassment described above. I certify that this information is true and correct to the best of my actual knowledge.

Print Name: _____

Signature: _____

Date: _____

Instructions for the District

If you receive a complaint about alleged sexual harassment, you must follow the district's sexual harassment prevention policy by investigating the allegations through actions including:

- Speaking with the complainant
- Speaking with the alleged harasser
- Interviewing witnesses
- Collecting and reviewing any related documents

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

Document findings of the investigation and basis for your decision along with any corrective actions taken, and notify the complainant and the individual(s) against whom the complaint was made (if the alleged harasser is a student, also notify the parent/guardian). This may be done via email.

-DRAFT REVISED POLICY-

GLEN COVE CITY SCHOOL DISTRICT

PROHIBITION AGAINST SEXUAL HARASSMENT **Policy 0110**

The Board of Education recognizes that harassment of students, employees (including all staff, applicants for employment, both paid and unpaid interns, exempt and non-exempt status, part-time, seasonal, and temporary workers, regardless of immigration status) and certain "non-employees" (which includes contractors, subcontractors, vendors, consultants and other persons providing services pursuant to a contract, or their employees) on the basis of sex, gender, gender identity, gender expression, and/or sexual orientation is abusive and illegal behavior that harms victims and negatively impacts the school culture by creating an environment of fear, distrust, intimidation and intolerance. The Board of Education further recognizes that preventing and remedying such harassment in schools is essential to ensure a healthy, nondiscriminatory environment in which students can learn and employees and "non-employees" can work productively.

The Board of Education is committed to providing an educational and working environment that promotes respect, dignity and equality and that is free from all forms of sexual harassment. To this end, the Board of Education condemns and strictly prohibits all forms of sexual harassment on school grounds, school buses and at all school-sponsored activities, programs and events, including those that take place at locations outside the School District.

Sexual Harassment Defined

Sexual harassment is a form of sex discrimination that is unlawful under federal, state, and (where applicable) local law.

"Sexual harassment" includes, but is not limited to, unwelcome sexual advances, requests for sexual favors, sexually motivated physical conduct and/or other verbal or physical aggression, intimidation or hostility that is based on actual or perceived gender and sexual stereotypes.

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, sexual orientation, gender identity/expression, and/or transgender status when:

1. submission to that conduct or communication is made a term or condition, either explicitly or implicitly, of an employee's or "non-employee's" employment or a student's education (including any aspect of the student's participation in school-sponsored activities, or any other aspect of the student's education); or

2. submission to or rejection of that conduct or communication by an individual is used as a factor in decisions affecting an employee's or "non-employees" employment or a student's education; or
3. the conduct or communication has the purpose or effect of interfering with an employee's or "non-employee's" work performance or a student's academic performance or participation in school-sponsored activities, or creating an intimidating, hostile or offensive working or educational environment.

Since sexual violence, dating violence, and stalking are forms of sexual harassment, the term "sexual harassment" in this policy will implicitly include sexual violence, dating violence, and stalking even if not explicitly stated, and even if such occurs outside the school setting if the harassment impacts the individual's education or employment in a way that violates their legal rights.

"Sexual violence" means physical sexual acts perpetrated against a person's will or where a person is incapable of giving consent. A person may be incapable of giving consent due to age, drug or alcohol use, or an intellectual or other disability. Sexual violence includes, but is not limited to, acts such as rape, sexual assault, sexual battery and sexual coercion. All such acts of sexual violence are forms of sexual harassment.

"Dating violence" means violence committed by a person (A) who is or has been in a social relationship of a romantic or intimate nature with the victim; and (B) where the existence of such a relationship shall be determined based on a consideration of the following factors: (i) the length of the relationship; (ii) the type of relationship; and (iii) the frequency of interaction between the persons involved in the relationship.

"Domestic violence" includes felony or misdemeanor crimes of violence committed by a current or former spouse or intimate partner of the victim, by a person with whom the victim shares a child in common, by a person who is cohabitating with or has cohabitated with the victim as a spouse or intimate partner, by a person similarly situated to a spouse of the victim under the domestic or family violence laws of the State of New York, or by any other person against an adult or youth victim who is protected from that person's acts under the domestic or family violence laws of the State of New York.

"Stalking" means engaging in a course of conduct directed at a specific person that would cause a reasonable person to (A) fear for their safety or the safety of others; or (B) suffer substantial emotional distress.

GLEN COVE CITY SCHOOL DISTRICT

PROHIBITION AGAINST SEXUAL HARASSMENT **Policy 0110**

Sexual harassment can occur between persons of all ages and genders. Because sexual harassment can occur staff to student, staff to staff, student to student, student to staff, male to female, female to male, male to male or female to female, it shall be a violation of this policy for any student, employee or third party (school visitor, vendor, etc.) to sexually harass any student, employee, or "non-employee."

Under various state and federal laws, students, employees and "non-employees" have legal protections against sexual harassment in the school environment as described above. The School District's Code of Conduct also addresses appropriate behavior in the school environment. Where alleged sexual harassment involves discrimination, harassment, and/or bullying as defined by the Dignity of All Students Act (DASA) and the School District's DASA policy (0120), the appropriate guidelines set forth therein shall also apply. Where alleged sexual harassment is prohibited under Title IX and a formal complaint is filed, the School District's Title IX policy (0115) shall govern, unless and until such complaint is dismissed in accord with policy 0115. In the event a sexual harassment complaint is dismissed in accord with the School District's Title IX policy, it will nonetheless be investigated and subject to review as per the guidelines and procedures set forth in this policy.

Prohibited Conduct

School-related conduct that the School District considers unacceptable and which may constitute sexual harassment includes, but is not limited to, the following:

1. rape, attempted rape, sexual assault, attempted sexual assault, forcible sexual abuse, hazing, and other sexual and gender-based activity of a criminal nature as defined under the State Penal Law;
2. unwelcome sexual invitations or requests for sexual activity in exchange for grades, promotions, preferences, favors, selection for extracurricular activities or job assignments, homework, etc.;
3. unwelcome and offensive public sexual display of affection, including kissing, making out, groping, fondling, petting, inappropriate touching of one's self or others, sexually suggestive dancing, and massages;
4. any unwelcome communication that is sexually suggestive, sexually degrading or implies sexual motives or intentions, such as sexual remarks or innuendoes about an individual's clothing, appearance or activities; sexual jokes; sexual gestures; public conversations about sexual activities or exploits; sexual rumors and "ratings lists;" howling, catcalls, and whistles; sexually graphic computer files, messages or games, etc.;

5. unwelcome and offensive name calling or profanity that is sexually suggestive or explicit, sexually degrading, implies sexual intentions, or that is based on sexual stereotypes or sexual orientation, gender identity or expression;
6. unwelcome physical contact or closeness that is sexually suggestive, sexually degrading, or sexually intimidating such as the unwelcome touching of another's body parts, cornering or blocking an individual, standing too close, spanking, pinching, following, stalking, frontal body hugs, etc.;
7. unwelcome and sexually offensive physical pranks or touching of an individual's clothing, such as hazing and initiation, "streaking," "mooning," "nuggies" or "wedgies" (pulling underwear up at the waist so it goes in between the buttocks), bra-snapping, skirt "flip-ups," "spiking" (pulling down someone's pants or swimming suit); pinching; placing hands inside an individual's pants, shirt, blouse, or dress, etc.;
8. unwelcome leers, stares, gestures, or slang that are sexually suggestive; sexually degrading or imply sexual motives or intentions;
9. clothing with sexually obscene or sexually explicit slogans or messages;
10. unwelcome and offensive skits, assemblies, and productions that are sexually suggestive, sexually degrading, or that imply sexual motives or intentions, or that are based on sexual stereotypes;
11. unwelcome written or pictorial display or distribution (including via electronic devices) of pornographic or other sexually explicit materials such as signs, graffiti, calendars, objects, magazines, videos, films, Internet material, etc.;
12. hostile actions taken against an individual because of that individual's sex, sexual orientation, gender identity/expression or transgender status; and
13. any other unwelcome gender-based behavior that is offensive, degrading, intimidating, demeaning, or that is based on sexual stereotypes and attitudes

For purposes of this policy, action or conduct shall be considered "unwelcome" if the student, employee or "non-employee" did not request or invite it and regarded the conduct as undesirable or offensive.

Determining if Prohibited Conduct is Sexual Harassment

All complaints of sexual harassment will be taken seriously and will be thoroughly investigated to determine whether the totality of the behavior and circumstances meet any of the elements of the above definition of sexual harassment and should therefore be treated as sexual harassment. Not all unacceptable conduct with sexual connotations may constitute sexual harassment.

In evaluating the totality of the circumstances and making a determination of whether conduct constitutes sexual harassment, the individual investigating the complaint should consider:

1. the degree to which the conduct affected the ability of the student to participate in or benefit from their education or altered the conditions of the student's learning environment or altered the conditions of the employee's or "non-employee's" working environment;
2. the type, frequency and duration of the conduct;
3. the identity of and relationship between the alleged harasser and the subject of the harassment (e.g., sexually based conduct by an authority figure is more likely to create a hostile environment than similar conduct by another student or a co-worker);
4. the number of individuals involved;
5. the age and sex of the alleged harasser and the subject of the harassment;
6. the location of the incidents and context in which they occurred;
7. other incidents at the school;
8. incidents of gender-based, but non-sexual harassment; and
9. any other matters considered relevant.

Reporting Complaints

The Board of Education shall designate an individual(s) to serve as its Civil Rights Compliance Officer(s) ("Compliance Officer") and/or Title IX Coordinator(s).

In order for the Board of Education to effectively enforce this policy and to take prompt corrective measures, it is essential that allegations of sexual harassment be reported by any persons including a parent or guardian or a student, with knowledge of sexual harassment. Supervisors of students and employees are required to report any complaint or information about suspected harassment that they receive, and any harassment that they observe. Such harassment may be reported in person, by mail, by telephone, or by electronic mail, using the contact information listed for the School District's Title IX Coordinator(s) and/or Compliance Officer, or by any other means that results in the Title IX Coordinator(s) and/or Compliance Officer receiving the person's verbal or written report. Such a report may be made at any time (including during non-business hours) by using the telephone number or electronic mail address, or by mail to the office address, listed for the Title IX Coordinator(s) or Compliance Officer. The School District will promptly investigate all complaints of sexual harassment, formal or informal, verbal or written. To the extent possible, all complaints will be treated in a confidential manner.

GLEN COVE CITY SCHOOL DISTRICT

PROHIBITION AGAINST SEXUAL HARASSMENT **Policy 0110**

Individuals who believe that they have been sexually harassed are urged to come forward and to make reports of such sexual harassment to the Compliance Officer and/or Title IX Coordinator without fear of retaliation or intimidation. Due to the sensitive and serious nature of these complaints, investigations or allegations of sexual harassment will be conducted with due regard for confidentiality. It is the School District's policy to respect the privacy of all parties and witnesses to complaints of sexual harassment.
In order to assist investigators, individuals who believe they have been sexually harassed should document the harassment as soon as it occurs and with as much detail as possible including: the nature of the harassment; dates, times, places it has occurred; name of harasser(s); witnesses to the harassment; and the individual's response to the harassment.

When the Compliance Officer and/or Title IX Coordinator receives a verbal or written report of sexual harassment, the Compliance Officer and/or Title IX Coordinator will promptly contact the Complainant to discuss the availability of supportive measures as defined below (with or without the filing of a formal complaint), consider their wishes with respect to supportive measures, and explain the process for filing a formal complaint. If the Complainant files a formal complaint then the below grievance procedures will be followed promptly.

In all circumstances, the Board of Education reserves the right to appoint an outside third party to investigate complaints filed pursuant to this policy.

Grievance Procedure

A. Generally

Both the Complainant and Respondent will be treated equally during the grievance process. The Respondent is presumed to be not responsible for the alleged conduct until a determination regarding responsibility is made at the conclusion of the grievance process. In determining responsibility, the School District will use a clear and convincing evidence standard.

B. Investigation Process

While the investigation process may vary from case to case, investigations should be done in accordance with the following steps:

1. Upon receipt of a complaint, the Compliance Officer will conduct an immediate review of the allegations, and take any interim actions (e.g., instructing the Respondent to refrain from communications with the Complainant), as appropriate. If the Compliance Officer is unavailable, including due to a conflict of interest or other disqualifying reason, the report will be directed to another Compliance Officer, if the School District has designated

another individual to serve in that capacity. If the School District has not designated another Compliance Officer, the Superintendent will ensure that another person with the appropriate training and qualifications is appointed to act as the Compliance Officer.

2. All complaints of sexual harassment will be investigated regardless of the form in which those complaints are made. For oral complaints, the Complainant will be encouraged to complete the complaint form, which is available on the School District website, in writing. If they refuse, a complaint form based on the oral report will be prepared. The Complainant will be provided a copy of the completed complaint form.

3. If documents, emails, or phone records are relevant to the investigation, take steps to obtain and preserve them.

4. Request and review all relevant documents, including all electronic communications.

5. Interview all parties involved, including any relevant witnesses. If a student is involved, the School District will follow all applicable School District policies and procedures regarding questioning students.

6. Create written documentation of the investigation (such as a letter, memo, or email), which contains the following:

    i. list of all documents reviewed, along with a detailed summary of relevant documents;
    ii. list of names of those interviewed, along with a detailed summary of their statements;
    iii. timeline of events;
    iv. summary of prior relevant incidents, reported or unreported; and
    v. The basis for the decision and final resolution of the complaint, together with any corrective action(s).

7. Keep the written documentation and associated documents in a secure and confidential location.

8. Promptly notify the Complainant and the Respondent of the final determination and implement any corrective actions identified in the written document.

9. Inform the Complainant of the right to file a complaint or charge externally as outlined in this policy.

Corrective Action

If, after appropriate investigation, the School District finds that a student, an employee, or a third party has violated this policy, prompt corrective action will be taken in accordance with the applicable collective bargaining agreement, contract, School District policy and state law. Mandatory arbitration clauses are prohibited in all School District contracts and agreements.

The School District may include nondisclosure agreements (to not disclose the underlying facts and circumstances of a sexual harassment complaint) in any sexual harassment settlement agreement or resolution only if it is the Complainant's preference. Any such nondisclosure agreement shall be provided to all parties. Complainants shall have twenty-one (21) days to consider any such nondisclosure provision before it is signed by all parties, and shall have seven (7) days to revoke the agreement after signing. Nondisclosure agreements shall only become effective after this seven-day period has passed. Nondisclosure agreements shall not prohibit Complainants from speaking with law enforcement, the Equal Employment Opportunity Commission, the NYS Division of Human Rights, a local commission on human rights, or an attorney retained by the Complainant.

Confidentiality

It is the School District's policy to respect the privacy of all parties and witnesses to complaints of sexual harassment. To the extent possible, the School District will not release the details of a complaint or the identity of the Complainant or the individual(s) against whom the complaint is filed to any third parties who do not need to know such information. However, because an individual's need for confidentiality must be balanced with the School District's legal obligation to provide due process to the accused, to conduct a thorough investigation, or to take necessary action to resolve the complaint, the School District retains the right to disclose the identity of parties and witnesses to complaints in appropriate circumstances to individuals with a need to know. The individual responsible for investigating complaints will discuss confidentiality standards and concerns with all Complainants.

If a Complainant requests that their name not be revealed to the individual(s) against whom a complaint is filed, the individual responsible for conducting the investigation shall inform the Complainant that:

1. the request may limit the School District's ability to respond to their complaint;
2. School District policy and federal law prohibit retaliation against Complainants and witnesses;

3. the School District will attempt to prevent any retaliation; and
4. the School District will take strong responsive action if retaliation occurs.

If the Complainant still requests confidentiality after being given the notice above, the investigator will take all reasonable steps to investigate and respond to the complaint consistent with the request as long as doing so does not preclude the School District from responding effectively to the harassment and preventing the harassment of other students, employees or "non-employees".

Retaliation Prohibited

All Complainants and those who participate in the investigation of a complaint of sexual harassment have the right to be free from retaliation of any kind. Any act of retaliation against any person who complains of sexual harassment, is prohibited and illegal, and therefore subject to disciplinary action. Likewise, retaliation against any person who has testified, assisted, or participated in any manner in an investigation, proceeding, or hearing concerning a sexual harassment complaint is prohibited.

For purposes of this policy, retaliation includes but is not limited to: verbal or physical threats, intimidation, ridicule, bribes, destruction of property, spreading rumors, stalking, harassing phone calls, and any other form of harassment. Any person who retaliates is subject to immediate disciplinary action, up to and including suspension or termination.

Complaints of retaliation may be directed to the Compliance Officer. In the event the Compliance Officer is the alleged offender, the report will be directed to another Compliance Officer, if the School District has designated another individual to serve in such a capacity, or to the Superintendent of Schools.

Where appropriate, follow-up inquiries will be made to ensure that sexual harassment has not resumed and that none of the individuals involved in the investigation of sexual harassment have suffered any retaliation.

Legal Protections and External Remedies

As stated above, sexual harassment is not only prohibited by the School District but is also prohibited by state, federal, and, where applicable, local law. Complainants are advised that the School District's internal investigatory procedures do not toll the time within which claims are required to be filed pursuant to federal, state or local law.

GLEN COVE CITY SCHOOL DISTRICT

PROHIBITION AGAINST SEXUAL HARASSMENT **Policy 0110**

State Human Rights Law (HRL)

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

Complaints with DHR may be filed any time **within three years** of the harassment. If an individual did not file at DHR, they can sue directly in state court under the HRL, **within three years** of the alleged sexual harassment. An individual may not file with DHR if they have already filed a HRL complaint in state court. Complaining internally to the School District does not extend your time to file with DHR or in court. The three years is counted from date of the most recent incident of harassment.

You do not need an attorney to file a complaint with DHR, and there is no cost to file with DHR. DHR will investigate your complaint and determine whether there is probable cause to believe that sexual harassment has occurred. Probable cause cases are forwarded to a public hearing before an administrative law judge. If sexual harassment is found after a hearing, DHR has the power to award relief, which varies but may include requiring your employer to take action to stop the harassment, or redress the damage caused, including paying of monetary damages, attorney's fees and civil fines.

DHR's main office contact information is: NYS Division of Human Rights, One Fordham Plaza, Fourth Floor, Bronx, New York 10458. You may call (718) 741-8400 or visit: www.dhr.ny.gov. 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 completed online. The website also contains contact information for DHR's regional offices across New York State.

Civil Rights Act of 1964

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

The EEOC does not hold hearings or award relief, but may take other action including pursuing cases in federal court on behalf of complaining parties. Federal courts may award remedies if discrimination is found to have occurred.

An employee alleging discrimination at work can file a "Charge of Discrimination." The EEOC has district, area, and field offices where complaints can be filed. Contact the EEOC by calling 1-800-669-4000 (TTY: 1-800-669-6820), visiting their website at www.eeoc.gov or via email at info@eeoc.gov. If an individual filed an administrative complaint with DHR, DHR will file the complaint with the EEOC to preserve the right to proceed in federal court.

Title IX

Title IX of the Education Amendments of 1972. Title IX protects people from discrimination based on sex in education programs or activities that receive Federal financial assistance. Title IX states that "No person in the United States shall, on the basis of sex, be excluded from participation in, be denied the benefits of, or be subjected to discrimination under any education program or activity receiving Federal financial assistance."

The U.S. Department of Education's Office for Civil Rights (OCR) is responsible for the enforcement of Title IX. OCR evaluates, investigates, and resolves complaints alleging sex discrimination. OCR also conducts proactive investigations, called compliance reviews, to examine potential systemic violations based on sources of information other than complaints.

For assistance related to Title IX or other civil rights laws, please contact OCR at OCR@ed.gov or 800-421-3481, TDD 800-877-8339.

Dignity for All Students Act

The Dignity for All Students Act (DASA), codified as N.Y. Education Law, Art. 2, § 10 et seq., protects all students from harassment, bullying and discrimination while on school grounds and during school activities based on numerous protected classes, including, but not limited to sexual orientation, gender (including gender identity and expression), and sex. A complaint alleging a violation of DASA may be made to one of the School District's Dignity Act Coordinators and/or any staff member in accordance with the School District's policy.

Local Protections

-DRAFT REVISED POLICY-

GLEN COVE CITY SCHOOL DISTRICT

PROHIBITION AGAINST SEXUAL HARASSMENT **Policy 0110**

Many localities enforce laws protecting individuals from sexual harassment and discrimination. An individual should contact the county, city or town in which they live to find out if such a law exists. If the harassment involves unwanted physical touching, coerced physical confinement or coerced sex acts, the conduct may constitute a crime. Contact the local police department.

Supportive Measures

Both Complainants and Respondents of sexual harassment will have access to a range of supportive measures available to them, including but not limited to: counseling, extensions of deadlines or other course-related adjustments, modifications of work or class schedules, mutual restrictions on contact between the parties, changes in work or school locations, leaves of absence, increased security and monitoring of certain areas of the campus, and other similar measures, as appropriate.

Discipline/Penalties

Any individual who violates the sexual harassment policy by engaging in prohibited sexual harassment will be subject to appropriate disciplinary action. Disciplinary measures available to school authorities include, but are not limited to the following:

Students:	Discipline may range from a reprimand up to and including suspension from school, to be imposed consistent with the student conduct and discipline policy and applicable law.
Employees:	Discipline may range from a warning up to and including termination, to be imposed consistent with all applicable contractual and statutory rights. Discipline may also be imposed upon management and administrators who knowingly allow prohibited behavior to continue.
Volunteers:	Penalties may range from a warning up to and including loss of volunteer assignment.
"Non-employees":	Penalties may range from a warning up to and including loss of School District business.

Other individuals: Penalties may range from a warning up to and including denial of future access to school property.

False Complaints

False or malicious complaints of sexual harassment may result in corrective or disciplinary action taken against the Complainant.

Post Remedial Action

Following a finding of sexual harassment, victims will be periodically interviewed by the appropriate supervisory personnel to ensure that the harassment has not resumed and that no retaliatory action has occurred. In the discretion of the School District, these follow-up interviews will continue for an appropriate period of time. A report will be made of any victim's response.

In recognition of the trauma experienced by victims of sexual harassment, the victims will be referred to an appropriate local counseling service or the Employee Assistance Program.

Complaint Records

Upon written request, Complainants should receive a copy of any resolution reports filed by the supervisor/Compliance Officer concerning their complaint. Upon substantiation, copies should also be filed with the employment/education records of both the Complainant and the alleged harasser.

Training

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

a. an explanation of sexual harassment consistent with guidance issued by the NYS Department of Labor and the NYS Division of Human Rights;

b. examples of conduct that would constitute unlawful sexual harassment;

c. information concerning the federal and state statutory provisions concerning sexual harassment and remedies available to victims of sexual harassment;

d. information concerning employees' rights of redress and all available forums for adjudicating complaints; and

e. information addressing conduct by supervisors and any additional responsibilities for such supervisors.

Age-appropriate instructional materials will be incorporated into the curriculum to educate students so that they can recognize and reduce the incidence of sexual harassment.
This policy shall be posted on the School District's website and in prominent places in each School District facility, and shall also be published in student registration materials, student, parent and employee handbooks, and other appropriate school publications.

Cross-ref: 0100, Equal Opportunity
0115, Title IX and Sex Discrimination
0120, Prohibition Against Bullying (DASA)
5300, Code of Conduct

Ref: Education Amendments of 1972, Title IX, 20 U.S.C. §1681 et seq.
Title VII of Civil Rights Act (1964), 42 U.S.C. §2000-e; 34 CFR §100 et seq.
Executive Law §296-d (prohibition of sexual harassment of non-employees)
Labor Law §201-g (required sexual harassment policy and training)
Civil Practice Law and Rules §§5003-b (nondisclosure agreements optional); 7515 (mandatory arbitration prohibited)
General Obligations Law §5-336 (nondisclosure agreements optional)

Adoption date: October 10, 2018
Revised: July 6, 2022

-DRAFT REVISED POLICY-

GLEN COVE CITY SCHOOL DISTRICT

PROHIBITION AGAINST SEXUAL HARASSMENT **Policy 0110**

Complaint Form for Reporting Sexual Harassment

New York State Labor Law requires all employers to adopt a sexual harassment prevention policy that includes a complaint form for targets to report alleged incidents of sexual harassment.

If you believe that you have been subjected to sexual harassment, you are encouraged to complete this form to the best of your ability and submit it to the Title IX Coordinator. You will not be retaliated against for filing a complaint. Supportive Measures are available and do not require the filing of a Formal Complaint. Please contact the Title IX Coordinator for more information.

If you are more comfortable reporting verbally or in another manner, the district should complete this form, provide you with a copy and follow its sexual harassment prevention policy by investigating the claims as outlined at the end of this form. For additional resources, visit: http://www.ny.gov/programs/combating-sexual-harassment-workplace

YOUR INFORMATION (for all persons making a complaint)

Your Name:

Home Address:

Home or Cell Phone:

Email:

Work Address

Work Phone:

Job Title:

Preferred Communication Method (please select one): phone, email, mail, in person

SUPERVISOR INFORMATION

Immediate Supervisor's Name:

Title:

Work Phone:

Work Address:

-DRAFT REVISED POLICY-

GLEN COVE CITY SCHOOL DISTRICT

PROHIBITION AGAINST SEXUAL HARASSMENT **Policy 0110**

COMPLAINT INFORMATION

1. Your complaint of Sexual Harassment is made against (please include as much information as possible, if known):

Name:

Job Title (if an employee):

Grade/Class (if a student):

School/Work Location:

Phone:

Relationship to you (please circle one below):

Supervisor / Subordinate / Co-Worker / Student / Other: _____

(Please use the following additional space if the complaint is against multiple people.)

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

3. Date(s) and location(s) sexual harassment occurred: _____

Is the sexual harassment continuing? ____ Yes ____ No

4. Please list the name and contact information (if known) of any witnesses or individuals who may have information related to your complaint:

The following question is optional, but may help the district's investigation.

5. Have you previously complained about or provided information (verbal or written) about sexual harassment or related incidents to the district? ____ Yes ____ No

If yes, when and to whom did you complain or provide information?

GLEN COVE CITY SCHOOL DISTRICT

PROHIBITION AGAINST SEXUAL HARASSMENT **Policy 0110**

If you have retained legal counsel and would like us to work with them, please provide their contact information.

I request that the Glen Cove City School District conduct an investigation into the allegations of sexual harassment described above. I certify that this information is true and correct to the best of my actual knowledge.

Print Name: _____

Signature: _____

Date: _____

Instructions for the District

If you receive a complaint about alleged sexual harassment, you must follow the district's sexual harassment prevention policy by investigating the allegations through actions including:

- Speaking with the complainant
- Speaking with the alleged harasser
- Interviewing witnesses
- Collecting and reviewing any related documents

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

Document findings of the investigation and basis for your decision along with any corrective actions taken, and notify the complainant and the individual(s) against whom the complaint was

made (if the alleged harasser is a student, also notify the parent/guardian). This may be done via email.

-DRAFT REVISED POLICY-

GLEN COVE CITY SCHOOL DISTRICT

PROHIBITION AGAINST SEXUAL HARASSMENT **Policy 0110**

GLEN COVE CITY SCHOOL DISTRICT

SEXUAL HARASSMENT
FORMAL COMPLAINT FORM

Book	Policy Manual
Section	2000 School Board Governance and Operations
Title	BOARD MEETING PROCEDURES
Code	2350
Status	Active
Adopted	July 6, 2022
Last Revised	September 17, 2025

Each Board of Education meeting shall be conducted in an orderly manner which provides time for and encourages community involvement. The order of business at each regular meeting shall be as follows:

1. Opening Ceremony
    A. Anticipated Executive Session
    B. Return to Public Session
    C. Salute to the Flag
    D. Roll Call
2. Approval of Minutes
3. Board Recognition
4. Committee Reports
    A. Audit
    B. Policy
    C. Education
    D. Facilities
5. Public Comment on Agenda Items
6. Student Board Member Report
7. Superintendent Report
8. Instructional Report
    A. Committee on Special Education
    B. Committee on Preschool Education
9. Business Affairs
    A. Finance
    B. Operations
10. Personnel
    A. Certified
    B. Classified
    C. Other
11. Unfinished Business
12. New Business
13. Public Comment
14. Board Comments
15. Adjournment
16. Executive Session (if necessary)

The regular order of business may be changed at any meeting (and for that meeting only) by an affirmative vote of a majority and voting for the proposed change in the regular order of business.

Adoption date: July 6, 2022