2026-2027 Haldane Central School District

Employee Handbook

Haldane Central School District
Cold Spring, NY 10516
(845) 265-9254
haldaneschool.org

HALDANE

Table of Contents	**Page**
Haldane Central School District Board of Education	3
Mission and Beliefs	3
Strategic Coherence Plan	4
District Office	5
Our Schools	6
2026-2027 District Calendar	7
2026-2027 Payroll Dates	8
Laws and Regulations	
Equal Educational Opportunity	9
Americans with Disabilities Act	9
Annual Compliance Training	9
Employee Code of Ethics	9
Workplace Violence	10
Sexual Harassment in the Workplace	10
Civil Service Regulations	11
Employee Absence	
Leaves of Absence	11
Vacations	12
Jury Duty	12
Sick Leave Bank	12
Family Medical Leave Act	12
Benefits	
Disability	13
Health Insurance	13
Employee Retirement	14
403B	14
Employment Matters	
Acceptable Use Policy	14
Use of Email in the District	15
Employee Personnel Files	16
Continuing Teacher and Leader Education (CTLE)	16
Faculty/Staff Certification(s)	16
Work Year	17

School Closings 17

Health and Safety
Accidents - Staff 17
Smoke Free Environment 17
Prohibition of Weapons on Campus 18

Appendix
A. Board of Education Policy 6110: Employee Code of Ethics 19-21
B. Board of Education Policy 6121: Sexual Harassment 22-33
C. Board of Education Policy 6550: Leaves of Absence 34-38
D. Board of Education Policy 6551: Family Medical Leave Act 39-42
E. Board of Education Policy 6410: Staff Acceptable Use 43-45
F. Board of Education Policy 6411: Use of Email in the District 46-51
G. Board of Education Policy 6910: Workplace Violence 52-59

HALDANE

2026-2027 Haldane Central School District Board of Education

Maggie Valentine - President

Sean McNall - Vice President

Adam Burgoon - Trustee

Ezra Clementson - Trustee

Dr. Michelle Kupper- Trustee

Superintendent of Schools

Dr. Gail Duffy

THE HALDANE CENTRAL SCHOOL DISTRICT MISSION & BELIEFS

Haldane Central School District will prepare all students to succeed in an ever-changing global society.

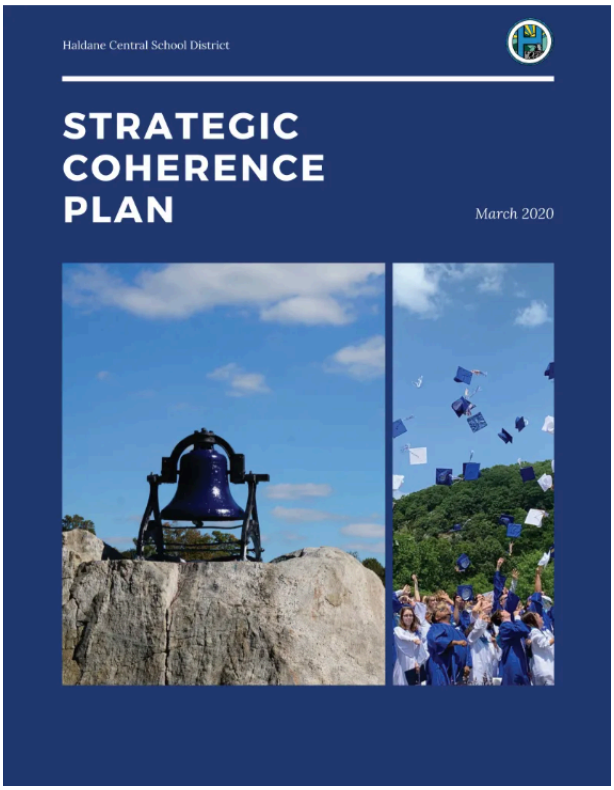
In pursuit of this mission, we believe:

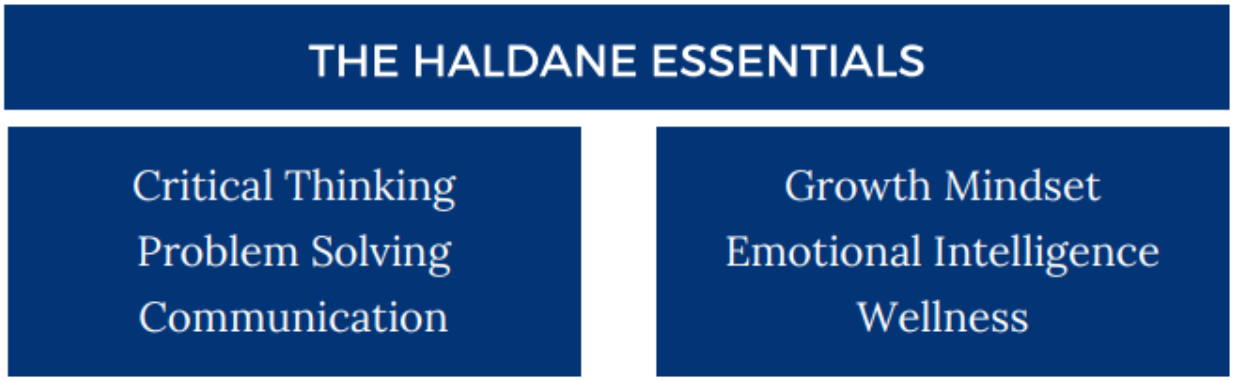
- Learning and the education of the whole child is a shared, collaborative, community-based responsibility
- We must be inclusive, provide multiple pathways to success, and strive to meet the needs of all learners
- Instruction should be authentic, challenging, and rigorous, and elicit the most critical skills and disposition from our students
- All facilities should be safe, environmentally respectful, and supportive of student learning

HALDANE

Strategic Coherence Plan

After a process that began in Fall of 2019, the Haldane Central School District adopted a new Strategic Coherence Plan on May 19, 2020. Implementation of the plan began with the 2020-2021 school year.





District Office

15 Craigside Drive
Cold Spring, NY 105
(845) 265-9254
(845) 265-9213

Superintendent's Office

Dr. Gail Duffy	Superintendent of Schools	265-9254 x115
Megan Shields	Confidential Secretary to the Superintendent	265-9254 x115
Samantha Badzo	Senior Office Assistant	265-9254 x111

Business Office

Catherine Platt	School Business Official	265-9254 x112
Christine Furey	Payroll Clerk	265-9254 x134
Sherrie Nachamkin	Account Clerk	265-9254 x114
Nancy Norton	Food Service Director	265-9254 x131

Curriculum & Human Resources

Josh Elder	Director of Curriculum & Human Resources	265-9254 x440
Jeannine Harris	Personnel Specialist	265-9254 x157

Pupil Personnel Services

Erin Piquet	Director of Pupil Personnel Services	265-9254 x142
Kim Patinella	Confidential Secretary	265-9254 x142

Operations and Maintenance

Dave Robertin	Interim Director of Facilities	265-9254 x170
Melanie Giordano	School Transportation Assistant	265-9254 x171

Athletics

Thomas Cunningham	Director of Athletics/Dean of Students	265-9254 x160
Angela Thomas	Office Assistant	265-9254 x179

Our Schools

Haldane High School

Julia Sniffen	Principal	265-9254 x220
Janine Junjulas	Senior Office Assistant	265-9254 x220
Christi Kelly	Senior Office Assistant	265-9254 x220
Kelly Martin	High School Attendance Aide	265-9254 x123

Haldane Middle School

Dr. MaryAnn Seelke	Principal	265-9254 x150
Rebecca Macrillo	Senior Office Assistant	265-9254 x150
Ashley Murphy-Felipe	ES/MS Attendance	265-9254 x139

Haldane Elementary School

Christine Jamin	Principal	265-9254 x122
Tanessa Watkins	Senior Office Assistant	265-9254 x122
Laurie Hyatt	ES/MS Attendance Aide	265-9254 x139

Health Office

Kathryn O'Hara	School Nurse	265-9254 x125
Jennie Shelters	Licensed Practical Nurse	265-9254 x165

School Resource Officer:

Anthony Tolve	School Resource Officer	265-9254 x158

HALDANE

Haldane Central School District 2026-2027 School Calendar – Adopted March 17, 2026

September 2026

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

8/31 Sup Conference Day
9/1 Students' 1st Day
9/7 Labor Day
9/21 Yom Kippur

October 2026

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

10/12 Columbus Day/
Indigenous Peoples' Day

November 2026

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

11/3 Sup Conference Day
11/11 Veterans Day
11/25-11/27
Thanksgiving Recess

December 2026

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

12/3-12/4 ES/MS ½ Days
Report Card Conferences
12/23 ½ Day
12/24-12/31 Holiday Recess

January 2027

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

1/1 Holiday Recess
1/18 Martin Luther King Day

February 2027

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

2/15-16 Winter Recess
2/17 Sup Conference Day

March 2027

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

3/10 Sup Conference Day
3/12 ES ½ Day
Report Card Conferences
3/22-3/29 Spring Recess

April 2027

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

4/22-4/23 Passover

May 2027

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

5/28-5/31
Memorial Day Recess

June 2027

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

6/18 Juneteenth Obs.
6/25 Last Day for
Students & Staff

Snow Day Usage	
0	School Closed 5/27, 4/21, 5/26, and 4/20
1	School Closed 5/27, 4/21, and 5/26
2	School Closed 5/27 and 4/21
3	School Closed 5/27
4	No Change
5+	All Remote

Summary	Sept	Oct	Nov	Dec	Jan	Feb	Mar	Apr	May	Jun	Total
Teachers	21	21	17	17	19	18	17	20	19	18	187
Students	20	21	16	17	19	17	16	20	19	18	183

Superintendent's Conf. Days NO STUDENTS
Holiday NO STAFF OR STUDENTS
Report Card Conference ½ Day Dismissals: MS 10:30AM; K-4 11:30AM; PreK 11:45AM
District-Wide ½ Day Dismissals: MS/HS 10:30AM; K-4 11:30AM; PreK 11:45AM

HALDANE

HALDANE CENTRAL SCHOOL DISTRICT

2026-2027 PAYROLL SCHEDULE

12 MONTH EMPLOYEES

26 pay cycles	Pay dates
1	07/02/26
2	07/16/26
3	07/30/26
4	08/13/26
5	08/27/26
6	09/10/26
7	09/24/26
**8	10/08/26
9	10/22/26
10	11/05/26
11	11/19/26
12	12/03/26
13	12/17/26
*14	12/30/26
15	01/14/27
16	01/28/27
17	02/11/27
18	02/25/27
19	03/11/27
20	03/25/27
**21	04/08/27
*22	04/21/27
23	05/06/27
24	05/20/27
25	06/03/27
26	06/17/27

10 MONTH EMPLOYEES

	Pay dates
Half-Pay	09/03/26
Half-Pay	09/10/26
2	09/24/26
**3	10/08/26
4	10/22/26
5	11/05/26
6	11/19/26
7	12/03/26
8	12/17/26
*9	12/30/26
10	01/14/27
11	01/28/27
12	02/11/27
13	02/25/27
14	03/11/27
15	03/25/27
**16	04/08/27
*17	04/21/27
18	05/06/27
19	05/20/27
20	06/03/27
21	06/17/27
22	06/24/27
Balloon Pay if Chosen	06/25/27

* Precedes Holiday

** Shared Savings Payment Dates

Please submit all claim forms, timecards or changes for payroll to:
Christine Furey in the Payroll Office Ext 134
cfurey@haldaneschool.org

Approved:

Haldane School Superintendent

HFA President

HALDANE

Laws & Regulations

Equal Educational Opportunity

The Haldane Central School District is an equal opportunity educational institution that does not discriminate on the basis of age, religion, creed, ethnic origin, marital status, race, color, sex, veteran status, disability, or handicap. This policy of non-discrimination includes the recruitment, hiring, and advancement of employees; salaries, pay and other benefits, or educational programs

Americans with Disabilities Act

The district complies with the Americans with Disabilities Act (ADA). The district does not discriminate against qualified individuals with a disability who, with or without reasonable accommodation, can perform the essential functions of the position that such individual holds or desires. It is the practice of the district to hire, promote, and maintain terms, conditions, and privileges of employment in a manner which does not discriminate on the basis of qualified individual's disability. Inquiries concerning the district's compliance with the regulations implementing the Americans with Disabilities Act should be directed to the Director of Human Resources.

Annual Compliance Training

State and federal regulations require that all school district employees complete mandatory compliance training every year. Certain employee groups may need to complete additional training on topics identified to be relevant to their job responsibilities. Annually you will be notified of the specific training tutorials you need to complete and how to complete them, either online or in a small group.

Employee Code of Ethics

Officers and employees of the District hold their positions to serve and benefit the public, and not to obtain unwarranted personal or private gain in the exercise of their official powers and duties. The Board recognizes that, in furtherance of this fundamental principle, there is a need for clear and reasonable standards of ethical conduct. Please see appendix A for the complete version of BOE Policy 6110: Code of Ethics for Board Members and All District Personnel.

HALDANE

Workplace Violence

The District is committed to the safety and security of its employees. Workplace violence presents a serious threat to the safety of employees, students, parents, and visitors. Acts of violence against District employees where any work-related duty is performed will be thoroughly investigated and appropriate action will be taken. All employees are responsible for: creating an environment of mutual respect for each other, as well as students, parents, and visitors; following all applicable documents; and for assisting in maintaining a safe and secure work environment. The District has designated the following District employee to serve as its Workplace Violence Prevention Coordinator: Director of Curriculum and Human Resources, 845-265-9254 x440, wvprevention@haldaneschool.org

Sexual Harassment in the Workplace

The District is committed to creating and maintaining an environment which is free from discrimination and harassment. Sexual harassment is one form of workplace discrimination. This policy addresses sexual harassment in the workplace. It is just one component of the District's overall commitment to maintaining a discrimination and harassment-free educational and work environment.

Sexual harassment is a form of employee misconduct, a violation of District policy, and unlawful. Employees of every level who engage in sexual harassment, including supervisory personnel who engage in sexual harassment, who knowingly allow such behavior to continue, or fail to report suspected sexual harassment will be subject to remedial and/or disciplinary action by the District. Sexual harassment may also subject the District to liability for harm to targets of sexual harassment. Harassers may also be individually subject to liability.

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

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

Please see Appendix B for a complete version of BOE policy 6121: Sexual Harassment in the Workplace. Please note the: Sexual Harassment Complaint Form

Civil Service Regulations

All non-certified employees are governed by Putnam County Civil Service. Employees hired in provisional positions are responsible for registering for and taking all tests and examinations required for their position. All test announcements are available through Putnam County Civil Service as follows:

Putnam County Personnel Department
Donald B. Smith County Government Campus
110 Old Route 6 – Building #3
Carmel, NY 10512
Tel: (845) 808-1650, Ext. 46107

Hours: Monday through Friday 8 A.M. – 5 P.M. (8 A.M. – 4 P.M. from mid-June through mid-September) http://www.putnamcountyny.gov/personnel/

Please note that all test announcements may not always be posted in the district. Employees who are appointed in competitive positions must pass their examination and score in the top three of the available and interested candidate pool in order to be permanently appointed and continue working in the position. If you have any questions, please contact Josh Elder in Human Resources.

Employee Absence

Staff are afforded sick leave, personal leave and bereavement leave based upon their respective Collective Bargaining Agreement (CBA) or individual Terms and Conditions of Employment. Employees should consult their respective CBA's or individual Terms and Conditions of Employment for all guidelines and procedures for employee absence. In an effort to secure coverage and continuity of instruction, all staff are expected to follow established procedures for absences and do so in a timely manner.

Leaves of Absence

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

purpose or conditions of a leave of absence may not be altered except by permission of the Superintendent, as expressed in writing. Please see Appendix C for the complete version of the BOE policy 6550: Leaves of Absence.

Vacations

Vacation leave is available to twelve-month and 11-month employees per their specific contract. Vacation leave must be requested in advance to an employee's supervisor based upon the conditions set forth in their Collective Bargaining Agreement or their individual Terms of Employment.

Jury Duty

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

Sick Leave Bank

Teachers with at least one full year of service with the District are eligible to participate in the sick leave bank as outlined in the Collective Bargaining Agreement. Sick Leave Bank is for teachers who have used all of their sick leave time and are victims of catastrophic, prolonged, and/or disabling illness. Applications to use the sick leave bank should be made to the Committee in writing by the employee, or by a legally qualified relative or guardian.

Family Medical Leave Act (FMLA)

The Board, in accordance with the Family and Medical Leave Act of 1993 (FMLA), allows eligible employees of the District the right to take unpaid FMLA leave for up to 12 work weeks in a 12-month period as determined by the District. Employees are eligible if they have been employed by the District for at least 12 months and for at least 1,250 hours of service during the previous 12 month period. The District uses the calendar year, January 1 through December 31, to calculate the FMLA leave. In certain cases FMLA leave may be taken on an intermittent basis rather than all at once. The entitlement to leave for the birth or placement of a child will expire at the end of the 12-month period beginning on the date of the birth or placement. Eligible employees may be granted leave for one or more of the following reasons:The law covers both full-time and part-time employees.

a) The birth of a child or care for the child;

b) Adoption of a child and care for the child;
c) The placement of a child with the employee from foster care;
d) To care for a spouse, minor child or parent who has a "serious health condition" as defined by the FMLA
e) To care for an adult child who is incapable of self-care due to a disability (regardless of date of the onset of disability) and has a serious health condition; or
f) The employee's serious health condition prevents the employee from performing his or her job.

A serious health condition is defined as an illness, injury, impairment, or physical or mental condition that involves inpatient care or continuing treatment by a healthcare provider that renders the person incapacitated for more than three consecutive calendar days. An employee claiming a serious health condition must first visit a healthcare provider within seven days of the incapacity; the second visit must occur within 30 days of the incapacitating event. An employee claiming the need for continuous treatment under FMLA for a chronic serious health condition must visit a healthcare provider at least twice per year, and the condition must continue over an extended period of time. The condition may cause episodic rather than a continuing period of incapacity. Please contact Josh Elder, Director of Human Resources, with any questions pertaining to FMLA.

Please see appendix D for a complete version of BOE policy 6551: Family Medical Leave Act

Benefits

Disability

If you are injured at work, you may be entitled to disability, depending on your job title and classification. Please refer any questions regarding disability to Christine Furey in the Payroll office.

Health Insurance Medical Insurance Coverage for New Hires (Full-time employees)

If you wish to enroll in a health insurance plan effective on your date of employment, you must submit a completed benefits enrollment form on or before your date of employment. Otherwise, you must submit a completed benefits enrollment form within 31 days of your employment and coverage will be effective on the first day of the month following the month in which you apply. If your benefits enrollment application is not received within 31 days of your date of hire, the District will view this as a declination of health insurance and you will not be eligible for enrollment until the District's annual open enrollment period. Please refer to your collective

bargaining agreement or individual contract for contribution percentage rates. Please contact Jeannine Harris in the Human Resources Department.

Employee Retirement

The District provides retirement benefits to full-time and part-time employees through the New York State Retirement System. It is the employee's responsibility to contact TRS or ERS when they decide to retire and review the various benefit options available to them.

403B

You have the opportunity to save for retirement by participating in Haldane Central School District's 403(b) retirement plan. You can participate in the plan with pre-tax contributions by submitting a salary reduction agreement (SRA) online via OMNI's website or by submitting a completed SRA form, found on the same website, to OMNI either by facsimile to (585) 672-6194 or by mail to 1099 Jay St., Bldg. F, Rochester, NY, 14611.

Employment Matters

Staff Acceptable Use Policy

The Board will provide staff with access to various computerized information resources through the District's computer system (DCS) consisting of software, hardware, computer networks, wireless networks/access, and electronic communication systems. This may include access to electronic mail, on-line services, and the Internet. It may also include the opportunity for staff to have independent access to the DCS from their home or other remote locations, and/or to access the DCS from their personal devices. All use of the DCS and the wireless network, including independent use off school premises and use on personal devices, will be subject to this policy and any accompanying regulations.

The Board encourages staff to make use of the DCS to explore educational topics, conduct research, and contact others in the educational world. The Board anticipates that staff access to various computerized information resources will both expedite and enhance the performance of tasks associated with their positions and assignments. To that end, the Board directs the Superintendent or designee(s) to provide staff with training in the proper and effective use of the DCS.

Staff use of the DCS is conditioned upon written agreement by the staff member that use of the DCS will conform to the requirements of this policy and any regulations adopted to ensure acceptable use of the DCS. These agreements will be kept on file in the District Office.

Generally, the same standards of acceptable staff conduct which apply to any aspect of job performance will apply to use of the DCS. Employees are expected to communicate in a professional manner consistent with applicable District policies and regulations governing the behavior of school staff. Electronic mail and telecommunications will not be utilized to share confidential information about students or other employees.

Access to confidential data is a privilege afforded to District employees in the performance of their duties. Safeguarding this data is a District responsibility that the Board takes very seriously. Consequently, District employment does not automatically guarantee the initial or ongoing ability to use mobile or personal devices to access the DCS and the information it may contain.

This policy does not attempt to articulate all required and/or acceptable uses of the DCS; nor is it the intention of this policy to define all inappropriate usage. Administrative regulations will further define general guidelines of appropriate staff conduct and use as well as proscribed behavior.

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

Staff members who engage in unacceptable use may lose access to the DCS and may be subject to further discipline under the law and in accordance with applicable collective bargaining agreements. Legal action may be initiated against a staff member who willfully, maliciously, or unlawfully damages or destroys property of the District.

Please see Appendix E for a complete version of BOE policy 6410: Staff Acceptable Use Policy.

Use of Email in the District

Email is a valuable tool that allows for quick and efficient communication. However, careless, unacceptable, or illegal use of email may place the District and members of its community at risk. Use of email in the District must be consistent with the District's educational goals and comply with federal and state laws and regulations, as well as all applicable District policies, regulations, procedures, collective bargaining agreements, and other related documents such as the District's Code of Conduct. This includes, but is not limited to, this policy and the District's policies on non-discrimination and anti-harassment, protecting the personal information of District employees and students, acceptable use, and record management.

District-related emails are most secure and best managed when District email services are used. Accordingly, the District's email services should be used for all district-related emails, including emails in which students or student issues are involved. Personal email accounts should not be used to conduct District-related business. Further, District email accounts should not be used as any individual's primary personal email address.

Please see Appendix F for a complete version of BOE policy 6411: Use of Email in the District.

Employee Personnel Files

To request access to your personnel file contact Jeannine Harris (ext. 157) for an appointment. Employees may not make alterations to their record nor remove any material. Personnel files must be viewed in the payroll office and may not be removed for any reason. Any changes of status in the form of name, address, telephone number, marital status or change in dependents needs to be brought to the attention of Human Resources.

Continuing Teacher and Leader Education (CTLE) Requirement for CTLE Certificate Holders

CTLE certificate holder: A registered holder of a professional classroom teaching certificate, educational leadership certificate, or Level III teaching assistant certificate is required to successfully complete 100 clock hours of acceptable CTLE during the registration period if they practice in a NYS school district or BOCES. The CTLE requirement may be completed at any time during the registration period. CTLE completed during a prior registration period may not be carried over. Permanent classroom teacher and school leader certificate holders practicing in New York State school districts or BOCES will be subject to registration requirements, but will not be subject to CTLE. Holders of Continuing Teaching Assistant certificates or Pupil Personnel Services (PPS) certificates, such as School Attendance Teachers, School Counselors, School Psychologists, School Social Workers, School Dental Hygiene Teachers and School Nurse Teachers, are not subject to Registration or CTLE requirements.

Faculty/Staff Certification

All faculty/staff must have valid and up to date certification(s) for the position(s) for which they are employed. Maintaining valid, up to date certification is the responsibility of the employee. Employees who obtain new certification status should notify, and supply a copy of the new certification, to Human Resources.

Work Year

The specific days and times that employees are required to work are outlined in collective bargaining contracts or individual employment contracts, and may change in future contracts. Please consult these documents for specific terms.

School Closings/Delays

If school is closed or delayed due to inclement weather or other reasons, employees will be notified by an automated call and/or text message. On days when school has begun and the district is forced to close early due to an early dismissal or emergency, staff members should consult with their immediate supervisor to determine their official dismissal time.

Health & Safety

Accidents - Staff

Any injury that occurs to a district employee on district property, no matter how small, must be reported immediately to their supervisor who in turn will notify Human Resources. Employees should contact Jeannine Harris (ext: 157) at the earliest possible time.

Smoke Free Environment

In accordance with the Haldane Board of Education policy, smoking and vaping are prohibited within 100 feet of the entrances, exits, or outdoor areas of any of the District's schools. However, this prohibition does not apply to smoking or vaping in a residence, or within the real property boundary lines of residential real property. The following actions are prohibited on school grounds and at school functions: smoking; vaping; using tobacco products; and/or using or ingesting any form of cannabis. Exceptions may exist for authorized medical cannabis use.

Definitions

For purposes of this policy, the following definitions apply:

a. "Electronic cigarette" (or "e-cigarette") means an electronic device delivering vapor inhaled by an individual user, and includes any refill, cartridge, and any other component of such a device.

b. "School function" means a school-sponsored or school-authorized extracurricular event or activity regardless of where the event or activity takes place, including any event or

activity that may take place virtually or in another state.

c. "School grounds" means any building, structure, and surrounding outdoor grounds, including entrances or exits, contained within the District's preschool, nursery school, elementary, or secondary school's legally defined property boundaries as registered in the County Clerk's Office, as well as any vehicles used to transport children or school personnel.

d. "Smoking" means the burning of a lighted cigar, cigarette, pipe, or any other matter or substance containing tobacco, cannabis, or cannabinoid hemp.

e. "Tobacco products" means cigarettes or cigars, bidis, chewing tobacco, powdered tobacco, nicotine water, or any other tobacco products.

f. "Vaping" means the use of an electronic cigarette.

Prohibition of Weapons on School Grounds

With the exception of law enforcement officers, as permitted by law, and individuals who have the express written permission of the Board or its designee, no person may have in his or her possession any weapon on school grounds, in any District building, on a school bus or District vehicle, or at any school-sponsored activity or setting under the control and supervision of the District. This prohibition includes, but is not limited to: any of the objects or instruments referred to in Section 265.01 of the New York State Penal Law; any air-gun, spring-gun, or other instrument or weapon in which the propelling force is a spring, air, piston or CO2 cartridge; and any object that could be considered a reasonable facsimile of a weapon.

Appendix A: Board of Education Policy 6110: Employee Code of Ethics

General Provisions

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

The provisions of this policy are intended to supplement Article 18 of the General Municipal Law and any other law relating to ethical conduct of District officers and employees, and should not be construed to conflict with those authorities.

Standards of Conduct

The following rules and standards of conduct apply to all officers, including Board members, and employees of the District.

Gifts

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

Confidential Information

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

Conflicts of Interest

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

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

No employee, officer, or agent will participate in selecting, awarding, or administering a contract supported by a federal award if he or she has a real or apparent conflict of interest. These conflicts could arise when the employee, officer, or agent, any member of his or her immediate family, his or her partner, or an organization that employs or is about to employ any of these parties has a financial or other interest in or a tangible personal interest benefit from a firm considered for a contract. Employees, officers, and agents will not solicit or accept gratuities, favors, or anything of monetary value from contractors or parties to subcontracts. The District may, however, set standards for situations where the financial interest is not substantial or the gift is an unsolicited item of nominal value.

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

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

Representing Others in Matters Before the District

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

Disclosure of Interest in Contracts and Resolutions

Any District officer or employee who has, will have, or later acquires an interest in or whose spouse has, will have or later acquires an interest in any actual or proposed contract, purchase agreement, lease agreement, or other agreement, including oral agreements, with the District must publicly disclose the nature and extent of that interest in writing. The disclosure must be

made when the officer or employee first acquires knowledge of the actual or prospective interest, and must be filed with the person's immediate supervisor and the Board. Any written disclosure will be made part of and included in the official minutes of the relevant Board meeting.

Investments in Conflict with Official Duties

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

Private Employment

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

Future Employment

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

Notice of Code of Ethics and General Municipal Law Sections 800-809

The Superintendent will ensure that a copy of this code of ethics is distributed to every District officer and employee, and that a copy of General Municipal Law Sections 800-809 is posted conspicuously in each District building. The failure to distribute this code of ethics or to post General Municipal Law Sections 800-809 will have no effect on either the duty of District officers and employees to comply with their provisions, or the ability of the District or other relevant authorities to enforce them.

Penalties

Any person who knowingly or intentionally violates any of the provisions of this policy may be fined, suspended, removed from office or employment, or subject to additional or other penalties as provided by law.

Education Law Section 410
General Municipal Law Article 18 and Sections 800-809
2 CFR Section 200.318(c)(1)

HALDANE

Adopted: 7/6/21

Appendix B: Board of Education Policy 6121: Sexual Harassment in the Workplace

Overview

The District is committed to creating and maintaining an environment which is free from discrimination and harassment. Sexual harassment is one form of workplace discrimination. This policy addresses sexual harassment in the workplace. It is just one component of the District's overall commitment to maintaining a discrimination and harassment-free educational and work environment.

Sexual harassment is a form of employee misconduct, a violation of District policy, and unlawful. Employees of every level who engage in sexual harassment, including supervisory personnel who engage in sexual harassment, who knowingly allow such behavior to continue, or fail to report suspected sexual harassment will be subject to remedial and/or disciplinary action by the District. Sexual harassment may also subject the District to liability for harm to targets of sexual harassment. Harassers may also be individually subject to liability.

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

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

Scope and Application

This policy applies to all instances of sexual harassment perpetrated against a "covered person," regardless of immigration status, by anyone in the workplace, including a co-worker, supervisor,

or third-party such as a non-employee, paid or unpaid intern, vendor, building security, visitor, volunteer, parent, or student. For purposes of this policy, a "covered person" includes:

a. Employees;

b. Applicants for employment;

c. Paid or unpaid interns; and

d. Non-employees, which include anyone who is (or is employed by) a contractor, subcontractor, vendor, consultant, or other person providing services pursuant to a contract in the workplace.

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

Other District policies and documents such as regulations, procedures, collective bargaining agreements, and the District's Code of Conduct may address misconduct related to sexual harassment and may provide for additional, different, or more specific grievance procedures depending on a number of factors including, but not limited to, who is involved and where the alleged sexual harassment occurred. These documents must be read in conjunction with this policy. Applicable policies or documents may include: Policy #3420 -- Non-Discrimination and Anti-Harassment in the District; and Policy #3421 -- Title IX and Sex Discrimination.

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

What Constitutes Sexual Harassment

Sexual harassment is a form of sex discrimination and is unlawful under federal, state, and (where applicable) local law. Sexual harassment includes harassment on the basis of sex, sexual orientation, self-identified or perceived sex, gender expression, gender identity, and the status of being transgender.

Under New York State Human Rights Law, sexual harassment is unlawful when it subjects an individual to inferior terms, conditions, or privileges of employment. Harassment need not be severe or pervasive to be unlawful, and can be any harassing conduct that consists of more than petty slights or trivial inconveniences.

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

a. Such conduct has the purpose or effect of unreasonably interfering with an individual's work performance or creating an intimidating, hostile, or offensive work environment, even if the reporting individual is not the intended target of the sexual harassment;

b. Such conduct is made either explicitly or implicitly a term or condition of employment; or

c. Submission to or rejection of such conduct is used as the basis for employment decisions affecting an individual's employment.

A sexually harassing hostile work environment includes, but is not limited to, words, signs, jokes, pranks, intimidation or physical violence which are of a sexual nature, or which are directed at an individual because of that individual's sex. Sexual harassment also consists of any unwanted verbal or physical advances, sexually explicit derogatory statements or sexually discriminatory remarks made by someone which are offensive or objectionable to the recipient, which cause the recipient discomfort or humiliation, which interfere with the recipient's job performance.

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

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

Examples of Sexual Harassment

The following describes some actions that may constitute unlawful sexual harassment and that are strictly prohibited:

a. Physical acts of a sexual nature, such as:
    1. Touching, pinching, patting, kissing, hugging, grabbing, brushing against another person's body or poking another person's body; and

    2. Rape, sexual battery, molestation or attempts to commit these assaults.

b. Unwanted sexual advances or propositions, such as:
    1. Requests for sexual favors accompanied by implied or overt threats concerning the target's job performance evaluation, a promotion or other job benefits or detriments; and

    2. Subtle or obvious pressure for unwelcome sexual activities.

c. Sexually oriented gestures, noises, remarks or jokes, or comments about a person's sexuality or sexual experience, which create a hostile work environment.

d. Sex stereotyping, which occurs when conduct or personality traits are considered inappropriate simply because they may not conform to other people's ideas or perceptions about how individuals of a particular sex should act or look.

e. Sexual or discriminatory displays or publications anywhere in the workplace, such as pictures, posters, calendars, graffiti, objects, promotional material, reading materials, or other materials that are sexually demeaning or pornographic. This includes such sexual displays on workplace computers or cell phones and sharing such displays while in the workplace.

f. Hostile actions taken against an individual because of that individual's sex, sexual orientation, gender identity, and the status of being transgender, such as:
    1. Interfering with, destroying or damaging a person's workstation, tools or equipment, or otherwise interfering with the individual's ability to perform the job;

    2. Sabotaging an individual's work; and

    3. Bullying, yelling, or name-calling.

Prohibition of Retaliatory Behavior (Whistle-Blower Protection)

Unlawful retaliation can be any action that could discourage a covered person from coming forward to make or support a sexual harassment claim. Adverse action need not be job-related or occur in the workplace to constitute unlawful retaliation (e.g., threats of physical violence outside of work hours).

The District prohibits any retaliatory behavior directed against complainants, victims, witnesses, and/or any other individuals who participate in the investigation of a complaint of sexual harassment. Such retaliation is unlawful under federal, state, and (where applicable) local law. The New York State Human Rights Law protects any individual who has engaged in "protected activity." Protected activity occurs when a person has:

a. Made a complaint of sexual harassment, either internally or with any anti-discrimination agency;

b. Testified or assisted in a proceeding involving sexual harassment under the Human Rights Law or other anti-discrimination law;

c. Opposed sexual harassment by making an oral or informal complaint of harassment to a supervisor, building principal, other administrator, or the CRCO;

d. Reported that another employee has been sexually harassed; or

e. Encouraged a fellow employee to report harassment.

Even if the alleged harassment does not turn out to rise to the level of a violation of law, the individual is protected from retaliation if the person had a good faith belief that the practices were unlawful. However, the retaliation provision is not intended to protect persons making intentionally false charges of harassment.

Reporting Allegations of Sexual Harassment

Preventing sexual harassment is everyone's responsibility. The District cannot prevent or remedy sexual harassment unless it knows about it. Any covered person who has been subjected to behavior that may constitute sexual harassment is encouraged to report such behavior to a

supervisor, building principal, other administrator, or the CRCO. Anyone who witnesses or becomes aware of potential instances of sexual harassment should report such behavior.

Reports of sexual harassment may be made orally or in writing. A form for submission of a written complaint is posted on the District website, and all covered persons are encouraged to use this complaint form. Persons who are reporting sexual harassment on behalf of another person should use the complaint form and note that it is being submitted on another person's behalf.

District employees must comply with reporting requirements in any other applicable District policy or document. Applicable policies or documents may include: Policy #3420 -- Non-Discrimination and Anti-Harassment in the District; and Policy #3421 -- Title IX and Sex Discrimination.

Any person who believes they have been a target of sexual harassment may also seek assistance in other available forums, as explained in this policy.

Supervisory Responsibilities

All supervisors, building principals, and other administrators who receive a complaint or information about suspected sexual harassment, observe what may be sexually harassing behavior or for any reason suspect that sexual harassment is occurring, are required to report such suspected sexual harassment to the CRCO. If the CRCO is unavailable, including due to a conflict of interest or other disqualifying reason, the report will be directed to another CRCO, if the District has designated another individual to serve in that capacity. If the District has not designated another CRCO, the Superintendent will ensure that another person with the appropriate training and qualifications is appointed to act as the CRCO.

In addition to being subject to discipline if they engaged in sexually harassing conduct themselves, supervisors, building principals, and other administrators will be subject to discipline for failing to report suspected sexual harassment or otherwise knowingly allowing sexual harassment to continue.

Supervisors, building principals, and other administrators will also be subject to discipline for engaging in any retaliation.

Investigating Complaints of Sexual Harassment

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

An investigation of any complaint, information or knowledge of suspected sexual harassment will be prompt and thorough, commenced immediately and completed as soon as possible. The investigation will be kept confidential to the extent possible. Disclosure may, however, be necessary to complete a thorough investigation of the charges and/or notify law enforcement officials. All persons involved, including complainants, witnesses, and alleged harassers will be accorded due process, as outlined below, and in accordance with any applicable collective bargaining agreements to protect their rights to a fair and impartial investigation.

The District will not tolerate retaliation against anyone who files complaints, supports another's complaint, or participates in an investigation regarding a violation of this policy.

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

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

b. All complaints of sexual harassment will be investigated regardless of the form in which those complaints are made. For oral complaints, the individual will be encouraged to complete the complaint form, which is available on the District website, in writing. If he or she refuses, a complaint form based on the oral report will be prepared. The complainant will be provided a copy of the completed complaint form.

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

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

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

f. Create written documentation of the investigation (such as a letter, memo, or email), which contains the following:
    1. A list of all documents reviewed, along with a detailed summary of relevant documents;

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

    3. A timeline of events;

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

    5. The basis for the decision and final resolution of the complaint, together with any corrective action(s).

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

h. Promptly notify the individual who reported and the individual(s) about whom the complaint was made of the final determination and implement any corrective actions identified in the written document.

i. Inform the individual who reported of the right to file a complaint or charge externally as outlined in this policy.

Additionally, other District policies and documents address sexual harassment. These policies and documents may include: Policy #3420 -- Non-Discrimination and Anti-Harassment in the District; and Policy #3421 -- Title IX and Sex Discrimination. All complaints will be handled in accordance with the applicable District policies and/or documents.

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

If an investigation reveals that sexual harassment has occurred, the District will take immediate corrective action as warranted. This action will be taken in accordance with applicable law and regulation, as well as any applicable District policy, regulation, procedure, collective bargaining agreement, third-party contract, or other document such as the District's Code of Conduct.

Annual Training

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

a. An explanation of sexual harassment consistent with guidance issued by the Department of Labor in consultation with the Division of Human Rights;

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

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

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

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

Notification

The District will provide this policy to all employees in writing. The District will post this policy prominently throughout the District to the extent practicable.

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

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

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

Legal Protections and External Remedies

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

Aside from the District's internal process, individuals may also choose to pursue legal remedies with the following governmental entities. While a private attorney is not required to file a complaint with a governmental agency, an individual may seek the legal advice of an attorney.

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

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

Complaints with DHR may be filed any time within one year (three years beginning August 12, 2020) of the harassment. If an individual did not file with 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 District does not extend the time to file with DHR or in court. The one year or three years is counted from the date of the most recent incident of harassment.

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

DHR will investigate the 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 the District 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. Individuals 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 downloaded, filled out, notarized and mailed to DHR. 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 USC Section 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. In general, private employers must have at least 15 employees to come within the jurisdiction of the EEOC.

An individual alleging discrimination at work can file a "Charge of Discrimination." The EEOC has district, area, and field offices where complaints can be filed. Contact the EEOC by calling 1-800-669-4000 (TTY: 1-800-669-6820), visiting their website at www.eeoc.gov, 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.

HALDANE

Title IX

Title IX of the Education Amendments Act of 1972 prohibits discrimination on the basis of sex in any federally funded education program or activity. The U.S. Department of Education's Office for Civil Rights (OCR) enforces Title IX of the Education Amendments Act of 1972.

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

Local Protections

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

Local Police Department

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.

Title VII of the Civil Rights Act of 1964, 42 USC Section 2000e et seq.
Title IX of the Education Amendments Act of 1972, 20 USC Section 1681 et seq.
29 CFR Section 1604.11(a)
34 CFR Subtitle B, Chapter I
Civil Service Law Section 75-b
New York State Human Rights Law, Executive Law Section 290 et seq.
Labor Law Section 201-g

NOTE: Refer also to Policies #3420 -- Non-Discrimination and Anti-Harassment in the District
#3421 -- Title IX and Sex Discrimination
#6122 -- Employee Grievances
#7551 -- Sexual Harassment of Students

Adopted: 7/6/21

HALDANE

Appendix C: Board of Education Policy 6550: Leaves of Absence

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

Leaves of absence, contractual, et al.

a. Employees who are members of a negotiating unit:
   Authorization is granted to approve requests for leaves of absence submitted in accordance with provisions of contracts in effect between the District and each bargaining unit.
b. Employees who are not members of a negotiating unit:
   Authorization is granted to approve requests for leaves of absence submitted by these employees where the requests are consistent with provisions of contracts in effect between the District and the bargaining unit most compatible with the employment status of the employee.
c. Employees who are under contract to the District:
   Authorization is granted to implement provisions for leaves of absence contained in each contract.

Leaves of absence, unpaid, not covered above

a. Subject to limitations enumerated in this policy statement, authorization is granted for the following unpaid leaves of absence:
    1. For a period of time not to exceed one school year for approved graduate study, this leave to include any required internship experience.

    2. At the expiration of a paid sick leave of absence, this leave may be extended for a period of time not longer than the end of the school year after the school year in which the paid leave of absence began.

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

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

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

Other leaves of absence

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

a. Emergency Service Volunteer Leave

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

b. Screenings for Cancer

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

c. Blood Donation

The District must either, at its option:

1. Grant three hours of unpaid leave of absence in any 12-month period to an employee who seeks to donate blood off-premises. The leave may not exceed three hours unless agreed to by the Superintendent or designee; or

2. Allow its employees without use of accumulated leave time to donate blood during work hours at least two times per year at a convenient time and place set by the Superintendent or designee, including allowing an employee to participate in a blood drive at the District.

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

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

d. Bone Marrow Donation

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

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

e. Nursing Mothers (Breastfeeding/Lactation)

The District will provide reasonable unpaid break time or permit the use of paid break time or meal time each day to allow an employee to express breast milk for her nursing child for up to three years following childbirth. The District will make reasonable efforts to provide a room or other location in close proximity to the work area where the employee can express milk in privacy. The District will not discriminate against an employee who chooses to express breast milk in the workplace.

Reasonable unpaid break time is generally no less than 20 minutes and no more than 30 minutes dependent upon the proximity of the designated location for expressing breast milk. In most situations, the District is required to provide unpaid break time at least once every three hours if requested by the employee. At the employee's option, the District will allow the employee to work before or after her normal shift to make up the amount of time used during the unpaid break time(s) so long as the additional time requested falls within the District's normal work hours.

The District will provide written notice to employees who are returning to work following the birth of a child of their right to take unpaid leave for the purpose of expressing breast milk. This notice may either be provided individually to affected employees or to all employees generally through publication of the notice in the employee handbook or posting of the notice in a central location.

Any employee wishing to avail herself of this benefit is required to give the District advance notice, preferably prior to her return to work, to allow the District an opportunity to establish a location and schedule leave time to accommodate employees as needed.

f. Witnesses or Victims of Crimes

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

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

g. Victims of Domestic Violence

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

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

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

h. Military Leave

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

i. Jury Duty

As provided by law, any employee who is summoned to serve as a juror and who notifies the District to that effect prior to his or her term of service will not, on account of absence by reason of jury service, be subject to discharge or penalty. The District will ensure that

all absences for this purpose are granted in accordance with law and the terms of any applicable collective bargaining agreement.

j. Voting

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

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

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

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

29 USC Section 207(r)
Uniformed Services Employment and Reemployment Rights Act of 1994 (USERRA), 38 USC Sections 4301-4333
Civil Service Law Sections 71-73 and 159-b
Education Law Sections 1709(16), 2509(6), 2573(12), 3005, 3005-a and 3005-b
General Municipal Law Sections 92, 92-c, and 92-d
Election Law Section 3-110
Executive Law Section 296(22)
Judiciary Law Sections 519 and 521
Labor Law Sections 202-a, 202-i, 202-j, 202-l and 206-c
Military Law Sections 242 and 243
Penal Law Section 215.14

Adopted: 7/6/21

Appendix D: Board of Education Policy 6551: Family Medical Leave Act

The District allows eligible employees to take unpaid FMLA leave for up to 12 work weeks in a 12-month period as determined by the District. Employees are eligible if they have been employed by the District for at least 12 months and for at least 1,250 hours of service during the previous 12-month period.

The District uses the calendar year January through December to calculate the FMLA leave. In certain cases, FMLA leave may be taken on an intermittent or reduced schedule basis rather than all at once. The entitlement to leave for the birth or placement of a child expires at the end of the 12-month period beginning on the date of the birth or placement.

Eligible employees may be granted leave for one or more of the following reasons:

a. The birth of a child and care for the child;

b. Adoption of a child and care for the child;

c. The placement of a child with the employee from foster care;

d. To care for a spouse, minor child or parent who has a "serious health condition" as defined by the FMLA;

e. To care for an adult child who is incapable of self-care due to a disability (regardless of date of the onset of disability) and has a serious health condition; or

f. The employee's serious health condition prevents the employee from performing his or her job.

A serious health condition is defined as an illness, injury, impairment, or physical or mental condition that involves inpatient care or continuing treatment by a healthcare provider that renders the person incapacitated for more than three consecutive calendar days. An employee claiming a serious health condition must first visit a healthcare provider within seven days of the incapacity; the second visit must occur within 30 days of the incapacitating event. An employee claiming the need for continuous treatment under FMLA for a chronic serious health condition must visit a healthcare provider at least twice per year, and the condition must continue over an

extended period of time. The condition may cause episodic rather than a continuing period of incapacity.

Military Family Leave Entitlements

Military Caregiver Leave

An eligible employee who is the spouse, son, daughter, parent, or next of kin of a covered servicemember with a serious injury or illness may take up to 26 weeks of leave during a single 12-month period to care for the servicemember.

Qualifying Exigency Leave

An "eligible" employee may take qualifying exigency leave when his or her spouse, son, daughter, or parent who is a member of the Armed Forces, National Guard, or Reserves is on covered active duty or has been notified of an impending call or order to covered active duty.

Concurrent (Substitute) Leave

Employees must use paid leave concurrently with periods of FMLA leave.

Special Provisions for Instructional Employees

An instructional employee's principal function is to teach and instruct students in a class, a small group, or an individual setting. Teaching assistants and aides who do not have instruction as the principal function of their job are not considered an instructional employee.

Intermittent Leave Taken by Instructional Employees

FMLA leave that is taken at the end of the school year and resumes at the beginning of the next school year is continuous leave. The period during summer vacation is not counted against an employee's FMLA leave entitlement; the employee will continue to receive any benefits that are customarily given over the summer break.

If an instructional employee requests intermittent leave or leave on a reduced schedule, and will be on that leave for more than 20% of the number of working days during that period, the District may:

a. Require the employee to take leave for a period or periods of a particular duration, not greater than the duration of the planned treatment; or

b. Transfer the employee temporarily to an available alternative position for which the employee is qualified, which has equivalent pay and benefits, and which better accommodates recurring leave periods than the employee's regular position.

Leave Taken by Instructional Employees Near the End of the Instructional Year

If the instructional employee begins leave more than five weeks before the end of the term, the District may require him or her to continue taking leave until the end of the term if the leave lasts more than three weeks and the employee would return during the three weeks before the end of the term.

If the instructional employee begins leave less than five weeks before the end of the term for any FMLA-related reasons except qualifying exigency, the District may require that the employee remain out for the rest of the term if the leave lasts more than two weeks and the employee would return to work during that two-week period at the end of the instructional term.

If the instructional employee begins taking leave during the three weeks before the end of the term for any FMLA-related reason except qualifying exigency, the District may require that the employee continue leave until the end of the term if the leave will last more than five working days.

Any additional time that is required by the District will not be charged against the employee as FMLA leave.

Benefits and Restoration

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

In most instances, an employee has a right to return to the same or an equivalent position following a leave. The Superintendent or designee may reassign an employee in accordance with any applicable collective bargaining agreement to a different grade level, building, or assignment consistent with the employee's certification and tenure area.

Employee Notice and Medical Certification

When leave is foreseeable, the employee must give at least 30 days' advance notice of when and how much leave he or she needs. When leave is not foreseeable, the employee must provide notice as soon as practicable.

The District may require an employee to submit certification from a healthcare provider to substantiate a leave request. If the certification is incomplete or insufficient, the District will identify in writing what information the employee must provide to correct the deficiency within seven days. If the employee fails to timely provide the requested information, the District may deny his or her FMLA leave request.

The District may also request a second opinion regarding the employee's medical status from a healthcare provider of its choice at its expense, and a third opinion from a provider agreed upon by the District and the employee, to be paid for by the District.

FMLA Notice

The District will display a general notice to employees about FMLA leave rights, that will include how to file a complaint, in each school building. The District will also provide a written general notice about the FMLA in the employee handbook to each new employee upon hire. The District has five days to supply this notice from the date of hire.

Family and Medical Leave Act of 1993 (as amended), Public Law 103-3
National Defense Authorization Act of 2008, Public Law 110-181
10 USC Section 101(a) (13)
29 USC Sections 1630.1 and 2611-2654
29 CFR Part 825 and Part 1630
42 USC Section 12102
Health Insurance Portability and Accountability Act of 1996 (HIPAA), Public Law 104-191
45 CFR Parts 160 and 164

NOTE: Refer also to Policy #6552 -- Military Leaves of Absence

Adopted: 7/6/21

HALDANE

Appendix E: Board of Education Policy 6410: Staff Acceptable Use

The Board will provide staff with access to various computerized information resources through the District's computer system (DCS) consisting of software, hardware, computer networks, wireless networks/access, and electronic communication systems. This may include access to electronic mail, on-line services, and the Internet. It may also include the opportunity for staff to have independent access to the DCS from their home or other remote locations, and/or to access the DCS from their personal devices. All use of the DCS and the wireless network, including independent use off school premises and use on personal devices, will be subject to this policy and any accompanying regulations.

The Board encourages staff to make use of the DCS to explore educational topics, conduct research, and contact others in the educational world. The Board anticipates that staff access to various computerized information resources will both expedite and enhance the performance of tasks associated with their positions and assignments. To that end, the Board directs the Superintendent or designee(s) to provide staff with training in the proper and effective use of the DCS.

Staff use of the DCS is conditioned upon written agreement by the staff member that use of the DCS will conform to the requirements of this policy and any regulations adopted to ensure acceptable use of the DCS. These agreements will be kept on file in the District Office.

Generally, the same standards of acceptable staff conduct which apply to any aspect of job performance will apply to use of the DCS. Employees are expected to communicate in a professional manner consistent with applicable District policies and regulations governing the behavior of school staff. Electronic mail and telecommunications will not be utilized to share confidential information about students or other employees.

Access to confidential data is a privilege afforded to District employees in the performance of their duties. Safeguarding this data is a District responsibility that the Board takes very seriously. Consequently, District employment does not automatically guarantee the initial or ongoing ability to use mobile or personal devices to access the DCS and the information it may contain.

This policy does not attempt to articulate all required and/or acceptable uses of the DCS; nor is it the intention of this policy to define all inappropriate usage. Administrative regulations will

further define general guidelines of appropriate staff conduct and use as well as proscribed behavior.

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

Staff members who engage in unacceptable use may lose access to the DCS and may be subject to further discipline under the law and in accordance with applicable collective bargaining agreements. Legal action may be initiated against a staff member who willfully, maliciously, or unlawfully damages or destroys property of the District.

Social Media Use by Employees

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

Public social media networks or SNS are defined to include: websites, Web logs (blogs), wikis, social networks, online forums, virtual worlds, video sites, and any other social media generally available to the District community which do not fall within the District's electronic technology network (e.g., Facebook, Myspace, Twitter, LinkedIn, Flickr, Vine, Instagram, Snap Chat, etc.). The definition of District approved password-protected social media tools are those that fall within the District's electronic technology network or which the District has approved for educational use. Within these internal forums, the District has greater authority and ability to protect minors from inappropriate content and can limit public access.

The use of social media (whether public or internal) can generally be defined as Official District Use, Professional/Instructional Use and Personal Use. Incidental personal use must not interfere with the employees' job performance, must not violate any of the rules contained in this policy or the Student AUP, and must not damage the school's hardware, software, or communications systems. In addition, employees are encouraged to maintain the highest levels of professionalism when communicating, whether using District devices or their own personal devices, in their professional capacity as educators. They have a responsibility to address inappropriate behavior

or activity on these networks, including requirements for mandated reporting and compliance with all applicable District policies and regulations.

Confidentiality, Private Information and Privacy Rights

Confidential or private data, including, but not limited to, protected student records, employee personal identifying information, and District assessment data, will only be loaded, stored, or transferred to District-owned devices which have encryption and/or password protection. This restriction, designed to ensure data security, encompasses all computers and devices within the DCS, any mobile devices, including flash or key drives, and any devices that access the DCS from remote locations. Staff will not use email to transmit confidential files in order to work at home or another location. Similarly, staff are prohibited from using cloud-based storage services (such as Dropbox, Google Drive, Sky Drive, etc.) for confidential files.

In addition, staff will not leave any devices unattended with confidential information visible. All devices must be locked down while the staff member steps away from the device, and settings enabled to freeze and lock after a set period of inactivity.

Staff data files and electronic storage areas will remain District property, subject to District control and inspection. The Technology Coordinator may access all staff data files and communications without prior notice to ensure system integrity and that users are complying with requirements of this policy and any accompanying regulations. Staff should not expect that information stored on the DCS will be private.

NOTE: Refer also to Policies #5672 -- Information Security Breach and Notification
#5674 -- Data Networks and Security Access
#5676 -- Privacy and Security for Student Data and Teacher and Principal Data
#6411 -- Use of Email in the District
#7316 -- Student Use of Personal Technology
#8271 -- Internet Safety/Internet Content Filtering

Adopted: 7/6/21

HALDANE

Appendix F: Board of Education Policy 6411: Use of Email in the District

Overview

Email is a valuable tool that allows for quick and efficient communication. However, careless, unacceptable, or illegal use of email may place the District and members of its community at risk. Use of email in the District must be consistent with the District's educational goals and comply with federal and state laws and regulations, as well as all applicable District policies, regulations, procedures, collective bargaining agreements, and other related documents such as the District's Code of Conduct. This includes, but is not limited to, this policy and the District's policies on non-discrimination and anti-harassment, protecting the personal information of District employees and students, acceptable use, and record management.

District-related emails are most secure and best managed when District email services are used. Accordingly, the District's email services should be used for all district-related emails, including emails in which students or student issues are involved. Personal email accounts should not be used to conduct District-related business. Further, District email accounts should not be used as any individual's primary personal email address.

Scope and Application of Policy

This policy applies to all District employees and any individual assigned a District email address to conduct District-related business (authorized user).

Sending Emails with Personal, Private, and Sensitive Information

Personal, private, and sensitive information (PPSI) is any information to which unauthorized access, disclosure, modification, destruction, use, or disruption of access or use could have or cause a severe impact on critical District functions, employees, students, third parties, or other individuals or entities. For purposes of this policy, PPSI includes, but is not limited to:

a. District assessment data;

b. Protected student records;

c. Information subject to laws protecting personal information such as Family Educational Rights and Privacy Act (FERPA), Individuals with Disabilities Act (IDEA), Health Insurance Portability and Accountability Act (HIPAA);

d. Social security numbers;

e. Driver's license or non-driver identification card numbers;

f. Credit or debit card numbers;

g. Account numbers;

h. Passwords; and

i. Access codes.

The failure to follow proper security protocols when emailing PPSI increases the risk that unauthorized individuals could access and misuse PPSI.

District employees and authorized users may not send or forward emails that include:

a. PPSI without building principal or supervisor authorization. Additional precautions, such as encrypting the email in a District-approved method, should be taken when sending any emails containing PPSI.

b. Lists or information about District employees without building principal or supervisor authorization.

c. Attachments with file names that may disclose PPSI. Files containing PPSI should be password protected and encrypted. File protection passwords should not be transmitted via email. District employees and authorized users will not use cloud-based storage services (such as Dropbox or OneDrive) to transmit files with PPSI without previous District approval or consulting with a building principal or supervisor.

d. Comments or statements about the District that may negatively impact it.

Any questions regarding the District's protocols for sending emails with PPSI or what information may or may not be emailed should be directed to a supervisor.

Receiving Suspicious Emails

Social engineering attacks are prevalent in email. In a social engineering attack, an attacker uses human interaction (social skills) to obtain confidential or sensitive information.

Phishing attacks are a form of social engineering. Phishing attacks use fake email messages pretending to represent a legitimate person or entity to request information such as names, passwords, and account numbers. They may also deceive an individual into opening a malicious webpage or downloading a file attachment that leads to malware being installed.

Malware is malicious software that is designed to harm computer systems. Malware may be inadvertently installed after an individual opens an email attachment, downloads content from the Internet, or visits an infected website.

Before responding to any emails, clicking on any hyperlinks, or opening any attachments, District employees and authorized users should review emails for indicators of suspicious activity. These indicators include, but are not limited to:

a. Attachments that were not expected or make no sense in relation to the email message;

b. When the recipient hovers the mouse over a hyperlink that is displayed in the email, the link to the address is for a different website;

c. Hyperlinks with misspellings of known websites;

d. The sender is not someone with whom the recipient ordinarily communicates;

e. The sender's email address is from a suspicious domain;

f. Emails that are unexpected, unusual, or have bad grammar or spelling errors; and

g. Emails asking the recipient to click on a link or open an attachment to avoid a negative consequence or to gain something of value.

District employees and authorized users should forward suspicious emails to the District's information technology (IT) staff.

No Expectation of Privacy

District employees and authorized users should have no expectation of privacy for any email messages they create, receive, or maintain on their District email account. The District has the

right to monitor, review, and audit each District employee's and authorized user's District email account.

Accessing District Email Services on Personal Devices

In the event a District employee or authorized user loses a personal device that has been used to access the District's email service, that District employee or authorized user should notify the Districts' IT staff so that measures can be taken to secure the email account.

Personal Use

The District's email services are intended for District-related business only. Incidental or limited personal use of the District's email services is allowed so long as the use does not interfere with job performance. However, District employees and authorized users should have no expectation of privacy in this email use.

The District's email services should not be used to conduct job searches, post personal information to bulletin boards, blogs, chat groups, and list services, etc. without authorization from a building principal or supervisor.

It is prohibited to use the District's email services for:

a. Illegal purposes;

b. Transmitting threatening, obscene, discriminatory, or harassing materials or messages;

c. Personal gain or profit;

d. Promoting religious or political causes; and/or

e. Sending spam, chain letters, or any other type of unauthorized widespread distribution of unsolicited mail.

Personal email accounts or services (Yahoo, Gmail, etc.) should not be accessed via the District Computer System (DCS) without authorization from a building principal or supervisor.

Confidentiality Notice

A standard confidentiality notice will automatically be added to each email as determined by the District.

HALDANE

Training

District employees and authorized users will receive ongoing training related to the use of email in the District. This training may cover topics such as:

a. What is expected of users, including the appropriate use of email with students, parents, and other individuals to avoid issues regarding harassment and/or charges of fraternization;

b. How to identify suspicious emails, as well as what to do after receipt of a suspicious email;

c. Emailing PPSI;

d. How to reduce risk to the District;

e. Cost of policy non-compliance;

f. Permanence of email, including how email is never truly deleted, as the data can reside in many different places and in many different forms; and

g. How users should have no expectation of privacy when using the DCS or any District email service.

Notification

The District will provide annual notification of this policy and any corresponding regulations to all District employees and authorized users. The District will then require that all employees and authorized users acknowledge that they have read, understood, and will comply with the policy and regulations.

Records Management and Retention

The same laws and business records requirements apply to email as to other forms of written communication.

Email will be maintained and archived in accordance with Retention and Disposition Schedule for New York Local Government Records (LGS-1) and as outlined in any records management policies, regulations, and/or procedures.

HALDANE

Additionally, emails may be subject to disclosure under the Freedom of Information Law (FOIL), a court action, an audit, or as otherwise required or permitted by law or regulation.

Disciplinary Measures

Failure to comply with this policy and any corresponding regulations or procedures may subject a District employee and authorized user to discipline such as loss of email use, loss of access to the DCS, and/or other disciplinary action up to and including termination. When applicable, law enforcement agencies may be contacted.

The District's IT staff may report inappropriate use of email by a District employee or authorized user to the District employee or authorized user's building principal or supervisor who may take appropriate action which may include disciplinary measures.

NOTE: Refer also to Policies #3320 -- Confidentiality of Computerized Information
#3420 -- Non-Discrimination and Anti-Harassment in the District
#5670 -- Records Management
#6410 -- Staff Acceptable Use Policy
#8271 -- Internet Safety/Internet Content Filtering

Adopted: 7/6/21

Appendix G: Board of Education Policy 6190: Workplace Violence

SUBJECT: WORKPLACE VIOLENCE PREVENTION POLICY STATEMENT

Overview

The District is committed to the safety and security of its employees. Workplace violence presents a serious threat to the safety of employees, students, parents, and visitors. The goal of this policy is to promote the safety and well-being of all people in the workplace.

Acts of violence against District employees where any work-related duty is performed will be thoroughly investigated and appropriate action will be taken. All employees are responsible for: creating an environment of mutual respect for each other, as well as students, parents, and visitors; following all applicable documents; and for assisting in maintaining a safe and secure work environment.

This workplace violence prevention policy was developed in consultation with all authorized employee representatives and is designed to meet the requirements of New York State Labor Law and highlights some of the elements that are found within the District's Workplace Violence Prevention Program (WVPP).

Definitions

For purposes of this policy, the following definitions apply:

a. "Authorized employee representative" means an employee authorized by the employees or the designated representative of an employee organization recognized or certified to represent the employees pursuant to Article 14 of the Civil Service Law, the Public Employees' Fair Employment Act.
b. "Imminent danger" means any conditions or practices in any place of employment which are such that a danger exists which could reasonably be expected to cause death or serious physical harm immediately or before the imminence of the danger can be eliminated through the enforcement procedures.

C. "Retaliatory action" means the discharge, suspension, demotion, penalization, or discrimination against any employee, or other adverse employment action taken against an employee in the terms and conditions of employment.

d. "Serious physical harm" means physical injury which creates a substantial risk of death, or which causes death or serious and protracted disfigurement, protracted impairment of health, or protracted loss or impairment of the function of any bodily organ or a sexual offense as defined in Penal Law.
e. "Serious violation" means the failure to:
    1. Develop and implement a workplace violence prevention program;
    2. Address situations which could result in serious physical harm.
f. "Supervisor" means any person within the District who has the authority to direct and control the work performance of an employee or who has the authority to take corrective action regarding the violation of a law, rule, or regulation to which an employee submits written notice.
g. "Workplace" means any location away from an employee's domicile, permanent or temporary, where an employee performs any work-related duty in the course of their employment by the District.

What is Workplace Violence

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

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

Workplace violence may be committed against a District employee by anyone, including, but not limited to:

a. Other employees;
b. Former employees;
c. Students;

d. Parents;
e. Visitors;
f. Individuals who have no connection to the workplace, but enter to commit a robbery or other crime; or
g. An individual who has a personal relationship with an employee.

Prohibited Conduct

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

Workplace Violence Prevention Advisory Committee

The District will establish a Workplace Violence Prevention Advisory Committee that will meet periodically throughout the year. The purpose of the Workplace Violence Prevention Advisory Committee is to assist the District in coordinating its efforts to comply with its responsibilities related to workplace violence prevention, including overseeing the development and maintenance of the District's WVPP.

The Workplace Violence Prevention Advisory Committee will include:

a. The Workplace Violence Prevention Coordinator;
b. All authorized employee representatives;
c. The Chief Emergency Officer.

It may also include one or more representatives from the following groups:

a. District-wide school safety team;
b. The building level emergency response team(s);
c. District/building administrators;
d. Teachers, including at least one special education teacher; and
e. Other District staff.

<u>Workplace Violence Prevention Coordinator</u>

The District has designated the following District employee to serve as its Workplace Violence Prevention Coordinator: Director of Curriculum and Human Resources, 845-265-9254 x440, wvprevention@haldaneschool.org

The Workplace Violence Prevention Coordinator convenes and coordinates the activities and plans of the Workplace Violence Prevention Advisory Committee. The Workplace Violence Prevention Coordinator is also responsible for answering employee questions about this policy and related materials, as well as receiving workplace violence incident reports.

Authorized Employee Representatives

The District must provide for employee participation in the WVPP through an authorized employee representative. Authorized employee representatives will participate on the Workplace Violence Prevention Advisory Committee. Authorized employee representatives have a right to, at a minimum, be involved in:

a. Participating in the development and implementation of this policy.
b. Evaluating the physical workplace environment to determine workplace violence risk factors.
c. Developing the WVPP.
d. Reviewing workplace violence incident reports at least once a year to identify trends in the types of incidents reported, if any.
e. Evaluating the effectiveness of safeguards and actions taken to reduce the risk of workplace violence.
f. Reporting violations of the District's WVPP.

Reporting Workplace Violence

The District has established and implemented a reporting system for incidents of workplace violence.

Any employee or authorized employee representative who becomes aware of a physical assault, threatening behavior, or verbal abuse in the workplace must immediately provide written notice of the facts and circumstances of the violent incident to a supervisor or the Workplace Violence Prevention Coordinator. If the report was provided to a supervisor, the supervisor must immediately forward to the report the Workplace Violence Prevention Coordinator.

If an employee witnesses or is involved in an incident of violence in which there is an immediate threat to the employee's safety, or the safety of others, or where a serious injury has occurred, the employee should immediately call 911 to obtain law enforcement and/or medical assistance. The employee should also immediately notify their immediate supervisor.

If an employee believes that either they or another employee are in imminent danger of workplace violence and reasonably believes, in good faith, that reporting to a supervisor or the Workplace Prevention Coordinator would not result in corrective action, then the employee may report the violation directly to the Public Employee Safety and Health Bureau (PESH).

The District will immediately respond to all incidents of violence or threatening behavior upon notification. After the District receives notice, the District will be afforded a reasonable opportunity to correct the activity, policy, or practice.

If there is a developing pattern of workplace violence incidents which may involve criminal conduct or serious injury, the District will attempt to develop a protocol with the District Attorney or law enforcement to ensure that violent crimes committed against employees in the workplace are promptly investigated and appropriately prosecuted. The District will provide information on these protocols and contact information to employees who choose to file a criminal complaint after a workplace violence incident.

In addition to complying with the reporting requirements in this policy, District employees must comply with all other applicable reporting requirements contained in any District policy, regulation, procedure, collective bargaining agreement, or other document such as the District's *Code of Conduct*.

Inspections by the Commissioner of Labor

At the Request of an Employee or Authorized Employee Representative

If, after being given notice and a reasonable opportunity to resolve the activity, policy, or practice, the matter has not been resolved and the employee or authorized employee representative still believes that a serious violation of the WVPP remains, or that an imminent danger exists, the employee or authorized employee representative may request an inspection by notifying the Commissioner of Labor of the alleged violation or danger. The notice and request will be in writing, describing with reasonable particularity the grounds for the notice, and be signed by the employee or authorized employee representative. A copy of the written notice will be provided by the Commissioner of Labor to the District or the person in charge no later than the time of inspection, except that on the request of the person giving the notice, the person's name and the names of individual employees or authorized employee representative will be withheld.

A District representative and an authorized employee representative will be given the opportunity to accompany the Commissioner of Labor during an inspection for the purpose of aiding the inspection. Where there is no authorized employee representative, the Commissioner

of Labor will consult with a reasonable number of employees concerning matters of safety in the workplace.

The authority of the Commissioner of Labor to inspect a premises pursuant to an employee complaint will not be limited to the alleged violation contained in the complaint. The Commissioner of Labor may inspect any other area of the premises in which they have reason to believe that a serious violation of the workplace violence prevention law exists.

Initiated by the Commissioner of Labor

The Commissioner of Labor may inspect any premises occupied by the District if they have reason to believe that a violation of the workplace violence prevention law has occurred. The current PESH administrative plan will be used for the enforcement of the workplace violence prevention law, including a general schedule of inspection, which provides a rational administrative basis for the inspection.

Workplace Risk Evaluation and Developing a Workplace Violence Prevention Program (WVPP)

The District will engage in a process of workplace risk evaluation designed to identify the risks of workplace violence to which employees could be exposed.

The District will then develop and implement a written WVPP to prevent, minimize, and respond to any workplace violence. The Workplace Violence Advisory Committee, which includes all authorized employee representatives, will oversee the development and maintenance of the WVPP. During the development process, the authorized employee representative(s) will provide input on those situations in the workplace that pose a threat of workplace violence.

The WVPP will include the following:

a. A list of the risk factors identified in the workplace risk evaluation.
b. The methods the District will use to prevent incidents of workplace violence. Examples include, but are not limited to:
    1. Making high-risk areas more visible to more people;
    2. Installing good external lighting;
    3. Using drop safes or other methods to minimize cash on hand;
    4. Posting signs stating that limited cash is on hand;
    5. Providing training in conflict resolution and nonviolent self-defense responses; and

6. Establishing and implementing reporting systems for incidents of aggressive behavior.

c. A hierarchy of controls to which the program will adhere as follows: engineering controls, work practice controls, and personal protective equipment (PPE).

d. The methods and means by which the District will address each specific hazard identified in the workplace risk evaluation.

e. A system designed and implemented by the District to report any workplace violence incidents that occur in the workplace. The reports must be in writing and maintained for the annual program review.

f. A written outline or lesson plan for employee program training.

g. A plan for program review and update on at least an annual basis. This review and update will detail any mitigating steps taken in response to any incident of workplace violence.

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

The District will not take retaliatory action against any employee because the employee exercises any right accorded to them under this policy.

Training

At the time of hire and annually thereafter, all employees will participate in the District's workplace violence prevention training program. Additionally, retraining is required for all employees any time there is a significant change to the WVPP, a newly identified risk factor, or a control measure addition.

Notification

This policy will be posted where notices to employees are typically posted. A copy of the District's WVPP may be obtained by contacting the District's Workplace Violence Prevention Coordinator. The District will also make the WVPP available for reference to employees, authorized employee representatives, and the Commissioner of Labor in the work area.

Labor Law Section 27-b

12 NYCRR Section 800.6

NOTE: Refer also to Policies #3410 -- Code of Conduct

#3411 -- Prohibition of Weapons on School Grounds

#3412 -- Threats of Violence in School

#3420 -- Non-Discrimination and Anti-Harassment in the District

#3421 -- Title IX and Sex Discrimination

#5681 -- School Safety Plans

#5684 -- Use of Surveillance Cameras in the District and on School Buses

#5690 -- Exposure Control Program

#6121 -- Sexual Harassment in the Workplace

#6122 -- Employee Grievances

#7350 -- Timeout and Physical Restraint

#7360 -- Weapons in School and the Gun-Free Schools Act

Adopted: 5/7/24

Acknowledgment Statement

This handbook has been prepared as a guide for policies, procedures and general information, which should assist you during your employment. The policies and benefits described in this handbook are not intended to be conditions of employment. The Haldane School District reserves the right to alter, modify, amend or terminate these policies and benefits in content or application as it deems appropriate. These changes may be implemented as a result of State mandated, Board of Education or administrative policy modifications and may not necessarily be communicated through additions to this handbook and are available in the online policy manual at www.haldaneschool.org

Please note that if discrepancies exist between the material presented in this handbook and collective bargaining agreements, collective bargaining agreements will take precedence and supersede any information presented in this handbook.