

**SACHEM CENTRAL SCHOOL DISTRICT**  
**51 SCHOOL STREET, LAKE RONKONKOMA, NY 11779**  
**WORK SESSION AGENDA**

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February 1, 2017

7:30 PM

Board of Education Room

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*The Board of Education welcomes all who are attending this meeting.*

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**I. OPENING OF MEETING**

1. **Roll Call**
2. **Call to Order**
3. **Salute to the Flag**
4. **Moment of Silence**
5. **Report from the Superintendent of Schools**

**A. Recognitions**

Sachem North and East students who completed community service during the holiday season for the 2016-17 school year.

**6. Presentations**

Budget Development Workshop 1 – Dr. Graham and Mr. O’Keefe

**II. VISITORS - (EACH VISITOR WILL BE LIMITED TO 3 MINUTES)**

Upon the recommendation of the Superintendent of Schools, the Board of Education welcomes visitors who wish to address the Board on matters relating to this agenda.

If you wish to speak, please fill out a card (located on the table in the rear of the room) and turn in to the table in the front of the room adjacent to the Board of Education. The President of the Board will call speakers to the floor.

**BUSINESS ITEMS**

**III. CONSENT AGENDA FOR BUSINESS ITEMS 3.1 THROUGH 3.1**

**3.1. Approval of Resolution to Piggyback and Participate in Cooperative Purchasing**

RECOMMENDED ACTION: “that, upon the recommendation of the Superintendent of Schools, the Board of Education approves to purchase supplies and materials, in compliance with all regulations governing said purchases, from appropriate bids evaluated and recommended by New York State, New York State

BOCES, other New York State Public School Districts, Municipalities, Counties and other Joint Municipal Cooperative Bids or Cooperative Municipal Bid Programs awarded on the basis of lowest responsible bidder pursuant to General Municipal Law, section 103 and made available as needed throughout the 2016-17 school year.

BE IT RESOLVED, that upon recommendation of the Superintendent of Schools, the Sachem Board of Education shall grant approval to the Purchasing Agent to represent and act on their behalf to join existing municipal cooperative bids, municipal cooperative bid programs, and piggyback other municipal bids for purchasing supplies, equipment, materials and/or services in accordance with the requirements of General Municipal Law, section 103; and in compliance with all applicable regulations and laws governing said purchases and services, from any legally available and appropriate bids evaluated and awarded on the basis of lowest responsible bidder; including but not limited to: all available New York State contracts, New York State BOCES, other New York State Public School Districts, Municipalities, Counties and other Joint Municipal Cooperative Bids or Cooperative Municipal Bid Programs awarded on the basis of lowest responsible bidder pursuant to General Municipal Law, section 103 and made available as needed throughout the 2016-17 school year.”

**PERSONNEL ITEMS**

**IV. CONSENT AGENDA FOR PERSONNEL ITEMS 4.A.1. THROUGH 4.D.4.**

**A. Teachers**

**4.A.1. Termination of Leave Replacement Teaching Personnel**

RECOMMENDED ACTION: “that, upon the recommendation of the Superintendent of Schools, the Board of Education approve the termination of leave replacement teaching personnel as follows”:

| <u>Name</u>       | <u>Grade/Subject</u> | <u>School</u> | <u>Dates</u> |
|-------------------|----------------------|---------------|--------------|
| Caldararo, Devon* | Elementary           | Nokomis       | 1/27/17      |

\*Will return to a Teaching Assistant

**4.A.2. Leave Replacements Appointments of Teaching Personnel**

RECOMMENDED ACTION: “that, upon the recommendation of the Superintendent of Schools, the Board of Education approve the leave replacement appointments of teaching personnel as follows”:

| <u>Name</u>             | <u>Tenure Area</u> | <u>School</u> | <u>Step</u> | <u>Dates</u>   |
|-------------------------|--------------------|---------------|-------------|----------------|
| Ciancarelli, Judy-Lynne | Special Education  | Sagamore      | 1-4         | 2/2/17-6/30/17 |
| Roubal, Brittney        | Foreign Language   | Sachem East   | 1-1         | 2/2/17-6/30/17 |

Trepiccione, Kaitlyn Speech Samoset 1-4 2/2/17-6/30/17

**4.A.3. Salary Changes for Teaching Personnel**

RECOMMENDED ACTION: “that, upon the recommendation of the Superintendent of Schools, the Board of Education approve the salary changes for teaching personnel as follows”:

| <u>Name</u>        | <u>School</u> | <u>Date of Change</u> | <u>From Step</u> | <u>To Step</u> | <u>Salary Difference</u> |
|--------------------|---------------|-----------------------|------------------|----------------|--------------------------|
| Kistingner, Joseph | D.O.          | 2/1/17                | 14-8             | 14-9           | \$1380.00                |
| Hinkaty, Jonathan  | East          | 2/1/17                | 9-7              | 9-8            | 1380.00                  |

**4.A.4. Approval of Substitute Teachers**

RECOMMENDED ACTION: “that, upon the recommendation of the Superintendent of Schools, the Board of Education approve the substitute teacher list as follows”:

- Name
- Antoci, Pamela
- Chindamo, Carina
- Crawford, Trisha
- Farina, Andrea
- Hillman, Kenneth
- Juliano, Vincent
- McCarthy, Michael
- Nazzarini, Keith
- Neubauer, William
- Nogan, Lindsay
- Papakonstantis, Konstantino
- Raia, Jenna
- Silverman, Jenna

**4.A.5. Termination/Resignation of Substitute Teachers**

RECOMMENDED ACTION: “that, upon the recommendation of the Superintendent of Schools, the Board of Education approve the termination/resignation of substitute teachers as follows”:

| <u>Name</u>           | <u>Date</u> |
|-----------------------|-------------|
| Carruthers, Allison   | 1/26/17     |
| Donnelly Florio, Anne | 1/17/17     |
| Kornheiser, Randi     | 1/30/17     |
| Kubinski, Diane       | 1/13/17     |
| Schook, Brianna       | 1/23/17     |
| Targe, Lindsey        | 1/23/17     |

**4.A.6. Approval of Extra Curricular Activities for the 2016-17 School Year**

RECOMMENDED ACTION: "that, upon the recommendation of the Superintendent of Schools, the Board of Education approve the following extracurricular activity for the 2016-17 school year":

North Drama Producer Marie Gruick (OOD)

**4.A.7. Approval of Spring Coaching Assignments for the 2016-17 School Year**

RECOMMENDED ACTION: "that, upon the recommendation of the Superintendent of Schools, the Board of Education approve the following Spring Coaching Assignments for the 2016-17 School year:"

**Softball**

East Varsity Assistant - Katelyn Fusco (OOD)

**B. Teacher Assistants**

**4.B.1. Appointment of Leave Replacement Teaching Assistants**

RECOMMENDED ACTION: “that, upon the recommendation of the Superintendent of Schools, the Board of Education approve the appointment of leave replacement teacher assistants as follows”:

| <u>Name</u>          | <u>Tenure Area</u>                      | <u>School</u>              | <u>Step</u> | <u>Dates</u>    |
|----------------------|-----------------------------------------|----------------------------|-------------|-----------------|
| DiIorio, Christopher | Special Education<br>Teaching Assistant | Sachem East High<br>School | 1-3         | 1/30/17-6/30/17 |

**C. Administrators**

**4.C.1. Approval of 2017 Extended School Year Program Supervisors**

RECOMMENDED ACTION: "that, upon the recommendation of the Superintendent of Schools, the Board of Education approve the appointment of the individuals listed below as supervisors in the Extended School Year Program":

Supervisor Trish Auletta  
Assistant Supervisor Joseph Kisting

**D. Support Staff**

**4.D.1. Resignation of Support Services Personnel (All Civil Service Classifications)**

RECOMMENDED ACTION: “that, upon the recommendation of the Superintendent of Schools, the Board of Education approve the resignation of support services personnel (all Civil Service classifications) as follows”:

| <u>Name</u>       | <u>Position &amp; Assignment</u> | <u>Service Ends</u> |
|-------------------|----------------------------------|---------------------|
| Jarde, Richard    | Recreation Aide/Child Care       | 1/11/17             |
| Monahan, Evelyn   | Recreation Aide/Child Care       | 1/21/17             |
| Schaefer, Cheryl  | Hall Monitor / Samoset           | 2/1/17              |
| Turnquist, Rachel | Recreation Aide/Child Care       | 1/24/17             |

**4.D.2. Resignation/Termination of Substitute Support Services Personnel (Exempt, Labor and Non-Competitive)**

RECOMMENDED ACTION: “that, upon the recommendation of the Superintendent of Schools, the Board of Education approve the resignation/termination of substitute support services personnel (exempt, labor and non-competitive) as follows”:

| <u>Name</u>         | <u>Service Ends</u> |
|---------------------|---------------------|
| <u>Aide</u>         |                     |
| Bartkus, Gwyn       | 2/1/17              |
| Boreshesky, Barbara | 2/1/17              |
| Rady, Ghada         | 2/1/17              |

**4.D.3. Appointment of Support Services Personnel (Exempt, Labor and Non-Competitive)**

RECOMMENDED ACTION: “that, upon the recommendation of the Superintendent of Schools, the Board of Education approve the probationary appointment of support services personnel (exempt, labor and non-competitive) as follows”:

| <u>Name</u>         | <u>Position &amp; Assignment</u> | <u>Base Salary</u> | <u>Service Begins</u> | <u>Probationary Appointment</u> |
|---------------------|----------------------------------|--------------------|-----------------------|---------------------------------|
| Bartkus, Gwyn       | Special Ed Aide/Grundy           | \$11.68 hr.        | 2/2/17                | None                            |
| Boreshesky, Barbara | Hall Monitor/Tamarac             | \$10.00 hr.        | 2/2/17                | None                            |
| Duran, Michele      | Hall Monitor/Samoset             | \$10.00 hr.        | 2/2/17                | None                            |
| Koelln, Rebecca     | Recreation Aide/Child Care       | \$10.48/hr.        | 2/2/17                | None                            |
| Schaefer, Cheryl    | Office Aide/ Samoset OSS         | \$10.00 hr.        | 2/2/17                | None                            |

**4.D.4. Appointment of Substitute Support Services Personnel (Exempt, Labor and Non-Competitive)**

RECOMMENDED ACTION: “that, upon the recommendation of the Superintendent of Schools, the Board of Education approve the substitute support services personnel (exempt, labor and non-competitive) as follows”:

| <u>Name</u>                         | <u>Service Begins</u> |
|-------------------------------------|-----------------------|
| <u>Clerical</u><br>Leeman, Kathleen | 2/2/17                |

## V. ACTION ITEMS

### 1. Contracts

#### 5.1.1. Approval of Stipulation of Agreement - Instructional Employee

BE IT RESOLVED, that the Superintendent of Schools and the President of the Board of Education of the Sachem Central School District are herewith authorized to execute a certain agreement between a tenured teacher whose identity has been made know to the Board of Education in Executive Session and the Board of Education on behalf of the Board of Education, and be it further RESOLVED that the Board of Education hereby accepts the irrevocable letter of resignation tendered by said employee as a part of that agreement.

#### 5.1.2. Approval of Special Education Settlement 2016-17

RECOMMENDED ACTION: “that, upon the recommendation of the Superintendent of Schools, the Board of Education approves the following resolution”:

BE IT RESOLVED, that the President of the Board of Education is authorized to enter into an agreement resolving the due process impartial hearing request filed on behalf of a student classified with a disability.”

### 2. Mini Contracts Consent Agenda Item 5.2.1. through 5.2.8.

#### 5.2.1. Approval of Agreement with Herff Jones 2017

RECOMMENDED ACTION: “that, upon the recommendation of the Superintendent of Schools, the Board of Education approves the agreement between the Sachem Central School District and Herff Jones to provide Class of 2017 Yearbooks for Sachem High School East. The cost for this service is \$40,000.00 for 600 copies to be paid for by the students. This agreement has been reviewed and approved by the school district’s attorney.”

#### 5.2.2. Approval of Health and Welfare Service Agreement with Deer Park UFSD 2016-17

RECOMMENDED ACTION: “that, upon the recommendation of the Superintendent of Schools, the Board of Education approves the agreement between Sachem Central School District and Deer Park Union Free School District to provide health and welfare services to students who reside in the Sachem Central School District. The rate for this service is \$892.49 per eligible pupil. The term of this agreement shall be from September 1, 2016 through June 30, 2017. This agreement has been reviewed and approved by the school district’s attorney.”

**5.2.3. Approval of Health and Welfare Service Agreement with Patchogue-Medford UFSD 2016-17**

RECOMMENDED ACTION: “that, upon the recommendation of the Superintendent of Schools, the Board of Education approves the agreement between Sachem Central School District and Patchogue-Medford Union Free School District to provide health and welfare services to children residing in Sachem Central School District. The rate for this service is \$874.61 per eligible student. The term of this agreement shall be from September 1, 2016 through June 30, 2017. This agreement has been reviewed and approved by the school district’s attorney.”

**5.2.4. Approval of License and Operating Agreement with SCOPE Education Services 2017**

RECOMMENDED ACTION: “that, upon the recommendation of the Superintendent of Schools, the Board of Education approves the License and Operating agreement between Sachem Central School District and SCOPE Education Services to provide a Saturday Enrichment Program at Tamarac Elementary School for children residing in the Sachem Central School District. SCOPE shall be permitted to use certain classrooms in the Tamarac Elementary School for five (5) Saturdays between the hours of 8:45 a.m. to 12:00 p.m. with the dates to be mutually agreed upon. SCOPE shall pay a license fee of \$300.00 per day not to exceed \$1,500.00. The term of this agreement shall be for the period of January 1, 2017 through June 30, 2017. This agreement has been reviewed and approved by the school district’s attorney.”

**5.2.5. Approval of Amendment to the Agreement with New York Therapy Placement Services, Inc. 2016-17**

RECOMMENDED ACTION: “that, upon the recommendation of the Superintendent of Schools, the Board of Education approves the amendment to the agreement between Sachem Central School District and New York Therapy Placement Services, Inc. for the 2016-2017 school year to provide assistive technology consultation services at a cost of \$950.00 for a 6 hour day. All other terms and conditions remain the same.”

**5.2.6. Approval of Amendment to the Agreement with Metro Therapy, Inc. 2016-17**

RECOMMENDED ACTION: “that, upon the recommendation of the Superintendent of Schools, the Board of Education approves the amendment to the agreement between Sachem Central School District and Metro Therapy, Inc. for the 2016-2017 school year to provide assistive technology consults at a cost of \$115.00 per hour. All other terms and conditions remain the same.”

**5.2.7. Approval of Agreement with Jones Lang Lasalle Brokerage Inc.**

RECOMMENDED ACTION: “that, upon the recommendation of the Superintendent of Schools, the Board of Education approves the agreement between Sachem Central School District and Jones Lang Lasalle Brokerage Inc. to provide real estate broker services. The school district agrees to pay the fees as listed in Appendix “A” of the agreement. This agreement shall be in effect for the period December 22, 2016 to June 30, 2018. This agreement has been reviewed and approved by the school district’s attorney.”

**5.2.8. Approval To Use School Leadership Website**

RECOMMENDED ACTION: “that, upon the recommendation of the Superintendent of Schools, the Board of Education approves using the services of the School Leadership website for job postings. The cost of the plan is approximately \$247.90 for the term of February 1, 2017 through June 30, 2017.”

**3. Donations**

**5.3.1. Donation - Waverly Avenue Elementary School PTA**

RECOMMENDED ACTION: “that, upon the recommendation of the Superintendent of Schools, the Board of Education accepts with gratitude, a donation from Waverly Avenue Elementary School PTA in the amount of \$4,563.50. This donation is for the BOCES Performing Arts Code A2111-30-4971.”

**5.3.2. Donation - Waverly Avenue Elementary School Extra Classroom Activity Fund**

RECOMMENDED ACTION: “that, upon the recommendation of the Superintendent of Schools, the Board of Education accepts with gratitude, three (3) donations from the Waverly Avenue Elementary School Extra Classroom Activity Fund. The total amount is \$3,219.00. These donations are for the BOCES Performing Arts Code A2111-30-4971.”

**4. Policy Review – First Reading**

**5.4.1 Policy 0115- Student Harassment and Bullying Prevention and Intervention - First Reading**

- Policy 0115 Student Harassment and Bullying Prevention and Intervention



and the first reading of the following policies recommended to be abolished:

- Policy 0330 Annual Professional Performance Review,
- Policy 0335 Evaluation of Administrative Staff,
- Policy 5020 Equal Educational Opportunities,
- Policy 5020.1 Sexual Harassment of Students,
- Policy 5020.2 Racial Harassment of Students,
- Policy 5020.4 Student Conduct: Hazing,
- Policy 5191 Student with HIV-Related Illness,
- Policy 9110 Equal Employment Opportunity, and
- Policy 9110.2 Sexual Harassment of Employees.

**5. Recommendations from the Committee on Special Education**

**5.5.1. Recommendations from the Committee on Special Education**

RECOMMENDED ACTION: “that, upon the recommendation of the Superintendent of Schools, the Board of Education accept the recommendation of the Committee on Special Education for the following meetings”:

1/19, 1/20, 1/23, 1/24, 1/25, 1/26, 1/27, 1/30, 1/31, 2/1

**VI. MONTHLY REPORTS**

**A. Damage & Loss Summary**

**6.A.1. Damage & Loss Summary**

The summary report reflects damage and loss for the period ending December 2016.

**B. Determinations from the Committee on Preschool Special Education**

**6.B.1. Determinations from the Committee on Preschool Special Education**

The determinations from the Committee on Preschool Special Education for the following dates are on file in the office of the District Clerk:

1/19, 1/24, 1/25, 1/26, 1/31, 2/1

**C. Board of Education Sub Committees**

1. Sachem Legislative Committee
2. Sachem Citizens' Advisory Audit Committee
3. Sachem Budget Advisory Committee

**D. 2016-17 Updates to the Board****VII. CLOSING****A. Visitors (Each visitor will be limited to 3 minutes)**

Upon the recommendation of Superintendent of Schools, the Board of Education may hear from members of the audience who wish to present any matters of importance.

**B. Board of Education Discussion of Future Agenda Items**

Any member of the Board of Education wishing to propose a future agenda item present a motion to the Board of Education for consideration.

**C. Next Meeting**

The next Regular meeting of the Board of Education will be held on February 15, 2017 at 7:30 PM in the Board Room at Samoset Middle School.

**VIII. EXECUTIVE SESSION**

The Board of Education may choose to adjourn to executive session to discuss District matters.

**IX. ADJOURN**

**SACHEM CSD**

**POLICIES RECOMMENDED FOR  
REVISION**

**1<sup>ST</sup> READING**

## **Policy 0115**

### **STUDENT HARASSMENT AND BULLYING PREVENTION AND INTERVENTION**

The Board of Education is committed to providing an educational and working environment that promotes respect, dignity and equality. The Board recognizes that discrimination, such as harassment, hazing and bullying, are detrimental to student learning and achievement. These behaviors interfere with the mission of the district to educate its students and disrupt the operation of the schools. Such behavior affects not only the students who are its targets but also those individuals who participate and witness such acts.

To this end, the Board condemns and strictly prohibits all forms of discrimination, such as harassment, hazing and bullying on school grounds, school buses and at all school-sponsored activities, programs and events.

Discrimination, harassment, hazing or bullying that takes place at locations outside of school grounds such as cyberbullying, which creates or can be reasonably expected to create a material and substantial interference with the requirements of appropriate discipline in the operation of the school or impinge on the rights of other students are prohibited, and may be subject to disciplinary consequences.

#### **Definitions**

##### **Bullying**

Bullying, under the amended Dignity for All Students Act, has the same meaning as harassment.

##### **Cyberbullying**

Cyberbullying is defined as harassment (see below) through any form of electronic communication including, but not limited to, instant messaging, email, websites, chat rooms and text messaging.

##### **Discrimination**

Discrimination is the act of denying rights, benefits, justice, equitable treatment or access to facilities available to all others, to an individual or group of people because of the group, class or category to which that person belongs (as enumerated in the Definitions section, under Harassment, below). 2 0115

##### **Hazing**

Hazing is an induction, initiation or membership process involving harassment which produces public humiliation, physical or emotional discomfort, bodily injury or public ridicule or creates a situation where public humiliation, physical or emotional discomfort, bodily injury or public ridicule is likely to occur.

## **Harassment**

Harassment has been defined in various ways in federal and state law and regulation. The Board recognizes that these definitions are important standards, but the Board's goal is to prevent misbehavior from escalating in order to promote a positive school environment and to limit liability. The Dignity for All Students Act (§§10-18 of Education Law) defines harassment as the creation of a hostile environment by conduct or by threats, intimidation or abuse, including cyberbullying, that (a) has or would have the effect of unreasonably and substantially interfering with a student's educational performance, opportunities or benefits, or mental, emotional or physical well-being; (b) reasonably causes or would reasonably be expected to cause a student to fear for his or her physical safety; (c) reasonably causes or would reasonably be expected to cause physical injury or emotional harm to a student; or (d) occurs off school property and creates or would foreseeably create a risk of substantial disruption within the school environment, where it is foreseeable that the conduct, threats, intimidation or abuse might reach school property. The harassing behavior may be based on any characteristic, including but not limited to a person's actual or perceived:

- race,
- color,
- weight,
- national origin,
- ethnic group,
- religion,
- religious practice,
- disability,
- sex,
- sexual orientation, or
- gender (including gender identity and expression).

For the purpose of this definition the term "threats, intimidation or abuse" shall include verbal and non-verbal actions.

In some instances, bullying or harassment may constitute a violation of an individual's civil rights. The district is mindful of its responsibilities under the law and in accordance with district policy regarding civil rights protections.

In order to streamline the wording of this policy and regulation the term bullying will be used throughout to encompass harassment, intimidation, cyberbullying and hazing behaviors.

## **Prevention**

The school setting provides an opportunity to teach children, and emphasize among staff, that cooperation with and respect for others is a key district value. A program geared to prevention is designed to not only decrease incidents of bullying but to help students build more supportive relationships with one another by integrating the bullying prevention program into classroom instruction. Staff members and students will be sensitized, through district-wide professional

development and instruction, to the warning signs of bullying, as well as to their responsibility to become actively involved in the prevention of bullying before overt acts occur.

The Superintendent of Schools or his/her designee shall develop and implement a school strategy to prevent harassment, bullying and discrimination as well as procedures and guidelines, as needed, to fulfill the purpose of this policy in the School District, including intervention and non-discriminatory instructional and counseling methods and guidelines relating to the development of measured, balanced and age-appropriate responses to instances of harassment, bullying or discrimination by students, with remedies and procedures following a progressive model that make appropriate use of intervention, discipline and education, vary in method according to the nature of the behavior, the developmental age of the student and the student's history of problem behaviors, and are consistent with the School District's Code of Conduct.

Curricular material that raises awareness and sensitivity to discrimination or harassment and civility in the relationships of people of different races, weights, national origins, ethnic groups, religions, religious practices, mental or physical abilities, sexual orientations, sexes or gender expression or identities will be included in the instructional program K-12.

The School District will include in the course of instruction in grades kindergarten through twelve a component on civility, citizenship and character education. Such component shall instruct students on the principles of honesty, tolerance, personal responsibility, respect for others, with an emphasis on discouraging acts of harassment, bullying and discrimination, observance of laws and rules, courtesy, dignity and other traits which will enhance the quality of their experiences in, and contributions to, the community. The component shall support the development of a school environment free of harassment, bullying and discrimination and shall also include instruction on the safe, responsible use of the internet and electronic communications. For purposes of this policy, "tolerance," "respect for others" and "dignity" shall include awareness and sensitivity to bullying, discrimination or harassment and civility in the relations of people of different races, colors, weights, national origins, ethnic groups, religions, religious practices, mental or physical abilities, sexual orientations, genders and sexes.

In order to implement this program the Board will designate at its annual organizational meeting a Dignity Act Coordinator (DAC) for each school in the district. One of the DAC's will be designated as the district-wide coordinator whose responsibilities are described in the accompanying regulation. The role of each DAC is to oversee and enforce this policy in the school to which they are assigned and to receive reports of harassment, bullying and discrimination.

In addition, the Superintendent will establish a district-wide Task Force on Bullying Prevention, as well as Bullying Prevention Coordinating Committees in each school that will be overseen by the district-wide DAC. Committees will include representation from staff, administration, students and parents. The district-wide task force and the school-level committee will assist the administration in developing and implementing specific prevention initiatives, including early identification of bullying and other strategies. In addition, the program will include reporting,

investigating, remedying and tracking allegations of bullying. The accompanying regulation provides more detail on the specific programs and strategies implemented by the district.

### **Intervention**

Intervention by adults and bystanders is an important step in preventing escalation and resolving issues at the earliest stages. Intervention will emphasize education and skill-building.

Successful intervention may involve remediation. Remedial responses to bullying and harassment include measures designed to correct the problem behavior, prevent another occurrence of the behavior and protect the target. Remediation may be targeted to the individual(s) involved in the bullying behavior or environmental approaches which are targeted to the school or district as a whole.

In addition, intervention will focus upon the safety of the target. Staff is expected, when aware of bullying, to either refer the student to designated resources for assistance, or to intervene in accordance with this policy and regulation.

### **Provisions for students who do not feel safe at school**

The Board acknowledges that, notwithstanding actions taken by district staff, intervention may require a specific coordinated approach if the child does not feel safe at school. Students who do not feel safe at school are limited in their capacity to learn and reach their academic potential. Staff, when aware of bullying, should determine if accommodations are needed in order to help ensure the safety of the student and bring this to the attention of the building principal. The building principal, other appropriate staff, the student and the student's parent will work together to define and implement any needed accommodations.

The district recognizes that there is a need to balance accommodations which enhance student safety against the potential to further stigmatize the targeted student. Therefore, each case will be handled individually. The student, parent/guardian, and school administration will collaborate to establish safety provisions that best meet the needs of the targeted student. Follow-up discussion and/or meetings will be scheduled, as needed, to ensure that safety concerns have been adequately addressed and to determine when and if accommodations need to be changed or discontinued.

### **Incident Reporting and Investigation**

Although it can be difficult to step forward, the district can't effectively address bullying if incidents are not reported. Students who have been bullied, parents whose children have been bullied or other students who observe bullying behavior are encouraged and expected to make a verbal and/or written complaint to any school personnel in accordance with the training and guidelines provided. Staff who observe or learn of incident(s) of bullying are required, in accordance with State law, to make an oral report to the Building Principal or DAC within one school day and to fill out the district reporting form within two school days. If a staff person is unsure of the reporting procedure, he/she is expected to inquire about how to proceed by speaking with his/her supervisor. A district employee may be deemed to have permitted

unlawful discrimination or harassment if he/she fails to report an observed incident, whether or not the target complains.

At all times, complaints will be documented, tracked and handled in accordance with the regulations and procedures accompanying this policy, or, if applicable, [0100, Equal Opportunity and Nondiscrimination, or 0110, Sexual Harassment] and the district's Code of Conduct. The Building Principal will prepare a report for the Superintendent based on complaints filed.

An equitable and thorough investigation will be carried out by DAC or Building Principal in accordance with the accompanying regulation. In addition, the results of the investigation shall be reported back to both the target and the accused as specified in the accompanying regulation. If either of the parties disagrees with the results of the investigation, they can appeal the findings in accordance with the regulations that accompany this policy. Verified bullying incidents that meet the criteria established by the state will be included in the statewide reporting system when applicable, in accordance with law and regulation.

The Board will receive the annual VADIR report, as well as any other state-required report relevant to bullying and/or school climate, for each building and for the district as whole. Based on the review of the data, the Board may consider further action, including but not limited to modification of this policy and additional training.

### **Disciplinary Consequences/Remediation**

While the focus of this policy is on prevention, bullying acts may still occur. In these cases, offenders will be given the clear message that their actions are wrong and the behavior must improve. Student offenders will receive in school guidance in making positive choices in their relationships with others. If appropriate, disciplinary action will be taken by the administration in accordance with the district's Code of Conduct, as applicable. If the behavior rises to the level of criminal activity, law enforcement will be contacted.

Consequences for a student who commits an act of bullying shall be unique to the individual incident and will vary in method and severity according to the nature of the behavior, the developmental age of the student, and the student's history of problem behaviors, and must be consistent with the district's Code of Conduct.

### **Non-Retaliation**

All complainants and those who participate in the investigation of a complaint in conformity with state law and district policies, who have acted reasonably and in good faith, have the right to be free from retaliation of any kind.

### **Training**

The Board recognizes that in order to implement an effective bullying prevention and intervention program, professional development is needed. The Superintendent, the district wide DAC and the District Professional Development Team will incorporate training to support this program in new teacher orientation and the annual professional development plan, as needed.



Training opportunities will be provided for all staff, including but not limited to bus drivers, cafeteria and hall monitors and all staff who have contact with students. The DACs will be trained in accordance with state requirements and will continue their professional development so as to successfully support this policy and program.

In accordance with state law, the Superintendent of Schools or his/her designee will designate at least one (1) staff member at every school as a Dignity Act Coordinator who is approved by the Board and who will be instructed in the provisions of the Dignity for All Students Act; thoroughly trained to handle human relations in the areas of race, color, weight, national origin, ethnic group, religion, religious practice, disability, sexual orientation, gender and sex; and provided training: (1) which addresses the social patterns of harassment, bullying and discrimination, including but not limited to those acts based on a person's actual or perceived race, color, weight, national origin, ethnic group, religion, religious practice, disability, sexual orientation, gender, and sex; (2) in the identification and mitigation of harassment, bullying and discrimination; and (3) in strategies for effectively addressing problems of exclusion, bias, and aggression in educational settings. Each Coordinator shall be employed by the School District and be licensed and/or certified by the Commissioner as a classroom teacher, school counselor, school psychologist, school nurse, school social worker, school administrator or supervisor, or Superintendent of Schools. The name and contact information of the Dignity Act Coordinator shall be disseminated in accordance with state law and the Commissioner's Regulations.

### **Dissemination, Monitoring, Review, and Reporting**

This policy, or a plain language summary, shall be published in student registration materials, student, parent and employee handbooks, and posted on the district's website. A bullying complaint form will be available on the district's website. The district will ensure that the process of reporting bullying is clearly explained.

The School District shall report material incidents of discrimination, bullying and harassment of students to the Department of Education as mandated by the Regulations of the Commissioner of Education, but in no case less than on an annual basis.

Each year, as part of the annual review of the Code of Conduct, this policy will be reviewed to assess its effectiveness and compliance with state and federal law. If changes are needed, revisions will be recommended to the Board for its consideration.

The Board will receive the annual VADIR report, for each building and for the district as whole, with particular attention to the trends in the incidence of bullying. In addition, the Board will receive on an annual basis a more detailed report of the number of bullying incidents that occur, disaggregated by school, student demographic information and type of incident. Based on the review of the data, the Board may consider further action, including but not limited to modification of this policy and additional training.

The district will ensure that reporting of information to the public will be in a manner that complies with student privacy rights under the Family Educational Rights and Privacy Act (FERPA).

Cross-ref: 0100, Equal Opportunity and Nondiscrimination  
0110, Sexual Harassment  
4321, Programs for Students with Disabilities  
5300, Code of Conduct  
5710, Violent and Disruptive Incident Reporting  
9700, Staff Development

Ref: Dignity for All Students Act, Education Law, §10 - 18  
Americans with Disabilities Act, 42 U.S.C. §12101 et seq.  
Title VI, Civil Rights Act of 1964, 42 U.S.C. §2000d et seq.  
Title VII, Civil Rights Act of 1964, 42 U.S.C. §2000e et seq.;  
34 CFR §100 et seq.  
Title IX, Education Amendments of 1972, 20 U.S.C. §1681 et seq.  
§504, Rehabilitation Act of 1973, 29 U.S.C. §794  
Individuals with Disabilities Education Law, 20 U.S.C §§1400 et seq.  
Executive Law §290 et seq. (New York State Human Rights Law)  
Education Law §§313(3), 3201, 3201-a

Adoption date: June 20, 2012

Revised date: June 19, 2013

**SACHEM CSD**

**POLICIES RECOMMENDED TO  
BE ABOLISHED**

**1<sup>ST</sup> READING**

## Policy 0330

### ANNUAL PROFESSIONAL PERFORMANCE REVIEW POLICY

#### EVALUATION OF PROFESSIONAL STAFF

##### Teacher Evaluation Program

The primary purpose of the evaluation of teachers shall be to ensure the highest quality of education being offered to students. This requires the development of a process whereby all staff members may increase the effectiveness of their services to the educational program. A broader purpose of the evaluation process is to assess teacher competence, to make decisions regarding the assignment and employment of staff, and to verify that district educational goals are being implemented and achieved.

##### I. Program Assumption

The Teacher Evaluation Program is based upon the following assumptions:

- A. Teachers and other instructional personnel have a responsibility to demonstrate interest in their own development by acquiring new knowledge and skill.
- B. Teachers and other instructional personnel have a commitment to work effectively with their colleagues and welcome regular feedback about the quality of their work.
- C. Teachers understand their professional expectations and responsibilities.
- D. A proper climate exists to encourage the self-development of each teacher.
- E. Professional goals of teachers shall be compatible with organizational goals.

##### II. Responsibility for Supervision and Evaluation

All staff members will be evaluated on an annual basis. It is the responsibility of the building principal to inform each staff member of this policy and to review with staff the procedures for evaluation.

The principal holds the primary responsibility for teacher supervision and evaluation. Principals are assisted in this function by supervisors, directors, Assistant Principals and additional administrative/supervisory personnel as designated by the Superintendent of Schools. Annual evaluation reports are the responsibility of the principal(s) with input from other administrative/supervisory personnel. Classroom observation reports are the responsibility of the administrator or supervisor observing the lesson.

##### III. Staff Members Possessing a Transitional or Initial Certificate

For individuals possessing a transitional or initial certificate, an evaluation of the "teacher's portfolio" (components of the teaching/learning process) will be required. The portfolio may

include any of the following: formal and informal observations, a sample of lesson plans, a sample of student work and student assessment instruments, and the teacher's reflection of his/her classroom performance in the post observation conference.

#### IV. Teacher Improvement Plans

Individuals whose overall performance is evaluated as unsatisfactory by a school administrator will be required to undertake a teacher improvement plan established by the district in consultation with the teacher.

#### V. Evaluation of Student Services Staff

The performance review criteria and evaluation reports set forth in this policy and regulation may be altered by the district in order to meet the needs of student services professionals or other professional staff.

VI. All principals and supervisory personnel engaged in performance reviews of teachers and student services staff shall participate in training on performance evaluation pursuant to a program established by the Superintendent of Schools.

Adoption date: November 18, 1997

Revision date: March 16, 2004

## **Policy 0335**

### **EVALUATION OF ADMINISTRATIVE STAFF**

The district's evaluation policy shall be the basis for the evaluation of Sachem's supervisors and administrators.

Each supervisor and administrator shall be evaluated annually by his/her immediate supervisor or his/her designee.

The evaluation will consist of the following:

1. A narrative written by the supervisor describing to what degree he/she carries out his/her job description effectively including strengths and weaknesses.
2. An assessment of necessary behaviors and skills for effective performance.
3. A narrative describing to what degree previously set goals have been met.
4. A professional improvement plan mutually agreed upon by the supervisor and the administrator or supervisor being evaluated.
5. The development of future long- and short-term goals that will carry out the mission of the school.

Adoption date: November 18, 1997

## EQUAL EDUCATIONAL OPPORTUNITIES

Every individual should be encouraged to develop and achieve to his or her potential. The district therefore shall provide every student with equal educational opportunities regardless of race, color, creed, sex, national origin, religion, age, economic status, marital status, or disability.

An educational environment will be fostered that provides equal educational opportunity for all students. Educational programs and services will be designed to meet the needs of all students and shall not discriminate based upon any of the above-mentioned factors. No student will be excluded on such basis from participating in or having access to any course offerings, student athletics, counseling services, employment assistance, extracurricular activities or other school resources.

Ref: Americans with Disabilities Act of 1990, 42 USC §§12131-12134  
Civil Rights Act of 1964, as amended in 1972, Title VI, Title VII  
Executive Order 11246, 1965, amended by Executive Order 11375  
Educational Amendments of 1972, Title IX; 45 CFR, Parts 81, 86  
Education for all Handicapped Children Act (P.L. 94-142)  
Vocational Rehabilitation Act of 1973, §504  
*Brown v. Board of Education*, 347 U.S. 483 (1954)

Adoption date: January 20, 1998

## SEXUAL HARASSMENT OF STUDENTS

Sexual harassment in an educational environment is illegal. Therefore, the Sachem Central School District's Board of Education condemns all sexual harassment and further forbids all students from engaging in such activity. The Board also strongly opposes and forbids any retaliatory behavior against complainants and witnesses. The Board is committed to maintaining a learning environment that is free from all forms of sexual harassment.

The Equal Employment Opportunity Commission's (EEOC) definition of sexual harassment will be applied by the Board to the educational environment as follows:

Sexual harassment consists of unwelcome sexual advances, requests for sexual favors, and other verbal or physical conduct of a sexual nature when:

1. submission to such conduct is made either explicitly or implicitly a term or condition of a student's right to a fair and equal educational opportunity;
2. submission to or rejection of such conduct by a student is used as the basis for educational decisions affecting such student; or
3. such conduct has the purpose or effect of unreasonably interfering with a student's performance or creating an intimidating, hostile, or offensive learning environment.

Conduct is deemed to be sexual harassment when it consists of unwelcome conduct of a sexual nature. Sexual harassment is not dependent upon the alleged harasser's intention. The Board recognizes that sexual harassment can originate from a person of either sex against a person of the opposite or same sex, and from peers as well as district employees or visitors.

Students who believe that they have been subjected to sexual harassment should report the conduct immediately to the designated compliance office to handle such complaints, so that an investigation can begin at once. In the absence of a victim's complaint, the Board, upon learning of or having a reasonable basis to suspect the occurrence of sexual harassment, will cause an investigation to be promptly commenced by appropriate individuals.

The Superintendent of Schools shall notify all employees, students, and their parents of the name, office address and telephone number of the district's compliance officer.



If during the building administrator's informal attempt to resolve the complaint, the alleged harasser admits the allegations but refuses to give assurance that he/she will refrain from the unwelcome behavior, the administrator is to file a report with the next appropriate level of administration. The report is to indicate the nature of the complaint, a description of what occurred when the building administrator informed the alleged harasser of the allegations against him/her, the harasser's response to the allegations, and a recommendation that stronger corrective measures be taken. This report may be accompanied by a formal complaint.

Should the alleged harasser deny the allegation, the supervisor is to inform the complainant of the denial and state that a formal written complaint will be helpful for further formal investigation. The building administrator will file a report indicating what has transpired to date with the Assistant Superintendent for Instruction or the Superintendent. If the complainant submits a formal complaint, a copy of it should accompany the building administrator's report with a recommendation for further action.

### *Formal Complaints*

Formal complaints may be submitted either to initially report any incidence of sexual harassment, or as a follow-up to an unsatisfactory resolution of an informal attempt to resolve a complaint. In the latter case, the formal written complaint is to be submitted to the building administrator originally consulted, who will then forward it to the next appropriate level of administration, e.g., the Assistant Superintendent for Instruction or the Superintendent, for appropriate action.

The formal written complaint will consist of any appropriate forms and a copy of any applicable supervisor reports. The appropriate forms solicit the specifics of the complaint, e.g., date and place of incident, description of sexual misconduct, statements of any witnesses, and any previous action taken to resolve the matter.

### *Remedial Action*

If the investigation reveals that sexual harassment has occurred, appropriate sanctions will be imposed in a manner consistent with any applicable law. Depending on the gravity of the misconduct, these may range from a verbal warning up to and including a suspension from school or termination of employment.

Anyone subjecting complainants or witnesses to any form of retaliation will also be subject to disciplinary action in the manner prescribed by law and consistent with any policy of school conduct and discipline.

## 5020.1

If the investigation is inconclusive or reveals that no sexual harassment has occurred, or if the complainant is not satisfied with the remedial action taken after a finding of sexual harassment, the complainant may appeal to the next appropriate level of administration, e.g., the Assistant Superintendent for Instruction or the Superintendent. The appeal must include a copy of the original complaint, if any, all relevant reports, the specific action being appealed and an explanation of why the complainant is appealing.

The building administrator should refer the allegation of sexual harassment directly to the Superintendent when the circumstances, severity of the allegation or persons involved warrant a preliminary assessment by the Superintendent. This referral should be submitted immediately in writing from the building administrator learning of the charge. No investigation or interviewing of witnesses should be undertaken prior to the delivery of this report to the Superintendent. The Superintendent shall determine whether an investigation is in order and who shall conduct the investigation. The Superintendent shall also determine whether the allegations warrant the immediate referral of the matter to any applicable governmental agency, including, but not limited to, the police, prior to any implementation of this procedure.

Ref: Education Amendments of 1972, Title IX, 20 U.S.C. §1681  
*Franklin v. Gwinnett County Public Schools*, 112 S. Ct. 1028 (1992)  
*Meritor Savings Bank, FSB v. Vinson*, 477 U.S. 57 (1986)  
34 CFR §§106.8; 106.9

Adoption date: January 20, 1998

## **RACIAL HARASSMENT OF STUDENTS**

The Board of Education is committed to safeguarding the rights of all students within the school district to learn in an environment that is free from racial\* discrimination, including racial harassment. The Board recognizes that racial harassment of students can originate from a person of the same or different race of the victim including peers, employees, board members or any individual who foreseeable might come in contact with students on school grounds or at school-sponsored activities.

Racial harassment of students consists of different treatment on the basis of race and is recognized in two different forms:

1. when the district's employees or agents, acting within the scope of official duties, treat a student differently than other students solely on the basis of race; or
2. when the education environment is not kept free from discrimination because the harassing conduct is so severe, pervasive or persistent that it interferes with or limits the ability of a student to participate in or benefit from the services, activities or privileges provided.

The Board also prohibits any retaliatory behavior against complainants or any witnesses.

Any student who believes that he/she has been subject to racial harassment should report the alleged misconduct immediately, pursuant to 5020.2-R, so that corrective action, up to and including discharge of an employee or suspension of a student, may be taken at once. The complainant shall not be discouraged from reporting an incident of alleged racial harassment. In the absence of a victim's complaint, the Board, upon learning of, or having reason to suspect the occurrence of any racial harassment, will ensure that an investigation is promptly commenced by appropriate individuals.

The Superintendent of Schools is directed to develop and implement specific procedures on reporting, investigating and remedying allegations of racial harassment. Such procedures are to be consistent with any applicable provisions contained in the district's policy manual, collective bargaining agreements, the tenure laws as well as other federal and state laws on racial harassment. Training programs shall be established for students and employees to raise awareness of the issues surrounding racial harassment and to implement preventative measures to help reduce incidents of racial harassment.

A copy of this policy and its accompanying regulation is to be distributed to all personnel and students and posted in appropriate places.

*\*For the sake of simplicity and clarity, the term "race" shall be used throughout this policy to refer to all forms of discrimination prohibited by Title VII - - that is, race, color, and national origin.*

Adoption date: January 20, 1998

## STUDENT CONDUCT: HAZING

The District prohibits hazing. "Hazing" means any intentional knowing, or reckless act directed against a student by one person alone or acting with others, that endangers the mental or physical health or the safety of a student for the purpose of being initiated into, affiliating with, holding office in, or maintaining membership in any organization whose members are or include other students. The term includes, but is not limited to:

1. Any type of physical brutality, such as whipping, beating, striking, branding, electronic shocking, placing of a harmful substance on the body, or similar activity.
2. Any type of physical activity, such as sleep deprivation, exposure to the elements, confinement in a small space, calisthenics, or other activity that subjects the student to an unreasonable risk of harm or that adversely affects the mental or physical health or safety of the student.
3. Any activity involving consumption of a food, liquid, alcoholic beverage, liquor, drug, or other substance that subjects the student to an unreasonable risk of harm or that adversely affects the mental or physical health or safety of the student.
4. Any activity that intimidates or threatens the student with ostracism, that subjects the student to extreme mental stress, shame or humiliation, or that adversely affects the mental or physical health or dignity of the student or discourages the student from remaining registered in an educational institution, or that may reasonably be expected to cause a student to leave the organization or the institution rather than submit to acts described above.
5. Any activity that induces, causes, or requires the student to perform a duty or task that involves a violation of state law.
6. Any method of initiation or pre-initiation into a student club, organization or team that causes or is reasonably likely to cause, bodily danger or physical harm, serious mental or emotional harm, embarrassment or ridicule or personal degradation or loss of dignity to any student or other person associated with the school.

The following actions shall be included in the offense of hazing; student who commit any of them violate District policy:

1. Engaging in hazing.

2. Soliciting, encouraging, directing, aiding, attempting to aid another in engaging in hazing.
3. Intentionally, knowingly, or recklessly permitting hazing to occur.
4. Hazing firsthand knowledge of the planning of a specific hazing incident involving a student, or firsthand knowledge that a specific hazing incident has occurred, and knowingly failing to report that knowledge in writing to the Principal, Superintendent or designee.

## REPORTING REQUIREMENTS

School personnel who become aware of hazing activity shall report such incidents immediately to school administrators. School personnel who fail to report incidents of hazing to school or district administrators will face disciplinary and/or adverse employment action.

Students who are aware of hazing activity and fail to report the hazing to school officials will face disciplinary action for conspiring or engaging in hazing which can include suspension, expulsion, exclusion and/or loss of participation in all extracurricular activities.

## POLICY DISSEMINATION

A summary of this policy shall be posted in a prominent place in each District facility. The policy shall be published in student registration materials, student, parent, and employee hand books.

Each District principal, athletic coach, cheerleading advisor, and other extracurricular and club supervisors shall inform all students involved in such activities of this policy at the beginning of each school year, prior to the beginning of each team or group activities for the year. Each student participating in extracurricular activities shall sign a form stating that they agree to comply with this policy.

Adoption Date: September 21, 2004

Cross Ref: Code of Conduct #5300

STATEMENT OF COMMITMENT

I, \_\_\_\_\_ have been informed by my coach of the school District's policy prohibiting hazing and initiation activities, and I acknowledge that I have been provided with a copy of that policy. As a condition of my participation on my \_\_\_\_\_ team, I agree to abide by this policy and refrain from hazing or related initiation activities of any kind. I understand that my involvement in any hazing or initiation activity will result in disciplinary action, which can include suspension, expulsion, exclusion and/or loss of participation in all extracurricular activities.

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Student Signature

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Parent Signature

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Date

Adoption Date: September 21, 2004

STATEMENT OF COMMITMENT

I, \_\_\_\_\_ have been informed by \_\_\_\_\_ of the school District's policy prohibiting hazing and initiation activities, and I acknowledge that I have been provided with a copy of that policy. As a condition of my participation in any school activity, I agree to abide by this policy and refrain from hazing or related initiation activities of any kind. I understand that my involvement in any hazing or initiation activity will result in disciplinary action, which can include suspension, expulsion, exclusion and/or loss of participation in all extracurricular activities.

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Student Signature

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Parent Signature

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Date

Adoption Date: September 21, 2004

**STUDENTS WITH HIV-RELATED ILLNESS**

The Board of Education recognizes and shares the public concern over the health issues surrounding Acquired Immune Deficiency Syndrome (AIDS) and Human Immunodeficiency Virus Infection (HIV). The Board also recognizes, based upon the current state of medical knowledge, that the virus associated with AIDS is not easily transmitted and there is no evidence that AIDS or the HIV virus can be transmitted by casual social in the open school setting.

The Board acknowledges the rights of those students diagnosed as having AIDS or HIV infection to continue their education as well as the rights of all students in the school district to learn and participate in school activities without being subjected to significant risks to their health. The Board also takes notice that under current law and regulations the disclosure of confidential AIDS and/or HIV-related information must be strictly limited.

Accordingly, it is the policy of the Board that no student shall be denied the opportunity to attend school, continue his/her education or take part in school-related activities solely on the basis of being diagnosed as having AIDS or HIV infection.

In accordance with current state law and regulations, it is also the policy of the Board to prevent any student from being subjected to adverse or discriminatory treatment or stigma because he or she has been diagnosed as having AIDS or being HIV-infected.

The Superintendent of Schools is hereby directed to develop administrative regulations in regard to the education of students diagnosed as having AIDS or being HIV-infected.

The Superintendent also shall establish and implement, and all school personnel shall comply with, guidelines and routine sanitary hygiene procedures for dealing with all spills of blood and other body fluids in or on school premises and grounds. The Superintendent should consult public health officials and/or the school physician, as appropriate, for the most current methods and information pertaining to such procedures.

In addition, the Superintendent shall develop and immediately implement inservice education and training for all school personnel concerning AIDS and HIV infection and the routine sanitary hygiene procedures to be followed in the case of all spills of blood and other body fluids.



Cross-ref: 4315.1, AIDS Instruction  
5420, Student Health Services  
8123, Hygiene Precautions and Procedures

Ref: Public Health Law, Article 27-F  
Education Law §§4401; 4401-a  
8 NYCRR §200  
10 NYCRR §63

Adoption date: January 20, 1998

**EQUAL EMPLOYMENT OPPORTUNITY**

The Board of Education is committed to providing equal access to all categories of employment in this district, regardless of race, color, national origin, creed or religion, marital status, sex, age, or disability.

The Board believes it to be in the interest of both students and the public to have a staff which is highly qualified and effective in performing the duties assigned to them, and which contains a healthy diversity of personal backgrounds.

The Superintendent of Schools shall ensure that applicants for open positions in either the administrative, instructional or support staff of the district, are actively sought from members of any minority group which is underrepresented in that staff.

Candidates for open positions, as well as for promotion and transfer, will be given full consideration and evaluated on the basis of education, experience and ability, to determine fitness to perform the duties of the position. The rights, responsibilities and duties which accrue to any position will accrue equally to any employee in that position.

At no time will any candidate for employment, current employee or former employee suffer any adverse action, or be granted any benefit, for any reason other than personal merit or conduct, or in violation of any law or regulation. The Board is committed to non-discrimination in all areas related to employment including recruitment and appointment of employees, compensation and related benefits, and grievance procedures.

Any person noting or suspecting a violation of this policy is encouraged to bring the matter to the attention of the Superintendent or the Board of Education.

Cross-ref: 0100, Equal Opportunity

Ref: 42 USC §§2000e-2000e-17  
29 USC §206  
Executive Order 11296  
New York State Constitution Article I §11  
Executive Law §296

Adoption date: March 17, 1998

## SEXUAL HARASSMENT OF EMPLOYEES

Sexual harassment of employees is a form of discrimination and is a violation of Title VII of the Civil Rights Act of 1964 in that it constitutes differential treatment on the basis of sex. The Board of Education is committed to safeguarding the right of all employees within the school district to a work environment that is free from all forms of sexual harassment. The Board reaffirms its commitment to enforce the requirements of the law with respect to sexual harassment.

Therefore, the Board condemns all unwelcome behavior of a sexual nature which is either designed to directly extort sexual favors from an employee as a term or condition of employment, or which has the purpose or effect of creating an intimidating, hostile, or offensive working environment. The Board also strongly opposes any retaliatory behavior against complainants or any witnesses.

Sexual harassment does not refer to occasional compliments or behavior of a socially acceptable nature. Sexual harassment, in general, is behavior or conduct that has sexual overtones, that is unwelcome, that is personally offensive to the recipient, and fails to respect the rights of others. Sexual harassment does not only depend upon the intention of the offender, but also upon how the victim perceives the behavior or is affected by it. The Board recognizes that sexual harassment can originate from a person of either sex against a person of the opposite or same sex, and from peers as well as supervisors. Sexual harassment may take several forms. Forms of harassment may include, but are not limited to:

1. verbal: sexual innuendos, suggestive comments, jokes of a sexual nature, sexual propositions, threats, sexual favors, questions about a person's sexual practices, sexually explicit jokes, lewd comments or sexual insults;
2. non-verbal: sexually suggestive objects or pictures, graphic commentaries, suggestive or insulting sounds, leering, whistling, obscene gestures or crude cartoons; or
3. physical: unwanted physical contact including, but not limited to, touching, pinching, brushing against another's body, coerced sexual intercourse, assault, cornering, kissing or fondling.

Any employee who believes that he or she has been subjected to sexual harassment should report the alleged misconduct immediately pursuant to Regulation 9110.2-R, so that appropriate corrective action, up to and including discharge of the offender, may be taken at once. In the absence of a victim's complaint, the Board, upon learning of, or having reason to suspect, the occurrence of any sexual misconduct, will ensure that an investigation is promptly commenced by appropriate individuals.

Given the nature of this type of discrimination and the serious ramifications that may result from a complaint, the Board recognizes that false accusations of sexual harassment may have serious effects on innocent people. Any such false accusation will be dealt with severely.

The Superintendent is directed to develop and implement specific procedures on reporting, investigating and remedying allegations of sexual harassment. Such procedures are to be consistent with any applicable provisions contained in the district's collective bargaining agreements and the tenure laws.

A copy of this policy and its accompanying regulation are to be distributed to all supervisory and non-supervisory personnel and posted in appropriate places.

Ref: Civil Rights Act of 1964, Title VII, 42 U.S.C. §2000-e2(a)  
Equal Employment Opportunity Commission Policy Guidance  
(N-915.035) on Current Issues of Sexual Harassment, effective 10/15/88  
*Meritor Savings Bank, FSB v. Vinson*, 477 U.S. 57 (1986)

Adoption date: March 17, 1998