

THREE VILLAGE CENTRAL SCHOOL DISTRICT
STONY BROOK, NEW YORK

C

BOARD OF EDUCATION AGENDA MATERIALS

DATE OF BOARD MEETING: December 12, 2018

DATE SUBMITTED: December 7, 2018

OFFICE OF ORIGIN: District Clerk

CATEGORY OF ITEM: Information

TITLE: POLICY

Staff Recommendation:

Be it RESOLVED that the Board of Education accept the Policies delineated below:

<u>Policy #</u>	<u>Policy Title</u>
1400	Public Complaints
2340	Notice of Meetings
4311.1-R	Display of the Flag Regulation
5225	Student Personal Expression
5300.25	Prohibited Student Conduct
6900	Disposal of District Property
9520.5	Leaves of Absence

Background - Rationale:

Adopt the Policies at the First Reading or move to Second Reading.

NOT AN OFFICIAL RECORD; SUBJECT TO CHANGE

PUBLIC COMPLAINTS

The Board of Education recognizes the right of community members to register individual or group concerns regarding instruction, district programs, materials, operations, and/or staff members. The main goal of the district is to resolve such concerns specifically with the parties involved, whenever possible.

Public complaints about the school district will be directed to the proper administrative personnel. Complaints regarding the district's implementation and administration of Title I funds are addressed in the section below. Complaints about specific classroom practices shall be directed to the teacher concerned. If the matter is not settled satisfactorily, the complainant shall then contact the **teacher's immediate supervisor, and then the** Building Principal; if there is no resolution on this level, the Superintendent of Schools or his/her designee shall be contacted. The Superintendent shall refer the issue to the Board for final resolution, if necessary.

All matters referred to the Superintendent and/or the Board shall be in writing. Concerns registered directly to the Board as a whole or to an individual Board member shall be referred as soon as is reasonably possible to the Superintendent for investigation, report, and/or resolution.

Complaints Regarding Title I of the ESEA or Academic Intervention Services

Any person or entity representative alleging the district has not upheld its responsibilities under Title I of the Elementary and Secondary Education Act (ESEA), as well as the district's responsibilities for Academic Intervention Services under the Commissioner's regulations section 100.2(ee), may submit a complaint in writing to the **Building Principal or Title I Officer Superintendent.** After 30 days, any decision of the **Building Principal or Title I Officer Superintendent** which is unsatisfactory to the complainant, or the district's lack of a response to the complaint, may be appealed to the State Education Department (SED).

All such complaints to SED must, as outlined by SED (see the following website: <http://www.p12.nysed.gov/accountability/T1/complaintappeals.htm>):

1. Be submitted in writing to New York State Education Department, Title I School & Community Services Office, Room 320 EB, 89 Washington Avenue, Albany, NY 12234;
2. Be signed by the person or agency representative filing the complaint;
3. Specify the requirement of law or regulation being violated and the related issue, problem, and/or the concern;
4. Contain information/evidence supporting the complaint;
5. State the nature of the corrective action desired;
6. Contain a copy of the original signed complaint; and
7. Contain a copy of the district's response to the original complaint, or a statement that the district failed to respond or resolve the issue within 30 business days.

The district shall disseminate this complaint procedure to parents of students in Title I funded programs, as well as school officials at nonpublic schools for which the district administers or implements Title I funds or programs.

Ref: 20 USC §7844 (ESEA)
34 CFR §§299.10 – 299.12 [299.11(d) – LEAs must disseminate, free of charge, adequate information about the complaint procedures to parents of students, and appropriate private school officials or representatives.]
8 NYCRR §100.2(ee) (Academic Intervention Services)

Adoption date:

Information First Reading – December 12, 2018

NOTICE OF MEETINGS

For all regular and scheduled special meetings of the Board of Education, the District Clerk shall give adequate notice to all members and to the community, **including posting notice of the time and place of meetings on the district website.**

If a meeting is scheduled at least a week in advance, notice will be given or electronically transmitted to the public and news media at least 72 hours prior to the meeting. A special meeting may be called upon 24-hour notice to Board members.

When a meeting is scheduled less than a week in advance the Board shall **provide or electronically transmit** public notice to the extent practicable. Said notice shall be conspicuously posted in one or more designated public locations, including the district's website.

If a board member intends to participate in a board meeting via videoconference, the public notice of the meeting will indicate that videoconferencing will be used, specify the location(s) for the meeting and state that the public may attend at any of the locations.

If a meeting will be streamed live over the internet, notice will indicate the internet address of the website streaming the meeting.

Ref: Open Meetings Law, Public Officers Law §§100 et seq.
Education Law §§1606; 1708; 2504; 2563

Adoption date:

Information First Reading – December 12, 2018

DISPLAY OF THE FLAG REGULATION

Flags Displayed Out-of-Doors and on Movable Hoists Indoors

A United States flag shall be displayed in, **on or near** ~~front of~~ every school building in the district **during school hours** every day that school is in session, **weather permitting**, and at such other times as the Superintendent of Schools shall direct. Unless otherwise stated, the flags shall be flown at full-staff. The flags may also be displayed at night upon special occasions, at the discretion of the Superintendent, when it is desired to produce a patriotic effect. ~~During inclement weather, the flag shall be placed conspicuously in the main room of the school building.~~

~~In addition to days when school is in session,~~ **Weather permitting**, the flag will be displayed **on or near the main administration building of the district whenever the building is open to the public, and** on the following days ~~if school is open to the public~~: New Year's Day, Martin Luther King, Jr. Day, Lincoln's Birthday, Washington's Birthday, Memorial Day, Flag Day, the Fourth of July, Labor Day, September 11th Remembrance Day, POW/MIA Recognition Day, Columbus Day, Veterans Day, Thanksgiving Day, Pearl Harbor Day and Christmas Day. If any of these days (except Flag Day) falls on a Sunday, the flag shall be displayed on the next day. In addition, the flag shall be displayed on each general election day and each day appointed by the President of the United States or by the Governor of New York as a day of general thanksgiving or for displaying the flag.

Flags shall also be displayed in or near every polling place on election days.

Flags shall be flown at half-staff on Pearl Harbor Day, on September 11th Remembrance Day, on days commemorating the death of a personage of great importance, and on days designated by the President or the Governor.

Flags on individual buildings will be flown at half-staff for 30 days if a present employee or student in that building dies. The flag shall also be flown at half-staff the day of the funeral of any former employee well-known in the school. This will be at the discretion of the Superintendent.

All flags in the district are to be flown at half-staff when a present Board member dies and are kept at half staff for 30 days. All flags are put at half-staff on the day of the funeral of a former Board member. All flags in the district are flown at half staff on the day of the funeral of a present employee or a present student.

The flag will not be displayed on days when the weather is inclement.

Hoisting of the Flag

The flag shall be hoisted briskly and lowered ceremoniously.

In half staffing the flag, it first should be hoisted to the peak for an instant and then lowered to the half-staff position. The flag shall be again raised to the peak before it is lowered for the day. The flag shall never be put at half mast in the middle of the day. It must be put at half mast in the morning only.

Indoor Flags and Those Not on Movable Hoists

There shall be a United States flag in each assembly room of every school in the district. It is the duty of the teacher or other person in charge of each assembly room to ensure that the flag in the room is displayed from a staff standing at the audience's right as they face the stage. If the flag is placed on the platform, it should stand at the right of the speaker as he/she faces the audience and at the audience's left as they face the stage.

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Information First Reading – December 12, 2018

STUDENT PERSONAL EXPRESSION

The Board of Education recognizes the importance and value of student personal expression and recognizes that students do not shed their first amendment right of free expression at the schoolhouse gate. As in broader American society, the Board also understands that there is a balancing of an individual's rights under the First Amendment with the rights of the community. Student personal expression in this context refers to student verbal and written communication using any medium (paper, e-mail; website postings, etc.) including, but not limited to, poetry, prose, art, video and music composition that is intended to be shared with the broader school community, **or other actions taken to express viewpoints such as demonstrating or protesting.**

Although students retain their right to free expression in school, that right is not unfettered. School officials may regulate expression as to time, place and manner. Students' **speech expression** which causes a substantial disruption or which materially interferes with school activities or rights of others or might reasonably lead the school administration to forecast substantial disruption of or material interference with school activities, is not constitutionally protected speech.

Distribution of Materials

When students wish to personally express themselves in the broader school community **by distributing materials**, they must seek prior approval from the building principal or his/her designee. The building principal or his/her designee will render his/her decision within **five (5)** ~~two (2)~~ school days of receiving the request. The building principal shall give due consideration to the constitutionally protected right of freedom of expression, the maintenance of the normal operation of school and its activities, the protection of persons and property and the need to assist students in learning appropriate ways to exercise their rights. Unless such student expression takes place within the confines of a school-sponsored event/activity (see policy 5220 for guidance on School-Sponsored Student Expression), authorization will be granted if:

- The material is distributed as directed by the Principal or designee in such a manner as to not materially or substantially interfere with the rights of others or substantially disrupt the normal operation of the school;
- The material is not considered to be obscene, lewd, indecent, libelous, an invasion of the privacy of other individuals, or an expression that attacks a person's character, family, **or actual or perceived** race, **color**, religion, **religious practice**, **age**, **weight**, sex, ethnic **group**, **national** origin, physical appearance, sexual orientation, **gender (including gender identity or gender expression)** or disabling condition.
- The material is free from advertisements or promotion of cigarettes, liquor, illegal or illicit drugs, or drug paraphernalia or other products or services harmful to minors and/or not permitted to minors by law, **or advocating breaking laws and school policies and/or regulations.**

Procedural Due Process

If a student(s) seeks to distribute material within school buildings or at school events, he/she must present such material for prior review by the Building Principal who must make a decision regarding distribution within ~~two (2)~~ **five (5)** school days of receipt of the request and the provide the reason for the denial in writing. The aggrieved student(s) may within ~~two (2)~~ **five (5)** school days appeal in writing to the Superintendent of Schools. The Superintendent of Schools must issue a written decision within ~~two (2)~~ **five (5)** school days after receiving the appeal.

Off-Campus Student Expression

Generally, school administrative authority regarding student expression does not extend beyond school grounds or school-sponsored functions. However, with ~~the advent of new~~ **today's** technologies, the line between off and on campus expression can be blurred. Students are advised that if off campus personal expression substantially disrupts or materially interferes with school activities or might reasonably lead the school administration to forecast substantial disruption of or material interference with school activities or interrupts another individual's access to school, such as when the speech is threatening in nature, they may be subject to discipline under the Code of Conduct.

Student Demonstrations and Protests

Students maintain their constitutional right while they are in school, or at school sponsored events, to peacefully assemble. However, the district may take reasonable actions to maintain a safe and functioning learning environment, to ensure that the school environment is not materially disrupted. Accordingly, school officials maintain the authority to limit student demonstrations which result in materially disrupting the operation of the schools' educational process. In addition, the school may deem student absences from school or class to demonstrate or protest to be unexcused under the district's Attendance policy (#5100), and those absences may result in consequences under that policy.

The district may also plan and host its own events to address issues of student and school concern.

Violation of Policy

Students who violate this policy will be subject to the appropriate disciplinary action, which may include short or long-term suspension, in accordance with the Code of Conduct.

Cross-ref: 0115, Harassment, Hazing and Bullying
 4526, Computer Use in Instruction
 5100, Student Attendance
 5220, School-Sponsored Student Expression
 5300, Code of Conduct

Ref: *Morse v. Frederick*, 551 U.S. 393 (2007)
 Bethel School District v. Fraser, 478 U.S. 675 (1986)

Tinker v. Des Moines Independent Community School Dist., 393 U.S. 503, (1969) (limits on student free speech rights in school setting)
Eisner v. Stamford Board of Educ., 314 F Supp 832, mod'f'd 440 F2nd 803 (1971)

Adoption date:

Information First Reading – December 12, 2018

CODE OF CONDUCT

PROHIBITED STUDENT CONDUCT

The Board of Education expects all students to conduct themselves in an appropriate and civil manner, with proper regard for the rights and welfare of other students, District personnel, and other members of the school community, and for the care of school facilities and equipment.

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

The Board recognizes the need to be clear and specific in expressing its expectations for student conduct while on school property or engaged in a school function. The rules of conduct listed below are intended to do that and focus on safety and respect for the rights and property of others. Students who will not accept responsibility for their own behavior and who violate these school rules, will be required to accept the penalties for their conduct.

Students may be subject to disciplinary action, up to and including suspension from school, when they take any of the following actions on school grounds, at a school event, or off school grounds if such action disrupts the educational process in the schools. Students shall not engage in the following:

A. Conduct that is disorderly.

Examples of disorderly conduct include, but shall not be limited to:

1. Running in hallways.
2. Making unreasonable noise.
3. Using language or gestures that are profane, lewd, vulgar, or abusive.
4. Obstructing vehicular or pedestrian traffic, including illegal parking on school property.
5. Engaging in any willful act which disrupts the normal operation of the school community.
6. Trespassing. Students are not permitted in any school building or on school property, other than the one they regularly attend, without permission from the administrator in charge of the building.
7. Misusing computer/electronic communications devices, including any unauthorized use of computers, software, or Internet/Intranet account; accessing inappropriate websites; or any other violation of Section §5300.21.

5300
Subsection 5300.25

8. The use of cell phones and other unauthorized electronic devices (i.e. recording devices, cell phones, smart phones, and cameras) are not permitted during class time and during any testing, unless specifically directed by teachers. The use of recording devices, of any kind, is not permitted on school property and District transportation without the permission of the Building Principal/designee.
9. No skateboarding/skating in school or on school property unless part of a physical education class.

B. Conduct that is insubordinate.

Examples of insubordinate conduct include, but shall not be limited to:

1. Failing to comply with the reasonable directions of teachers, school administrators, or other school employees in charge of students, or otherwise demonstrating disrespect.
2. Unexcused lateness or cutting classes, truancy, missing, or leaving school without permission.
3. Failure to report to assigned detention or in-school suspension.

C. Conduct that is disruptive.

Examples of disruptive conduct include, but shall not be limited to:

1. Failing to comply with the directions or requests of teachers, school administrators, or other school personnel in charge of students.
2. Verbal, written, or graphic statements, communications, expressions, or illustrations that are threatening to person or property.

D. Conduct that is violent and/or rises to the level of assault as defined herein.

Examples of violent conduct include, but shall not be limited to:

1. Committing an act of violence (such as hitting, kicking, spitting, biting, punching, scratching or throwing of objects) upon a teacher, administrator, or other school employee, or attempting to do so.
2. Committing an act of violence including assault (such as hitting, kicking, spitting, biting, punching, scratching or throwing of objects) upon another student or any other person lawfully on school property, or attempting to do so.
3. Possessing a weapon. Authorized law enforcement officials are the only persons permitted to have a weapon in their possession while on school property or at a school function.
4. Displaying what appears to be a weapon.
5. Threatening to use any weapon.
6. Using a weapon.
7. Threatening to, or intentionally, damaging or destroying the personal property of a student, teacher, administrator, other district employee or any person lawfully on school property, including graffiti or arson.
8. Threatening to, or intentionally damaging or destroying school district property, including graffiti or arson.

9. Threatening to or intentionally using food to cause physical, psychological, and/or emotional injury.

E. Conduct that endangers the safety, morals, health, or welfare of others.

Examples of such conduct include, but shall not be limited to:

1. Lying to school personnel.
2. Stealing district property, the property of other students, school personnel, or any other person lawfully on school property or attending a school function.
3. Using vulgar or abusive language, cursing or swearing.
4. Defamation, which includes making false statements or representations about an individual or identifiable group of individuals that harm the reputation of the person or the identifiable group by demeaning them.
5. Harassment, bullying, threats, or intimidation directed at an identifiable individual or group which are intended to be, or which a reasonable person would perceive as ridiculing, demeaning, or threatening. [Ref: Policy 0115]
6. Intimidation, threats, or bullying, including engaging in actions or statements that put an individual in fear of bodily harm and/or emotional discomfort. [Ref: Policy 0115]
7. Discrimination and harassment against any student by employees or students, on school property or at a school function that creates a hostile environment by conduct which, with or without physical contact, and/or by verbal threats, intimidation or abuse, is of so severe a nature that it:
 - a) has or would have the effect of unreasonably and substantially interfering with a student's educational performance, opportunities or benefits, or mental, emotional and/or physical well-being; or
 - b) reasonably causes, or would reasonably be expected to cause, a student to fear for his or her physical safety. Prohibited conduct includes, but is not limited to, threats, intimidation or abuse based on a person's actual or perceived race, color, weight, national origin, ethnic group, religion, religious practices, disability, sexual orientation, gender or sex.
8. Cyber bullying that causes a disruption to the educational environment.
9. Any form of electronic messaging that causes disruption to the educational environment (e.g. sexting, tweeting, instant messaging, displaying or sharing lewd photographs).
10. Hazing, which includes any intentional or reckless act directed against another for the purpose of initiation into, affiliating with or maintaining membership in any school sponsored activity, organization, club, or team. Hazing related to any non-school related activity is also forbidden. [Ref: Policy 0115]
11. Harassment, including overt or subtle behaviors and comments of a racial, religious, and ethnic nature that are offensive, unwelcome, interfere with another's work or academic performance, or create an intimidating, hostile, or offensive working or educational environment. [Ref: Policy 0115]
12. Inappropriate touching and/or indecent exposure, that is, exposure to sight of the private parts of the body in a lewd or indecent manner. [Ref: Policy 0115]
13. Sexual harassment, including overt or subtle behaviors and comments that are offensive, unwelcome, interfere with another's work or academic performance, or

create an intimidating, hostile, or offensive working or educational environment. [Ref: Policy 0115]

14. Selling, using or possessing obscene material. [Ref: Policy 0110]
15. Smoking a cigarette, cigar, pipe, e-cigarette, or using chewing or smokeless tobacco, a vaporizer, e-cigarettes, or liquid nicotine. [Ref: Policy 5312.1 - Drug and Alcohol Abuse]
16. Possessing, consuming, selling, distributing, or exchanging tobacco products, e-cigarettes, vaporizers, **vapes**, liquid nicotine, alcoholic beverages or legal or illegal substances, or being under the influence of either or being in possession of drug paraphernalia. Inappropriately using or sharing prescription and over-the-counter drugs. "Illegal substances" shall include, but are not limited to inhalants, marijuana, cocaine, LSD, PCP, amphetamines, heroin, steroids, look-alike drugs, and any substance commonly referred to as "designer drugs" or synthetic drugs, such as synthetic cannabinoids. [Ref: Policy 5312.1]
17. Possessing aerosol sprays (deodorants, body sprays, AXE) on school property. Aerosol sprays may pose a serious health risk to our students and staff. Spraying aerosols on campus is not permitted. Aerosol containers will be confiscated.
18. Consuming, buying, or selling energy drinks on school property. Energy drinks shall mean a beverage that is not strictly regulated by the Food and Drug Administration and that contains 75 or more milligrams of caffeine per 8 fluid ounces and generally includes a combination of other supplements such as methylxanthines, B vitamins, herbal ingredients, and other ingredients, which are advertised as being specifically designed to provide or increase energy.
19. Gambling
20. Initiating a report warning of fire, bomb, or other catastrophe without valid cause, misuse of 911, or discharging a fire extinguisher.
21. Using food, medication, drugs, or substances to bully and/or cause fear, intimidation or actual bodily harm.
22. The use of drones on school property, except under the direct supervision of staff, is strictly prohibited.

F. Consequences of Vaping

- 1. First Offense: If a student is caught vaping or in the possession of a vaping device (electronic cigarettes and other devices such as Juuls, vape pens, e-hookahs, atomizers and any other instrument used to deliver chemical substances to be inhaled or otherwise absorbed into the body), or vaping material, an automatic principal's five-day out of school suspension will be applied. There will be no exceptions.**
 - a. Should the student also be in possession of an illegal substance the consequences shall also include a referral for a Superintendent's Hearing.**
- 2. Second or Subsequent Offense: If a student is caught vaping or in possession of a vaping device (electronic cigarettes and other devices such as Juuls, vape pens, e-hookahs, atomizers and any other instrument used to deliver chemical substances**

to be inhaled or otherwise absorbed into the body), or vaping material, for a second or subsequent time, an automatic principal's five-day out of school suspension will be applied, as well as an automatic referral to a Superintendent's Hearing will be applied for additional consequences. There will be no exceptions.

G. Engage in misconduct while on a school bus.

It is crucial for students to behave appropriately while riding on District buses, to ensure their safety and that of other passengers and to avoid distracting the bus driver. Students are required to conduct themselves on the bus in a manner consistent with established standards for classroom behavior. Unsafe behaviors such as but not limited to excessive noise, use of expletives, throwing items out of the window, vandalism, bullying, pushing, shoving, jumping, standing, and fighting will not be tolerated.

H. Engage in any form of academic misconduct.

Examples of misconduct include, but shall not be limited to:

1. Plagiarism.
2. Cheating.
3. Copying.
4. Altering records.
5. Assisting another student in any of the above actions.

I. Code of Academic Integrity

The core purpose of public education is to maximize the success of each student's learning and personal development so s/he becomes a successful part of our democratic, multi-ethnic society. To fulfill these expectations, students must be prepared to accept responsibility for their actions and the impact they may have on others. To promote these values, the foregoing Academic Code of Conduct has been established.

Academic Dishonesty

The following constitute examples of academic dishonesty. This list is not meant to be all-inclusive:

1. Copying: Obtaining information pertaining to any work to be submitted for evaluation by deliberately observing the work of another.
2. Plagiarism: Representing the work(s) or idea(s) of another, not necessarily those of a student, as one's own through the deliberate omission of acknowledgement or reference.
3. Cribbing: The use or attempted use of prohibited material, information, or study aids in any work submitted for evaluation.
4. Fraud: The alteration of any documentation relating to the grading process including tampering with an instructor's grade book (including electronic gradebook).
5. Fabrication: The unauthorized falsification or invention of any information in a work submitted for evaluation, including the use of a purchased term/research paper.
6. Sabotage: The intentional or reckless destruction of another student's work to be submitted for evaluation.

5300
Subsection 5300.25

7. Complicity: The intentional performance of an act with knowledge that it will assist another to commit an act of academic dishonesty as that term is defined in the Code.
8. Facilitation: Assisting someone in committing plagiarism, fabrication, cheating, or any other type of academic dishonesty.

Teachers, administrators and any other member of the District staff shall promptly report any suspected violations of this Code to the Superintendent or his/her designee.

Consequences of Academic Dishonesty

Any alleged act of academic dishonesty by a student, as defined above, shall be evaluated on a case-by-case basis by the Building Principal or his/her designee.

The Building Principal, or his/her designee, may take any or all of the following disciplinary actions when a student is found to have engaged in academic misconduct:

1. Parental notification
2. Oral reprimand
3. Written reprimand
4. No public recognition of academic honors
5. Ineligibility for/or removal from District sponsored honor societies
6. Withdrawal of District sponsored scholarship
7. The student shall receive a “zero” on the assignment or test
8. The student may receive a grade of 55 in the course and be dismissed from the course for the remainder of the semester/year with no credit

In addition to the above sanctions, any student removed from a course with a grade of 55, or any student that engages in academic misconduct, may not be eligible to receive any Three Village Central School District sponsored award, recognition, or hold any student leadership position.

Disciplinary sanctions beyond those listed here, including detention, in-school suspension and out-of-school suspension, may be issued by the Building Principal in addition to the academic sanctions listed above.

Any student believed to have engaged in academic misconduct shall have the right to an informal conference with the Building Principal to present his/her version of the events prior to the imposition of the above-listed sanctions.

DISPOSAL OF DISTRICT PROPERTY

Building administrators and support staff supervisors are responsible for identifying obsolete or surplus equipment and supplies within their area(s) of responsibility. Periodically throughout the year, determinations shall be made of equipment, supplies and/or materials that are obsolete and cannot be salvaged or utilized effectively or economically by the school district. A recommendation to declare such equipment, supplies, or materials as surplus shall be submitted to the Board of Education.

Following approval by the Board of Education, the Assistant Superintendent for Business Services shall be authorized to dispose of obsolete or surplus equipment and supplies in the following manner:

1. offer to sell the items to local municipalities or local non-profit organizations;
2. sell items at a public sale or on a Board-approved public online auction site. In the event of a public sale, notice of availability of such equipment, supplies and materials and requests for bids shall be disseminated through announcements in local newspapers and such other appropriate means. The general public, as well as staff members who are not Board members, officers, or involved in the purchasing function, shall be eligible to bid on the equipment, supplies and/or materials; and
3. sell remaining items as scrap for the best obtainable amount or discard in the safest, least expensive manner.

Prior to reassigning, storing, discarding or selling any equipment or supplies (including computer hardware and software and copy machines), the District shall ensure that all District-related data and information is permanently and completely removed. If such data or information is of a sensitive, personal or confidential nature, and cannot be removed prior to discarding or selling, the equipment or supplies shall be destroyed, and if reassigned or stored, the District shall note that the District data or information has not been permanently and completely removed. The District shall also ensure that all District-related data and information is permanently and completely removed from equipment that is leased from a third party, prior to returning the equipment. The District shall work with the third party provider to ensure that District data and information is able to be permanently and completely removed from the equipment.

Ref: General Municipal Law §§51; 800 et seq.

Adoption date: December, 1991

Revised: August 27, 2013

Information First Reading - December 12, 2018

LEAVES OF ABSENCE

In general, leaves of absence shall be administered by the Superintendent of Schools or his or her designee. The Board of Education reserves the right to grant leaves of absence for purposes or under conditions not contemplated or considered in this policy statement. Under laws and rules governing such action, the Board may undertake appropriate disciplinary action where a leave of absence is falsely requested or improperly used. The purpose or conditions of a leave of absence may not be altered.

Contractual leaves of absence shall be granted to employees who are members of a negotiating unit. In such cases, authorization to approve requests for leaves of absence submitted shall be pursuant to provisions of contracts in effect between the District and each bargaining unit.

- In the case of employees who are not members of a negotiating unit, authorization is granted to approve requests for leaves of absence submitted by such 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.
- In the case of employees who are under contract to the District, authorization is granted to implement provisions for leaves of absence contained in each such contract.

Unpaid leaves of absence not covered above will be subject to limitations enumerated in this policy statement. Such authorization is granted for the following unpaid leaves of absence:

- For a period of time not to exceed one school year for approved graduate study, such leave to include any required internship experience.
- At the expiration of a paid sick leave of absence, to extend such a leave of absence for a period of time not to exceed the end of the school year next succeeding the school year in which the paid leave of absence commenced.

Unpaid leaves of absence may not be used to extend vacation periods, to take vacations, to engage in other occupations, or to provide additional personal leaves.

Unpaid leaves of absence shall not be granted unless the services of a substitute employee, satisfactory in the discretion of the Superintendent, are able to be secured.

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.

The District will notify employees of their right to leaves as indicated by federal law, state law or regulation.

Other Leaves:

Blood Donation

In accordance with state law, employees desiring to make blood donations shall be granted three (3) hours of leave in any twelve (12) month period. The leave may not exceed three (3) hours unless agreed to by the Superintendent or his or her designee. Additional leaves for the purpose of blood donation under any other provision of law shall not be prevented.

Leave granted to employees for off premises blood donation is not required to be paid leave. Leave taken by employees for “donation leave alternatives” (which is what the law terms on-site blood donation) shall be paid leave given without requiring the employee to use accumulated vacation, personal, sick or other existing leave time.

Employees wishing to utilize the leave time for offsite blood donation shall give a minimum of three (3) working days’ notice to the Superintendent or his or her designee. Employees wishing to utilize the leave time for alternate donations shall give a minimum of two (2) working days’ notice.

The District will provide reasonable accommodations in emergency situations where an employee needs to donate blood for his own surgery or that of a family member.

~~Breast and Prostate~~ Cancer Screening:

Employees shall be granted up to four (4) hours of leave on an annual basis to undertake a screening for ~~breast~~ cancer. ~~Employees shall be granted up to four (4) hours of leave on an annual basis to undertake a screening for prostate cancer (i.e., male employees are entitled to a total of eight (8) hours for both screenings).~~ This leave shall be paid leave and shall not be charged against any other leave to which the employee is entitled.

Certification of testing shall be provided by the employee of the District. Verification shall be produced in a timely fashion.

Ref: Civil Service Law § 159-b

Labor Law § 202-j

Matter of Cruz et al v Wappingers CSD, slip opinion (Supreme Court, Dutchess County, July 14, 2008)

Matter of Fringuello v Wappingers CSD, slip opinion (Supreme Court, Dutchess County, July 15, 2008)

Adoption Date: June 23, 2009

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