ORCHARD PARK CENTRAL SCHOOL DISTRICT
BOARD OF EDUCATION

REGULAR MEETING May 4, 2021
Remote Meeting (streamed online @ www.opschools.org)
No public in-person attendance permitted as per Governor Executive Order 202.1
Open Meetings Law: Because of the Novel Coronavirus (COVID-19) Emergency and State ban on large meetings or gatherings and pursuant to Governor Cuomo’s Executive Order suspending the Open Meetings Law, the Board of Education Meeting was held electronically and streamed on the districts’ website.

Board of Education
Members Present: Mr. Ryan Cimo
Dr. Christine Gray-Tinnesz
Mr. Dwight Eagan
Mrs. Karen Kane
Mr. Robert Mahany
Dr. Jennifer Rogers

Members Excused: Mrs. Kim Hughes

Others Present: Mr. Matthew P. McGarrity, Superintendent of Schools
Dr. Lisa Krueger, Assistant Superintendent – Curriculum
Mr. David Lilleck, Assistant Superintendent – Personnel
Mr. Jeffrey Petrus, Assistant Superintendent – Business
Mrs. Cheryl Connors, District Clerk

Dr. Tinnesz called the meeting to order at pm and lead all in the Pledge of Allegiance.

Executive Session
Motion by Mr. Eagan, seconded by Mr. Mahany, to enter Executive Session at 6:30 pm to discuss other legal matters.
Yes – Tinnesz, Eagan, Kane, Mahany, Cimo and Rogers
No – n/a
Motion Unanimously Carried 6-0

Dr. Tinnesz called the meeting back order at 6:59 pm and led all present in the Pledge of Allegiance.

Change in the Order of Agenda Items
- Mr. Cimo requested that Public Comments be moved to after the Public Hearing
  Introduction of Candidates
Announcements / Updates

Mr. McGarrity announced:

- May 4, 2021 is National Teacher Appreciation Day. He thanked all the teachers for making a positive impact on students and inspiring them to be life-long learners. National School Nurse Appreciation Day is May 12. Our School Nurses are tasked every day with promoting the importance of student health, keeping students safe, keeping track of student health information and following the ever changing rules and protocols in school healthcare.
- The OPHS drama students were able to perform two live shows of the musical *The Theory of Relativity*, on May 1st and 2nd for family members. The May 2nd performance was filmed and will be available to stream May 20 – May 31.
- Congratulated Board’s Vice President, Dwight Eagan who was selected as the 2021 Laura M. Burns Advocacy for Children Award recipient from ECASB.
- OPHS Mixed Chorus (virtually) performed our Alma Mater. Students either recorded from home or during small group vocal lessons. Mr. Leary wrote the arrangement and played the accompaniment. The performance was played at the Board Meeting.

Dr. Tinnesz thanked Mr. McGarrity for the thoughtful letter he sent to parents regarding diversity and support for our teachers. The Boards’ Goal - Support the District's commitment to increasing awareness about diversity, equity, and inclusion to promote cultural competence in a positive learning community - is an important step in our commitment to our students.

Dr. Tinnesz announced that last week she and the District Clerk meet with the district’s financial attorney to sign the final bonding for the last capital project in the amount of $9,425,000. This successful financing was a very competitive rate of 1.29% awarded to FHN Financial Capital Markets. The district received nine competitive bids and our financial advisor reports the district received this low financing rate in part to our commitment to transparent and sound financial practices and budgeting.

PUBLIC HEARING

Mr. Petrus presented the information on the 2021-22 Budget and Bus Proposition. The budget supports safety requirements, technology support for students and families and mental health support. The budget Fiscally responsible and keeps tax level within the tax cap requirements of 2.46% or $1,647,000. Propositions II: Purchase & Financing of Buses, Related Equipment & Supplies is a total estimated maximum proposition is $818,000 and will purchase eight buses. If approved, the purchase of buses will have no new impact on local taxpayers since it is part of the District’s cost-effective, long-range plan to replace older transportation vehicles.

Mrs. Connors reviewed the procedures for requesting an absentee ballot. The Ballot application must be requested for mailing the ballot seven days prior to the election. The absentee voting application is on the website.

Mrs. Connors read the biographies of the three candidates Mr. Ryan Cimo, Mrs. Karen Sreniawski and Mr. Dwight Matter who are seeking election to the two vacancies on the Board of Education.

Public Comments

Dr. Tinnesz shared a public comment submitted to the Board. The commenter stated that one of the candidates for election to this Board is the mother of a current Board member. While the law allows members of the same family to serve on a school board as long as they do not live in the same household, commenter believes that this is something that not only casts the Board in an undesirable light but also has the potential to cause serious Board dysfunction. While it will not address the current situation, commenter encouraged this Board to consider adopting a policy that requires future candidates for the Board to disclose family relationships with both members of the Board and employees of the District. This will provide voters with additional and relevant information on which to base their votes.
CONSENSUS ACTION
Motion by Mr. Eagan, seconded by Mrs. Kane, to approve the following consensus items:
RESOLVED: That the Board of Education of the Orchard Park Central School District, upon the recommendation of the Superintendent, hereby approves the following consensus items:
Yes – Tinnesz, Eagan, Kane, Mahany, Cimo and Rogers
No – n/a
Motion Unanimously Carried 6-0

Meeting Minutes
- April 13, 15 & 16, 2021

Consensus Financials Approval - None

Consensus Personnel Actions
Personnel Considerations – Administrators and Teachers
Appointments – Probationary & Regular Substitute

This expiration date is tentative and conditional only. Except to the extent required by the applicable provisions of Section 3012 of the Education Law, in order to be granted tenure the teacher must receive composite or overall annual professional performance review ratings pursuant to Section 3012-c and/or Section 3012-d of the Education Law of either effective or highly effective in at least three (3) of the four (4) preceding years, and if the teacher receives an ineffective composite or overall rating in the final year of the probationary period the teacher shall not be eligible for tenure at that time.

Appointments – Per Diem Substitutes (Teachers and Others)
### Appointments – Coaching (Teachers and Others)

<table>
<thead>
<tr>
<th>Name</th>
<th>Title / Activity</th>
<th>Effective Dates</th>
<th>Employee Group</th>
<th>Salary / Stipend</th>
</tr>
</thead>
<tbody>
<tr>
<td>Senn, Charles</td>
<td>Baseball - Varsity Head</td>
<td>Spring 2021</td>
<td>OPTA</td>
<td>$5,014 Exp 21 / Step 4</td>
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<tr>
<td>Frankowski, Christopher</td>
<td>Baseball - Assistant JV</td>
<td>Spring 2021</td>
<td>OPTA</td>
<td>$3,741 Exp 5 / Step 4</td>
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<tr>
<td>Dietrich, Jeff</td>
<td>Baseball - Modified</td>
<td>Spring 2021</td>
<td>Community Member</td>
<td>$3,362 Exp 5 / Step 4</td>
</tr>
<tr>
<td>Catalano, Larry</td>
<td>Lacrosse - Varsity, Boys'</td>
<td>Spring 2021</td>
<td>OPTA</td>
<td>$5,014 Exp 22 / Step 4</td>
</tr>
<tr>
<td>Forcucci, Lucian</td>
<td>Lacrosse - Assistant Varsity, Boys'</td>
<td>Spring 2021</td>
<td>OPTA</td>
<td>$3,741 Exp 18 / Step 4</td>
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<tr>
<td>Vogan, Matthew</td>
<td>Lacrosse - Assistant JV, Boys'</td>
<td>Spring 2021</td>
<td>OPTA</td>
<td>$3,741 Exp 4 / Step 4</td>
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<tr>
<td>Michael, Gregory</td>
<td>Lacrosse - Modified, Boys'</td>
<td>Spring 2021</td>
<td>OPTA</td>
<td>$3,362 Exp 7 / Step 4</td>
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<tr>
<td>Callahan, Bridget</td>
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<td>OPTA</td>
<td>$5,014 Exp 38 / Step 4</td>
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<td>Valint, Kristen</td>
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<td>$3,741 Exp 8 / Step 4</td>
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<td>Gibson, Carla</td>
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<td>Hausberger, Chelsie</td>
<td>Lacrosse - Modified, Girls'</td>
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<td>$3,362 Exp 4 / Step 4</td>
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<tr>
<td>Schermerhorn, Brittany</td>
<td>Softball - Varsity</td>
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<td>$5,014 Exp 9 / Step 4</td>
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<td>Van Remmen, Jonathan</td>
<td>Softball - Assistant Varsity</td>
<td>Spring 2021</td>
<td>OPTA</td>
<td>$3,741 Exp 5 / Step 4</td>
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<td>Ferrentino, Steve</td>
<td>Softball - JV</td>
<td>Spring 2021</td>
<td>OPSRPA</td>
<td>$3,741 Exp 22 / Step 4</td>
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<tr>
<td>Asquith, Erin</td>
<td>Softball - Modified</td>
<td>Spring 2021</td>
<td>OPTA</td>
<td>$3,362 Exp 4 / Step 4</td>
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<tr>
<td>McMahon, Terrence</td>
<td>Tennis - Varsity, Boys'</td>
<td>Spring 2021</td>
<td>Community Member</td>
<td>$5,014 Exp 40+ / Step 4</td>
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<tr>
<td>Horgan, Christopher</td>
<td>Tennis - Assistant</td>
<td>Spring 2021</td>
<td>Community Member</td>
<td>$3,741 Exp 36 / Step 4</td>
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<tr>
<td>Janas, Gary</td>
<td>Track &amp; Field - Varsity, Boys'</td>
<td>Spring 2021</td>
<td>OPTA</td>
<td>$5,014 Exp 11 / Step 4</td>
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<tr>
<td>Hunter, Timothy</td>
<td>Track &amp; Field - JV, Boys'</td>
<td>Spring 2021</td>
<td>OPTA</td>
<td>$3,741 Exp 4 / Step 4</td>
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<tr>
<td>Bove, Aaron</td>
<td>Track &amp; Field - JV, Boys'</td>
<td>Spring 2021</td>
<td>OPTA</td>
<td>$2,682 Exp 1 / Step 1</td>
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<td>Sosnowski, Lisa</td>
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<td>Spring 2021</td>
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<td>Shoffstall, Rene</td>
<td>Track &amp; Field - JV, Girls'</td>
<td>Spring 2021</td>
<td>OPTA</td>
<td>$3,741 Exp 11 / Step 4</td>
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### Appointments – Summer – Psychologist

<table>
<thead>
<tr>
<th>Name</th>
<th>Title / Position</th>
<th>Rate</th>
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</thead>
<tbody>
<tr>
<td>Jerge, Lindsey</td>
<td>School Psychologist (EG)</td>
<td>up to 20 days @1/200th</td>
</tr>
<tr>
<td>Hartney, Jocelyn</td>
<td>School Psychologist (EL)</td>
<td>up to 20 days @1/200th</td>
</tr>
<tr>
<td>Roberts, Lynn</td>
<td>School Psychologist (SD)</td>
<td>up to 20 days @1/200th</td>
</tr>
<tr>
<td>Mydzian, Jennifer</td>
<td>School Psychologist (WE)</td>
<td>up to 20 days @1/200th</td>
</tr>
<tr>
<td>Krajnik, Jennifer</td>
<td>School Psychologist (MS)</td>
<td>up to 20 days @1/200th</td>
</tr>
<tr>
<td>Adamec, Joseph</td>
<td>School Psychologist (HS2)</td>
<td>up to 20 days @1/200th</td>
</tr>
<tr>
<td>Tashjian, Kathryn</td>
<td>School Psychologist (DO)</td>
<td>up to 20 days @1/200th</td>
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May 4, 2021
### Appointments – Summer – Guidance Counselors

<table>
<thead>
<tr>
<th>Name</th>
<th>Title / Position</th>
<th>Rate</th>
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</thead>
<tbody>
<tr>
<td>Clark, Bernadette</td>
<td>Guidance Counselor (MS)</td>
<td>up to 12 days @1/200th</td>
</tr>
<tr>
<td>Kafka, May Jo</td>
<td>Guidance Counselor (MS)</td>
<td>up to 12 days @1/200th</td>
</tr>
<tr>
<td>Nobel, Elizabeth</td>
<td>Guidance Counselor (MS)</td>
<td>up to 12 days @1/200th</td>
</tr>
<tr>
<td>Scaccia, Sarina</td>
<td>Guidance Counselor (MS)</td>
<td>up to 12 days @1/200th</td>
</tr>
<tr>
<td>Behm, Michel</td>
<td>Guidance Counselor (HS1)</td>
<td>up to 12 days @1/200th</td>
</tr>
<tr>
<td>Stahl, Jennifer</td>
<td>Guidance Counselor (HS1)</td>
<td>up to 12 days @1/200th</td>
</tr>
<tr>
<td>Cervoni, Annmarie</td>
<td>Guidance Counselor (HS2)</td>
<td>up to 12 days @1/200th</td>
</tr>
<tr>
<td>Bove, Aaron</td>
<td>Guidance Counselor (HS2)</td>
<td>up to 12 days @1/200th</td>
</tr>
<tr>
<td>Linder, Ann</td>
<td>Guidance Counselor (HS3)</td>
<td>up to 12 days @1/200th</td>
</tr>
<tr>
<td>See, Amy</td>
<td>Guidance Counselor (HS3)</td>
<td>up to 12 days @1/200th</td>
</tr>
<tr>
<td>Krempa, Angela</td>
<td>Guidance Counselor (EG)</td>
<td>up to 12 days @1/200th</td>
</tr>
<tr>
<td>Hutschenreuter, Kristen</td>
<td>Guidance Counselor (WE)</td>
<td>up to 12 days @1/200th</td>
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</table>

### Appointments – Summer – Social Workers

<table>
<thead>
<tr>
<th>Name</th>
<th>Title / Position</th>
<th>Rate</th>
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<tbody>
<tr>
<td>Duffet, Elizabeth</td>
<td>Social Worker (EG)</td>
<td>up to 12 days @ OPTA §3.3.3</td>
</tr>
<tr>
<td>Connelly, Kathryn</td>
<td>Social Worker (EL)</td>
<td>up to 12 days @ OPTA §3.3.3</td>
</tr>
<tr>
<td>Chadwell, Ashley</td>
<td>Social Worker (WE)</td>
<td>up to 12 days @ OPTA §3.3.3</td>
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### Appointments – Summer – SITS

<table>
<thead>
<tr>
<th>Name</th>
<th>Title / Position</th>
<th>Rate</th>
</tr>
</thead>
<tbody>
<tr>
<td>Farley, Ryan</td>
<td>Occupational Therapist</td>
<td>Up to 20 days -7.50 hrs/day @OPTA § 3.3.9</td>
</tr>
<tr>
<td>Hutschenreuter, Kristen</td>
<td>Guidance Counselor</td>
<td>Up to 7 days -7.50 hrs/day @OPTA § 3.3.9</td>
</tr>
<tr>
<td>Michener, Joy</td>
<td>Physical Therapist</td>
<td>Up to 34 days -7.5 hrs/day @OPTA § 3.3.9</td>
</tr>
<tr>
<td>Wolanin, Stacie</td>
<td>Speech</td>
<td>Up to 20 days -7.50 hrs/day @OPTA § 3.3.9</td>
</tr>
<tr>
<td>Sacilowski, Kelly</td>
<td>Speech</td>
<td>Up to 20 days -7.50 hrs/day @OPTA § 3.3.9</td>
</tr>
<tr>
<td>Stelley, Marcee</td>
<td>Speech</td>
<td>Up to 34 days -7.50 hrs/day @OPTA § 3.3.9</td>
</tr>
<tr>
<td>VanRemmen, Jonathan</td>
<td>Physical Education</td>
<td>Up to 32 days -7.50 hrs/day @OPTA § 3.3.9</td>
</tr>
<tr>
<td>Mazzariello, Kerra</td>
<td>Librarian</td>
<td>Up to 11 days -7.50 hrs/day @OPTA § 3.3.9</td>
</tr>
<tr>
<td>Josker Lisa</td>
<td>Librarian</td>
<td>Up to 11 days -7.50 hrs/day @OPTA § 3.3.9</td>
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<tr>
<td>Tempestoso, Christine</td>
<td>Librarian</td>
<td>Up to 11 days -7.50 hrs/day @OPTA § 3.3.9</td>
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<tr>
<td>Setera, Rebecca</td>
<td>Behavior Specialist</td>
<td>Up to 15 days -7.50 hrs/day @OPTA § 3.3.9</td>
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<tr>
<td>Krone, Nancy</td>
<td>Teacher (12:1:1)</td>
<td>Up to 32 days -7.50 hrs/day @OPTA § 3.3.9</td>
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<tr>
<td>Teal, Jared</td>
<td>Teacher (12:1:1)</td>
<td>Up to 32 days -7.50 hrs/day @OPTA § 3.3.9</td>
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<tr>
<td>Weber, Emily</td>
<td>Teacher (12:1:1)</td>
<td>Up to 32 days -7.50 hrs/day @OPTA § 3.3.9</td>
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<tr>
<td>Novak, Amy</td>
<td>Teacher (12:1:1)</td>
<td>Up to 32 days -7.50 hrs/day @OPTA § 3.3.9</td>
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<tr>
<td>Healy, Hannah</td>
<td>Teacher (12:1:1)</td>
<td>Up to 32 days -7.50 hrs/day @OPTA § 3.3.9</td>
</tr>
<tr>
<td>Hardenburg, Whitney</td>
<td>Teacher (ICT) 1/2 day am</td>
<td>Up to 32 days -3.75 hrs/day @OPTA § 3.3.9</td>
</tr>
<tr>
<td>Kerr, Ann</td>
<td>Teacher (ICT) 1/2 day pm</td>
<td>Up to 32 days -3.75 hrs/day @OPTA § 3.3.9</td>
</tr>
<tr>
<td>Joyce, Erin</td>
<td>Teacher (ICT)</td>
<td>Up to 32 days -7.50 hrs/day @OPTA § 3.3.9</td>
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<tr>
<td>Banks, Rebecca</td>
<td>Registered Professional Nurse</td>
<td>Up to 32 days -7.50 hrs/day @OPSRPA Schedule A</td>
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<tr>
<td>Fitzgerald, Rita</td>
<td>Aide</td>
<td>Up to 31 days -7.25 hrs/day @OPSRPA Schedule A</td>
</tr>
<tr>
<td>DelMonaco, Josephine</td>
<td>Aide</td>
<td>Up to 31 days -7.25 hrs/day @OPSRPA Schedule A</td>
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<tr>
<td>Even, Nadine</td>
<td>Aide</td>
<td>Up to 31 days -7.25 hrs/day @OPSRPA Schedule B</td>
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<tr>
<td>Haun, Theresa</td>
<td>Aide</td>
<td>Up to 31 days -7.25 hrs/day @OPSRPA Schedule A</td>
</tr>
<tr>
<td>Karcher, Gail</td>
<td>Aide</td>
<td>Up to 31 days -7.25 hrs/day @OPSRPA Schedule B</td>
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<tr>
<td>Petersdorf, Deb</td>
<td>Aide</td>
<td>Up to 31 days -7.25 hrs/day @OPSRPA Schedule A</td>
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<tr>
<td>Plunkett, Colleen</td>
<td>Aide</td>
<td>Up to 31 days -7.25 hrs/day @OPSRPA Schedule A</td>
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<tr>
<td>Pratt, Karen</td>
<td>Aide</td>
<td>Up to 31 days -7.25 hrs/day @OPSRPA Schedule D</td>
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<tr>
<td>Hogan, Sean</td>
<td>Aide</td>
<td>Up to 31 days -7.25 hrs/day @OPSRPA Schedule E</td>
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<tr>
<td>Martinke, Karen</td>
<td>Aide</td>
<td>Up to 31 days -7.25 hrs/day @OPSRPA Schedule B</td>
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<td>Zell, Marie</td>
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<td>Dettelis, Maria</td>
<td>Aide</td>
<td>Up to 31 days -7.25 hrs/day @OPSRPA Schedule G</td>
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<td>Up to 31 days -7.25 hrs/day @OPSRPA Schedule G</td>
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<td>Brege, Tracy</td>
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<td>Up to 31 days -3.75 hrs/day @OPSRPA Schedule D</td>
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<tr>
<td>Olek, Noreen</td>
<td>Aide</td>
<td>Up to 31 days -3.75 hrs/day @OPSRPA Schedule D</td>
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<tr>
<td>O’Hara, Heather</td>
<td>Substitute Nurse</td>
<td>As needed $24.50/hr</td>
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May 4, 2021
## Appointments - Summer Reading – Quaker Camp

<table>
<thead>
<tr>
<th>Name</th>
<th>Title / Position</th>
<th>Rate</th>
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<tbody>
<tr>
<td>Shanahan, Lindsey</td>
<td>Program Director</td>
<td>Up to 40 days-7.50 hrs/day @OPTA § 3.3.9</td>
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<tr>
<td>Batchen, Stacy</td>
<td>Teacher</td>
<td>Up to 32 days-3.75 hrs/day @OPTA § 3.3.9</td>
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<tr>
<td>Bermingham, Theresa</td>
<td>Teacher</td>
<td>Up to 32 days-3.75 hrs/day @OPTA § 3.3.9</td>
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<tr>
<td>Cavanagh, Victoria</td>
<td>Teacher</td>
<td>Up to 32 days-7.50 hrs/day @OPTA § 3.3.9</td>
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<td>Chelus, Nicole</td>
<td>Teacher</td>
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<tr>
<td>Connors, Maureen</td>
<td>Teacher</td>
<td>Up to 32 days-3.75 hrs/day @OPTA § 3.3.9</td>
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<tr>
<td>Joynt, Catherine</td>
<td>Teacher</td>
<td>Up to 32 days-7.50 hrs/day @OPTA § 3.3.9</td>
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<tr>
<td>LaPenta, Eileen</td>
<td>Teacher</td>
<td>Up to 32 days-3.75 hrs/day @OPTA § 3.3.9</td>
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<td>LaPenta, Hannah</td>
<td>Teacher</td>
<td>Up to 32 days-3.75 hrs/day @OPTA § 3.3.9</td>
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<tr>
<td>Lewandowski, Brooke</td>
<td>Teacher</td>
<td>Up to 32 days-7.5 hrs/day @OPTA § 3.3.9</td>
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<tr>
<td>Nemec, Mary</td>
<td>Teacher</td>
<td>Up to 32 days-7.50 hrs/day @OPTA § 3.3.9</td>
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<tr>
<td>Noe, Anne</td>
<td>Teacher</td>
<td>Up to 32 days-7.50 hrs/day @OPTA § 3.3.9</td>
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<tr>
<td>Paolini, Kayla</td>
<td>Teacher</td>
<td>Up to 32 days-3.75 hrs/day @OPTA § 3.3.9</td>
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<tr>
<td>Schneggenburger, Julie</td>
<td>Teacher</td>
<td>Up to 32 days-7.50 hrs/day @OPTA § 3.3.9</td>
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<tr>
<td>Stacharczyk, Carol</td>
<td>Teacher</td>
<td>Up to 32 days-7.50 hrs/day @OPTA § 3.3.9</td>
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<tr>
<td>Vivian, Abigail</td>
<td>Teacher</td>
<td>Up to 32 days-7.50 hrs/day @OPTA § 3.3.9</td>
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<tr>
<td>Sayoc, Lisa</td>
<td>Aide</td>
<td>Up to 31 days - 7.25 hrs/day @OPSRPA Schedule E</td>
</tr>
<tr>
<td>Miller, Lisa</td>
<td>Aide</td>
<td>Up to 31 days - 7.25 hrs/day @OPSRPA Schedule A</td>
</tr>
<tr>
<td>Wick, Michelle</td>
<td>Aide</td>
<td>Up to 31 days - 7.25 hrs/day @OPSRPA Schedule G</td>
</tr>
<tr>
<td>Schutt, Suzanne</td>
<td>Aide</td>
<td>Up to 31 days - 7.25 hrs/day @OPSRPA Schedule B</td>
</tr>
<tr>
<td>Elliott, Emily</td>
<td>Aide</td>
<td>Up to 31 days - 7.25 hrs/day @OPSRPA Schedule I</td>
</tr>
<tr>
<td>Mielcarek, Craig</td>
<td>Front desk monitor</td>
<td>Up to 31 days - 8.0 hrs/day @OPSRPA Schedule I</td>
</tr>
<tr>
<td>Richards, Theresa</td>
<td>Aide</td>
<td>Up to 31 days - 7.25 hrs/day @OPSRPA Schedule B</td>
</tr>
<tr>
<td>Riter, Eileen</td>
<td>Clerical</td>
<td>Up to 32 days - 7.00 hrs/day @OPSRPA Schedule B</td>
</tr>
<tr>
<td>Sherry, Linda</td>
<td>Front desk monitor</td>
<td>Up to 31 days - 8.0 hrs/day @OPSRPA Schedule A</td>
</tr>
</tbody>
</table>

### Leaves of Absence (Teachers and Administrators)

<table>
<thead>
<tr>
<th>Name</th>
<th>Position</th>
<th>Effective Dates</th>
<th>Comment</th>
</tr>
</thead>
<tbody>
<tr>
<td>Hartke, Lauren</td>
<td>Spec Ed teacher</td>
<td>06/07/21 - 12/21/21</td>
<td>Unpaid LOA §4.4.2</td>
</tr>
<tr>
<td>Nicholson, Emilie</td>
<td>Speech Teacher</td>
<td>06/09/21 - 12/20/21</td>
<td>Unpaid LOA §4.4.2</td>
</tr>
</tbody>
</table>

### Personnel Considerations – Support Staff

#### Appointments (Support Staff Substitutes)

<table>
<thead>
<tr>
<th>Name</th>
<th>Title Activity</th>
<th>Effective Dates</th>
<th>Civil Service Title</th>
</tr>
</thead>
<tbody>
<tr>
<td>Pacer, Julia</td>
<td>Support Staff Substitute</td>
<td>4/23/21-6/17/21</td>
<td>Teacher Aide</td>
</tr>
<tr>
<td>Powers, Katherine</td>
<td>Support Staff Substitute</td>
<td>4/26/21-6/30/21</td>
<td>Teacher Aide</td>
</tr>
<tr>
<td>Foti, Sarah</td>
<td>Support Staff Substitute</td>
<td>4/28/21-6/30/21</td>
<td>Teacher Aide</td>
</tr>
</tbody>
</table>

#### Leaves of Absence (Support Staff)

<table>
<thead>
<tr>
<th>Name</th>
<th>Title Activity</th>
<th>Effective Dates</th>
<th>Comment</th>
</tr>
</thead>
<tbody>
<tr>
<td>O'Brien, Kevin</td>
<td>Full-time 12 month Maintenance Mechanic</td>
<td>2/22/21- 5/16/21 (amend end date)</td>
<td>Unpaid LOA - worker's comp</td>
</tr>
<tr>
<td>Goralski, Mildred</td>
<td>Part-time 10 month School Monitor(HS)</td>
<td>11/23/20-6/30/21 (amend end date)</td>
<td>Unpaid LOA</td>
</tr>
</tbody>
</table>

#### Appointments - Mentors (Support Staff)

<table>
<thead>
<tr>
<th>Name</th>
<th>Title / Activity</th>
<th>Effective Dates</th>
<th>Employee Group</th>
<th>Salary / Stipend</th>
</tr>
</thead>
<tbody>
<tr>
<td>Olivieri, Karen</td>
<td>Mentor to 12 month Full-time Senior Clerk Typist - Special Education</td>
<td>4/26/21-10/26/21</td>
<td>OPSRPA</td>
<td>$100.00</td>
</tr>
</tbody>
</table>
Resignations and Retirements (Support Staff)

<table>
<thead>
<tr>
<th>Name</th>
<th>Position</th>
<th>Effective Dates</th>
<th>Comment</th>
</tr>
</thead>
<tbody>
<tr>
<td>Bigelow, Jeffrey</td>
<td>Part-time 10 month Bus Driver (BG)</td>
<td>04/30/21</td>
<td>Resignation</td>
</tr>
<tr>
<td>Moll, Jamie</td>
<td>Full-time 10 month Cleaner</td>
<td>4/20/21</td>
<td>Termination</td>
</tr>
<tr>
<td>Hurley, Elizabeth</td>
<td>Full-time 10 month Registered Professional Nurse (SD)</td>
<td>07/01/21</td>
<td>Retirement 21 years of service</td>
</tr>
</tbody>
</table>

Nursing Appointments – Summer 2021 (Active 10 Month Support Staff)

<table>
<thead>
<tr>
<th>Name</th>
<th>Title/Position</th>
<th>Rate</th>
</tr>
</thead>
<tbody>
<tr>
<td>Banks, Rebecca</td>
<td>Registered Professional Nurse (EG)</td>
<td>Up to 36 hours @OPSRPA Schedule E</td>
</tr>
<tr>
<td>Johnson, Sarah</td>
<td>Registered Professional Nurse (WE)</td>
<td>Up to 36 hours @OPSRPA Schedule C</td>
</tr>
<tr>
<td>Krawczyk, Brenda</td>
<td>Registered Professional Nurse</td>
<td>Up to 30 hours and up to 15 hours (Athletics) @OPSRPA Schedule D</td>
</tr>
<tr>
<td>Odrzywolski, Melissa</td>
<td>Registered Professional Nurse (EL)</td>
<td>Up to 36 hours @OPSRPA Schedule I</td>
</tr>
<tr>
<td>Lucidi, Michelle</td>
<td>Registered Professional Nurse (HS)</td>
<td>Up to 40 hours (HS) and 50 hours (Athletics) @OPSRPA Schedule F</td>
</tr>
<tr>
<td>Bond, Bailey</td>
<td>Registered Professional Nurse (MS)</td>
<td>Up to 36 hours @OPSRPA Schedule I</td>
</tr>
<tr>
<td>Zanghi, Catherine</td>
<td>Registered Professional Nurse</td>
<td>Up to 36 hours @OPSRPA Schedule B</td>
</tr>
</tbody>
</table>

Consensus Special Education (attachment #1)
- Recommendation by the Committee on Special Education for Annual Reviews of Twenty-Eight (28) Resident Children
- Recommendation by the Committee on Special Education for the Program Review of Four (4) Resident Children
- Recommendation by the Committee on Special Education for the Initial Educational Placement of Nine (9) Resident Children
- Recommendation by the Committee on Special Education for Amendments of Ten (10) Resident Children
- Recommendation by the Committee on Special Education for Declassification of One (1) Resident Child
- Recommendation by the 504 Committee for the Accommodation Plan of Nine (9) Resident Children
- Recommendation by the Committee on Preschool Special Education for the Preschool Annual Review of Eighteen (18) Resident Children
- Recommendation by the Committee on Preschool Special Education for the Preschool Initial Educational Placement of Eight (8) Resident Children
- Recommendation by the Committee on Preschool Special Education for the Preschool Declassification of Two (2) Resident Children

Comments on Consensus
- Mr. Lilleck and Mr. McGarrity congratulated Dr. Pietrantone director of special program and Ms. Minser Bernys as Special Education Director. Congratulated Nurse Betty Hurley on her retirement from South Davis.

Committee Reports
- Dr. Krueger reported on the Policy Committee and their discussion of a sample policy on DEI from NYSSBA on diversity and including. The NYSED draft DEI framework will be on the District’s website for review.
- Mr. Petrus reported on the Facilities Committee. They met recently regarding to look at the timeline of the next capital project, which is part of the long range plan to work on facility improvements.

May 4, 2021
Discussion

- **Appointment of Annual Meeting and Vote Permanent Chairperson, Chief Inspector and Inspectors for May 18, 2021 Vote/Election** – Mrs. Connors stated that the appointments are for the election inspectors to assist with the annual vote/election.

- **Final Read of Policies:** 5681 - School Safety Plans, 6120 - Equal Employment Opportunity, 6121 - Sexual Harassment in the Workplace, 7550 - Dignity for All Students, 7551 - Sexual Harassment of Students, 7553 - Hazing of Students, 8130 - Equal Educational Opportunities and 8220 - Career and Technical (Occupational) Education – Dr. Krueger The Policy Committee met on March 22 to review eight policies where revisions were recommended by Erie 1 BOCES Policy Services. The seven of the policies all have similar changes stemming from the federal revisions to Title IX, and the recently revised Title IX policy. These changes ensure consistency in language and alignment with the federal Title IX revisions and all policies addressing non-discrimination and anti-harassment. These policies were presented as a first reading at the April 20, 2021 Board meeting, and will be presented as a second reading with a recommendation for adoption at the Board meeting on May 4, 2021.

- **Buffalo Bills Donation to Elementary Physical Education Program** – Mr. Petrus shared that the Buffalo Bills would like to donate four sets of flag football kits valued at $400 each to each of the elementary school physical education programs.

- **Quaker Athletic Booster Club Donation to the Football Program** – Mr. Petrus shared that the booster club would like to donate $2,000 to cover the cost of the stipend to video tape the varsity, JV & modified football games.

- **Obsolete Special Education Department Equipment** – Mr. Petrus shared that the special education department has several pieces of equipment that are no longer used or are unrepairable (transmitters, FM systems and headsets) and they would like to have them declared obsolete.

**ACTION**

Motion by Mr. Eagan, seconded by Mrs. Kane, to adopt the following resolution:

**RESOLVED:** That the Orchard Park Central School District Board of Education, upon the recommendation of the Superintendent of Schools, hereby approves the May 18, 2021 Vote Permanent Chairperson, Chief Inspector, and Inspectors as follows:

WHEREAS, it is necessary to appoint a Permanent Chairperson of each meeting or election to be held in the District:

NOW, THEREFORE,

BE IT RESOLVED, that the Board of Education of the Orchard Park Central School District, acting pursuant to Section 2025(2) of the New York State Education Law, that **Mrs. Cheryl A. Connors** is hereby appointed as **Permanent Chairperson** of each meeting or election to be held in the District. In the event that this Board of Education is unable to hold a meeting to appoint a qualified voter of this School District to fill a vacancy caused by the refusal of the person herein designated to accept his/her appointment or the failure of such person to serve, the District Clerk or Assistant District Clerk are hereby authorized to fill such vacancy.

BE IT RESOLVED, by the Board of Education of the Orchard Park Central School District, acting pursuant to Section 2025 of the New York State Education Law, that the following people are hereby appointed as Chief Inspector, Inspectors and Alternate Inspectors at a fee of $13.00 per hour as indicated below for the May 18, 2021 voting for the Annual District Vote:
AND, THE District Clerk is hereby authorized and directed to give written notice of the appointment so made by the Board to all of the persons so appointed;

THE District Clerk is hereby authorized and directed to notify this Board of Education forthwith if any of such persons hereinabove appointed to the respective offices refuses to accept such appointment or fails to serve, in which case this Board of Education is to take such further action as may be authorized in such circumstances pursuant to the Education Law. In the event that this Board of Education is unable to hold a meeting to appoint a qualified voter of this School District to fill a vacancy caused by the refusal of any person herein designated to accept his/her appointment or the failure of any such person(s) to serve, the District Clerk is hereby authorized to fill such vacancy and/or appoint inspectors as need;

AND, THE Superintendent and the District Clerk are hereby authorized to approve and sign contract services with the Erie County Board of Elections if needed to assist as needed with the annual meeting and vote;

AND, this resolution takes effect immediately.

Yes – Tinnesz, Eagan, Kane, Mahany, Cimo and Rogers
No – n/a

Motion Unanimously Carried 6-0

Motion by Mr. Eagan, seconded by Mrs. Kane, to adopt the following resolution:

RESOLVED: That the Orchard Park Central School District Board of Education, upon the recommendation of the Superintendent of Schools, hereby adopts policies 6120 - Equal Employment Opportunity, 6121 - Sexual Harassment in the Workplace, 7550 - Dignity for All Students, 7551 - Sexual Harassment of Students, 7553 - Hazing of Students, 8130 - Equal Educational Opportunities, 8220 - Career and Technical (Occupational) Education and 5681 - School Safety Plans as follows:

POLICY 6120 - EQUAL EMPLOYMENT OPPORTUNITY

Overview

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

Consistent with this commitment and in accordance with law and regulation, the District is an equal opportunity employer that does not discriminate against any employee or applicant for employment in its programs and activities on the basis of any legally protected class or category including, but not limited to: age; race; creed; religion; color; national origin; sexual orientation; gender identity or expression; military status; sex; disability; predisposing genetic characteristics; familial status; marital status; status as a victim of domestic violence; and criminal arrest or conviction record.
The District adopts this policy as part of its effort to provide for the prompt and equitable resolution of complaints of employment discrimination. The District will promptly respond to reports of employment discrimination, ensure that all investigations are conducted within a reasonably prompt time frame and under a predictable fair grievance process that provides due process protections, and impose disciplinary measures and implement remedies when warranted.

Inquiries about this policy may be directed to the District's Civil Rights Compliance Officer(s) (CRCO(s)).

**Reporting Allegations of Employment Discrimination**

Any person may report employment discrimination regardless of whether they are the alleged victim or not. Reports of employment discrimination may be made orally or in writing to the District's CRCO or any other District employee including, but not limited to, a supervisor or building principal.

All District employees who witness or receive an oral or written report of employment discrimination must immediately inform the CRCO. Failure to immediately inform the CRCO may subject the employee to discipline up to and including termination. If the CRCO is unavailable, including due to a conflict of interest or other disqualifying reason, the report will be directed to another CRCO, if the District has designated another individual to serve in that capacity. If the District has not designated another CRCO, the Superintendent will ensure that another person with the appropriate training and qualifications is appointed to act as the CRCO.

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

**Grievance Process for Complaints of Employment Discrimination**

The District will act to promptly, thoroughly, and equitably investigate all complaints, whether oral or written, of employment discrimination and will promptly take appropriate action to protect individuals from further discrimination.

Various District policies and documents address employment discrimination. These policies and documents may include: Policy #3420 -- Non-Discrimination and Anti-Harassment in the District. All complaints will be handled in accordance with the applicable District policies and/or documents.

The determination as to which District policies and/or documents are applicable is fact specific, and the CRCO may work with other District staff to determine which District policies and/or documents are applicable to the specific facts of the complaint.

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

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

The District prohibits retaliation against any individual because the individual made a report or complaint, testified, assisted, or participated or refused to participate in an investigation, proceeding, or hearing related to a complaint of employment discrimination.

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

Where appropriate, follow-up inquiries will be made to ensure that the discrimination has not resumed and that those involved in the investigation have not suffered retaliation.
8 USC § 1324b
29 USC § 206
42 USC § 1981
Age Discrimination in Employment Act of 1967 (ADEA), 29 USC § 621 et seq.
Americans with Disabilities Act (ADA), 42 USC § 12101 et seq.
Genetic Information Non-Discrimination Act (GINA), 42 USC § 2000ff et seq.
National Labor Relations Act (NLRA), 29 USC § 151 et seq.
Section 504 of the Rehabilitation Act of 1973, 29 USC § 790 et seq.
Title VI of the Civil Rights Act of 1964, 42 USC § 2000d et seq.
Title VII of the Civil Rights Act of 1964, 42 USC § 2000e et seq.
Title IX of the Education Amendments Act of 1972, 20 USC § 1681 et seq.
Uniformed Services Employment and Reemployment Rights Act (USERRA), 38 USC § 4301 et seq.
28 CFR Part 35
29 CFR Chapter I – National Labor Relations Board
29 CFR Chapter XIV – Equal Employment Opportunity Commission
34 CFR Parts 100, 104, and 106
45 CFR Part 86
Civil Rights Law §§ 40, 40-a, 40-c, 47-a, 47-b, and 48-a
Civil Service Law §§ 75-b and 115
Correction Law § 752
Labor Law §§ 194-a, 201-d, 201-g, 203-e, 206-c, and 215
New York State Human Rights Law, Executive Law § 290 et seq.
Military Law §§ 242, 243, and 318
9 NYCRR § 466 et seq.
NOTE: Refer also to Policies #3420 -- Non-Discrimination and Anti-Harassment in the District
#3421 -- Title IX and Sex Discrimination
#6121 -- Sexual Harassment in the Workplace
#6122 -- Employee Grievances
Adopted: 8/15/17
Revised: 5/04/21

POLICY 6121: SEXUAL HARASSMENT OF DISTRICT PERSONNEL

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

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

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

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

This policy applies to all instances of sexual harassment perpetrated against a "covered person," regardless of immigration status, by anyone in the workplace, including a co-worker, supervisor, or third-party such as a non-employee, paid or unpaid intern, vendor, building security, visitor, volunteer, parent, or student. For purposes of this policy, a "covered person" includes:

a) Employees;
b) Applicants for employment;
c) Paid or unpaid interns; and
d) Non-employees, which include anyone who is (or is employed by) a contractor, subcontractor, vendor, consultant, or other person providing services pursuant to a contract in the workplace.

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

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

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

What Constitutes Sexual Harassment

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

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

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

a) Such conduct has the purpose or effect of unreasonably interfering with an individual's work performance or creating an intimidating, hostile, or offensive work environment, even if the reporting individual is not the intended target of the sexual harassment;
b) Such conduct is made either explicitly or implicitly a term or condition of employment; or

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

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

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

Examples of Sexual Harassment

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

a) Physical acts of a sexual nature, such as:
   1. Touching, pinching, patting, kissing, hugging, grabbing, brushing against another person's body or poking another person's body; and
   2. Rape, sexual battery, molestation or attempts to commit these assaults.

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

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

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

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

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

Prohibition of Retaliatory Behavior (Whistle-Blower Protection)

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

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

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

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

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

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

e) Encouraged a fellow employee to report harassment.

May 4, 2021
Even if the alleged harassment does not turn out to rise to the level of a violation of law, the individual is protected from retaliation if the person had a good faith belief that the practices were unlawful. However, the retaliation provision is not intended to protect persons making intentionally false charges of harassment.

**Reporting Allegations of Sexual Harassment**

Preventing sexual harassment is everyone's responsibility. The District cannot prevent or remedy sexual harassment unless it knows about it. Any covered person who has been subjected to behavior that may constitute sexual harassment is encouraged to report such behavior to a supervisor, building principal, other administrator, or the CRCO. Anyone who witnesses or becomes aware of potential instances of sexual harassment should report such behavior.

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

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

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

**Supervisory Responsibilities**

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

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

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

**Investigating Complaints of Sexual Harassment**

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

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

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

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

a) Upon receipt of a complaint, the CRCO will conduct an immediate review of the allegations, and take any interim actions (e.g., instructing the respondent to refrain from communications with the complainant), as appropriate.
If the CRCO is unavailable, including due to a conflict of interest or other disqualifying reason, the report will be directed to another CRCO, if the District has designated another individual to serve in that capacity. If the District has not designated another CRCO, the Superintendent will ensure that another person with the appropriate training and qualifications is appointed to act as the CRCO.

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

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

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

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

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

1. A list of all documents reviewed, along with a detailed summary of relevant documents;
2. A list of names of those interviewed, along with a detailed summary of their statements;
3. A timeline of events;
4. A summary of prior relevant incidents, reported or unreported; and
5. The basis for the decision and final resolution of the complaint, together with any corrective action(s).

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

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

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

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

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

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

Annual Training

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

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

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

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

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

e) Information addressing conduct by supervisors and any additional responsibilities for such supervisors.
Notification
The District will provide this policy to all employees in writing. The District will post this policy prominently throughout the District to the extent practicable.

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

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

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

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

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

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

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

Complaints with DHR may be filed any time within one year (three years beginning August 12, 2020) of the harassment. If an individual did not file with DHR, they can sue directly in state court under the HRL, within three years of the alleged sexual harassment. An individual may not file with DHR if they have already filed a HRL complaint in state court.

Complaining internally to the District does not extend the time to file with DHR or in court. The one year or three years is counted from the date of the most recent incident of harassment.

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

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

DHR's main office contact information is: NYS Division of Human Rights, One Fordham Plaza, Fourth Floor, Bronx, New York 10458. Individuals may call (718) 741-8400 or visit: www.dhr.ny.gov.

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

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

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The EEOC does not hold hearings or award relief, but may take other action including pursuing cases in federal court on behalf of complaining parties. Federal courts may award remedies if discrimination is found to have occurred. In general, private employers must have at least 15 employees to come within the jurisdiction of the EEOC.

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

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

Title IX

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

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

Local Protections

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

Local Police Department

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

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

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

Adopted: 8/15/17
Revised: 10/9/18
Revised: 5/04/21

POLICY 7550: DIGNITY FOR ALL STUDENTS

Overview

The District seeks to create an environment free of harassment, bullying, and discrimination; to foster civility in its schools; and to prevent conduct that is inconsistent with its educational mission. This policy is just one component of the District's overall commitment to maintaining a discrimination and harassment-free educational and work environment.

The District, therefore, prohibits all forms of harassment and bullying of students by employees or other students on school property and at school functions. The District further prohibits discrimination against students, including, but not limited to, discriminatory acts based on a person's actual or perceived race, color, weight, national origin, ethnic group, religion, religious practice, disability, sexual orientation, gender, or sex by employees or other students on school property and at school functions.

In addition, other acts of harassment, bullying, and/or discrimination that occur off school property may be subject to discipline or other corrective action, where such acts create 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 District adopts this policy as part of its effort to provide for the prompt and equitable resolution of complaints of harassment, bullying, and/or discrimination of students. The District will promptly respond to reports of harassment, bullying, and/or discrimination of students, ensure that all investigations are conducted within a reasonably prompt time frame and under a predictable fair grievance process that provides due process protections, and impose disciplinary measures and implement remedies when warranted.

Inquiries about this policy may be directed to the District's Dignity Act Coordinator(s) (DAC(s)).

**Dignity Act Coordinator**

In each of its schools, the District will designate at least one employee to serve as the DAC and receive reports of harassment, bullying, and/or discrimination. Each DAC will be:

a) Approved by the Board;
b) 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;
c) Instructed in the provisions of the Dignity for All Students Act and its implementing regulations;
d) 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;
e) Provided with training 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;
f) Provided with training in the identification and mitigation of harassment, bullying, and discrimination; and
g) Provided with training in strategies for effectively addressing problems of exclusion, bias, and aggression in educational settings.

The District will widely disseminate the name, designated school, and contact information of each DAC to all school personnel, students, and parents or persons in parental relation by:

a) Listing it in the *Code of Conduct*, with updates posted on the District's website;
b) Including it in the *Code of Conduct's* plain language summary provided to all parents or persons in parental relation to students before the beginning of each school year;
c) Providing it to parents or persons in parental relation in at least one District or school mailing or other method of distribution each school year, including, but not limited to, electronic communication and/or sending information home with each student. If the information changes, parents and persons in parental relation will be notified in at least one subsequent District or school mailing, or other method of distribution as soon as practicable thereafter;
d) Posting it in highly visible areas of school buildings; and
e) Making it available at the District and school-level administrative offices.

If a DAC vacates his or her position, the District will immediately designate another eligible employee as an interim DAC, pending approval of a successor DAC from the Board within 30 days of the date the position was vacated. In the event a DAC is unable to perform his or her duties for an extended period of time, the District will immediately designate another eligible employee as an interim DAC, pending the return of the previous individual to the position.

Each year, all employees will be provided with training to promote a supportive school environment that is free from harassment, bullying, and discrimination, and to discourage and respond to incidents of harassment, bullying, and/or discrimination. This training may be provided in conjunction with existing professional learning and will be conducted consistent with guidelines approved by the Board, and will include training to:
a) Raise awareness and sensitivity to potential acts of harassment, bullying, and discrimination;
b) Address social patterns of harassment, bullying, and discrimination;
c) Inform employees on the identification and mitigation of harassment, bullying, and discrimination;
d) Enable employees to prevent and respond to incidents of harassment, bullying, and discrimination;
e) Make employees aware of the effects of harassment, bullying, cyberbullying, and discrimination on students;
f) Provide strategies for effectively addressing problems of exclusion, bias, and aggression;
g) Include safe and supportive school climate concepts in curriculum and classroom management; and
h) Ensure the effective implementation of school policy on conduct and discipline.

Rules against harassment, bullying, and discrimination will be included in the Code of Conduct, publicized District-wide, and disseminated to all staff and parents or persons in parental relation. Any amendments to the Code of Conduct will be disseminated as soon as practicable following their adoption. The District will provide new employees with a complete copy of the current Code of Conduct upon beginning their employment, and distribute an age-appropriate summary to all students at a school assembly at the beginning of each school year.

Internal Reports and Investigations of Harassment, Bullying, and/or Discrimination

All District employees who witness or receive an oral or written report of harassment, bullying, and/or discrimination are required to take action. District employees must make an oral report promptly to the Superintendent or principal, their designee, or the DAC not later than one school day after witnessing or receiving an oral or written report of harassment, bullying, and/or discrimination. No later than two school days after making the oral report, the District employee must file a written report with the Superintendent or principal, their designee, or the DAC.

The Superintendent or principal, their designee, or the DAC will lead or supervise the thorough investigation of all reports of harassment, bullying, and/or discrimination and ensure that all investigations are promptly completed after the receipt of a written report. In investigating any allegation, the investigator may seek the assistance of the District's Civil Rights Compliance Officer(s) (CRCO(s)) and/or Title IX Coordinator(s) in investigating, responding to, andremedying complaints of harassment, bullying, and/or discrimination.

Additionally, other District policies and documents address harassment, bullying, and discrimination of students. These policies and documents may include: Policy #3420 -- Non-Discrimination and Anti-Harassment in the District; Policy #3421 -- Title IX and Sex Discrimination; Policy #7551 -- Sexual Harassment of Students; and the District's Code of Conduct. All complaints will be handled in accordance with the applicable District policies and/or documents.

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

When an investigation verifies a material incident of harassment, bullying, and/or discrimination, the Superintendent or principal, their designee, or the DAC will take prompt action, consistent with applicable laws and regulations as well as the District's Code of Conduct, reasonably calculated to end the harassment, bullying, and/or discrimination, eliminate any hostile environment, create a more positive school culture and climate, prevent recurrence of the behavior, and ensure the safety of the student or students against whom the behavior was directed.

The Superintendent or principal, their designee, or the DAC will promptly notify the appropriate local law enforcement agency when it is believed that any harassment, bullying, and/or discrimination constitutes criminal conduct.
Reporting Incidents

Reporting Incidents to the Superintendent

At least once during each school year, each building principal will provide a report on data and trends related to harassment, bullying, and/or discrimination to the Superintendent in a manner prescribed by the District. This report will be used to submit the annual School Safety and the Educational Climate (SSEC) Summary Data Collection form to the State Education Department (SED).

Reporting of Material Incidents to the Commissioner of Education

Each school year, the District will submit to the Commissioner a report of material incidents of harassment, bullying, and/or discrimination that occurred during the school year in accordance with law and regulation. This report will be submitted in a manner prescribed by the Commissioner, on or before the basic educational data system (BEDS) reporting deadline or other date determined by the Commissioner.

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

Any person who has reasonable cause to suspect that a student has been subjected to harassment, bullying, and/or discrimination by an employee or student on school grounds or at a school function, and who acts reasonably and in good faith in reporting it to school officials, the Commissioner, or law enforcement authorities, or who otherwise initiates, testifies, participates, or assists in any formal or informal proceedings, will have immunity from any civil liability that may arise from making that report, or from initiating, testifying, participating, or assisting in those proceedings. The District also prohibits any retaliatory behavior directed against any complainant, victim, witness, or any other individual who participated in the reporting or investigation of an incident of alleged harassment, bullying, and/or discrimination.

Publication of District Policy

At least once during each school year, all employees, students, and parents or persons in parental relation will be provided with a written or electronic copy of this policy, or a plain-language summary of it. The policy or summary will include information relating to how students, parents or persons in parental relation, and employees may report harassment, bullying, and/or discrimination. Additionally, the District will maintain a current version of this policy on its website at all times.

Application

Nothing in this policy or its implementing regulations should be interpreted to preclude or limit any right or cause of action provided under any local, state, or federal ordinance, law or regulation including, but not limited to, any remedies or rights available under the Individuals with Disabilities Education Act, Title VII of the Civil Rights Law of 1964, Section 504 of the Rehabilitation Act of 1973, or the Americans with Disabilities Act of 1990.

Education Law §§ 10-18 and 2801
8 NYCRR § 100.2
NOTE: Refer also to Policies #1330 -- Appointments and Designations by the Board
#3410 -- Code of Conduct
#3420 -- Non-Discrimination and Anti-Harassment in the District
#3421 -- Title IX and Sex Discrimination
#5670 -- Records Management
#6411 -- Use of Email in the District
#7551 -- Sexual Harassment of Students
#7552 -- Student Gender Identity
#7553 -- Hazing of Students
#8130 -- Equal Educational Opportunities
#8242 -- Civility, Citizenship, and Character Education/Interpersonal Violence Prevention Education

District Code of Conduct
Adopted: 9/12/17
Revised: 2/11/20
Revised: 5/04/21

May 4, 2021
May 4, 2021

POLICY 7551: SEXUAL HARASSMENT OF STUDENTS

Overview

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

Consistent with this commitment and in accordance with law and regulation, the District prohibits all forms of sexual harassment of students by any individual on school property and at school functions which, for purposes of this policy, means a school-sponsored or school-authorized extracurricular event or activity regardless of where the event or activity takes place, including any event or activity that may take place virtually or in another state.

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

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

What Constitutes Sexual Harassment

Sexual harassment is a form of sex discrimination and is unlawful. It includes harassment on the basis of sex, sexual orientation, self-identified or perceived sex, gender expression, gender identity, and the status of being transgender. Sexual harassment can occur between any individuals, regardless of their sex or gender.

Generally stated, sexual harassment consists of subjecting an individual to unwelcome conduct which is either of a sexual nature or which is directed at an individual because of that individual's sex.

This conduct may, among other things, have the purpose or effect of: creating an intimidating, hostile, or offensive environment; substantially or unreasonably interfering with a student's educational performance, opportunities, benefits, or well-being; or otherwise adversely affecting a student's educational opportunities. Petty slights or trivial inconveniences generally do not constitute harassing conduct.

Determinations as to whether conduct or an incident constitutes sexual harassment will be made consistent with applicable law and regulation, as well as any applicable District policy, regulation, procedure, or other document such as the District's Code of Conduct. The examples below are intended to serve as a general guide for individuals in determining what may constitute sexual harassment. These examples should not be construed to add or limit the rights that students possess as a matter of law.

Examples of Sexual Harassment

Sexual harassment can be verbal, non-verbal, or physical. Examples of this conduct may include, but are not limited to, the following:

a) Unwanted physical acts of a sexual nature, such as:
   1. Touching, pinching, patting, kissing, hugging, grabbing, brushing against another person's body, or poking another person's body; and
   2. Rape, sexual battery, molestation, or attempts to commit these assaults.

b) Engaging in sexual conduct with an individual who is unable to consent due to age, use of drugs or alcohol, intellectual disability, or other disability.

c) Unwanted sexual advances or propositions, such as:
   1. Demanding sexual favors of a student, insinuating that refusal to acquiesce to such favors will adversely affect a student's grades, references, academic or scholastic placement, and/or participation in extracurricular activities; and
   2. Subtle or obvious pressure for unwelcome sexual activities.

d) Verbal abuse or ridicule, including profanity, innuendoes, stories, and jokes that are sexual in nature and/or gender-related. This might include inappropriate sex-oriented comments on appearance, including dress or physical features.

e) Asking or commenting about an individual's sexual activities.

f) Hostile actions taken against an individual because of that individual's sex, sexual orientation, gender identity, and the status of being transgender.
g) Displaying or distributing pornographic or other sexually explicit materials (print or digital) such as magazines, pictures, cartoons, etc.

h) Unwelcome staring, leering, or gesturing which is sexually suggestive in nature.

i) Unwelcome and/or offensive public displays of sexual or physical affection.

j) Clothing that reflects sexually obscene and/or sexually explicit messages, slogans, or pictures.

k) Any other unwelcome and unwanted sexually oriented and/or gender-based behavior which is sexually demeaning, belittling, intimidating, or perpetrates sexual stereotypes and attitudes.

**Reporting Allegations of Sexual Harassment**

In order for the District to enforce this policy, and to take corrective action as warranted, it is essential that students who believe that they have been a victim of sexual harassment in the school environment, as well as any other person who has knowledge of or witnesses any possible sexual harassment, immediately report the alleged conduct or incident. Reports of sexual harassment may be made orally or in writing to any District employee including, but not limited to, a teacher, building principal, CRCO, Title IX Coordinator, or DAC.

All District employees who witness or receive an oral or written report of sexual harassment must immediately inform the CRCO. Failure to immediately inform the CRCO may subject the employee to discipline up to and including termination. If the CRCO is unavailable, including due to a conflict of interest or other disqualifying reason, the report will be directed to another CRCO, if the District has designated another individual to serve in that capacity. If the District has not designated another CRCO, the Superintendent will ensure that another person with the appropriate training and qualifications is appointed to act as the CRCO.

Additionally, District employees must comply with reporting requirements in any other applicable District policy or document. Applicable policies or documents may include: Policy #3420 -- Non-Discrimination and Anti-Harassment in the District; Policy #3421 -- Title IX and Sex Discrimination; Policy #7550 -- Dignity for All Students; and the District's *Code of Conduct*.

**Grievance Process for Complaints of Sexual Harassment**

The District will act to promptly, thoroughly, and equitably investigate all complaints, whether oral or written, of sexual harassment of students and will promptly take appropriate action to protect students from further sexual harassment.

Various District policies and documents address sexual harassment of students. These policies and documents may include: Policy #3420 -- Non-Discrimination and Anti-Harassment in the District; Policy #3421 -- Title IX and Sex Discrimination; Policy #7550 -- Dignity for All Students; and the District's *Code of Conduct*. All complaints will be handled in accordance with the applicable District policies and/or documents.

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

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

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

The District prohibits retaliation against any individual because the individual made a report or complaint, testified, assisted, or participated or refused to participate in an investigation, proceeding, or hearing related to a complaint of sexual harassment. Complaints of retaliation may be directed to the CRCO. If the CRCO is unavailable, including due to a conflict of interest or other disqualifying reason, the report will be directed to another CRCO, if the District has designated another individual to serve in that capacity. If the District has not designated another CRCO, the Superintendent will ensure that another person with the appropriate training and qualifications is appointed to act as the CRCO.
Where appropriate, follow-up inquiries will be made to ensure that the sexual harassment has not resumed and that those involved in the investigation have not suffered retaliation.

Title IV of the Civil Rights Act of 1964, 42 US Code § 2000e et seq.
Title IX of the Education Amendments Act of 1972, 20 US Code § 1681 et seq.
34 CFR Parts 106 and 270
45 CFR Part 86
Civil Rights Law § 40-c
Education Law §§ 10-18, 313, 2801, and 3201-a
New York State Human Rights Law, Executive Law § 290 et seq.
8 NYCRR § 100.2
9 NYCRR § 466 et seq.

NOTE: Refer also to Policies #3410 -- Code of Conduct
#3420 -- Non-Discrimination and Anti-Harassment in the District
#3421 -- Title IX and Sex Discrimination
#7550 -- Dignity for All Students
#7551 -- Sexual Harassment of Students
District Code of Conduct
Adopted: 9/12/17
Revised: 5/04/21

POLICY 7553: HAZING OF STUDENTS

The District is committed to providing a safe, productive, and positive learning environment within its schools. Hazing activities are demeaning and abusive behaviors that harm victims, are inconsistent with the educational goals of the District, and may constitute criminal conduct. Consequently, hazing of students by other students or groups of students is strictly prohibited on school property, in school buildings, on school buses, by school-sponsored groups, clubs, or teams, and at school-sponsored events and/or activities whether occurring on or off-campus. Hazing is prohibited regardless of the victim's apparent willingness to participate in the activity.

For purposes of this policy, the term "hazing" is defined as any humiliating or dangerous activity expected of a student to join a group, regardless of their willingness to participate. Acts constituting hazing may range in severity from teasing or embarrassing a student to various forms of physical, emotional, and/or sexual abuse. Hazing behaviors include, but are not limited to:

a) Humiliation: socially offensive, isolating, or uncooperative behaviors.
b) Substance abuse: abuse of tobacco, alcohol, or illegal drugs.
c) Other dangerous actions: hurtful, aggressive, destructive, and disruptive behaviors.

Hazing is a form of harassment and bullying and may constitute discrimination. Various District policies and documents address discrimination and harassment of students. These policies and documents may include: Policy #3420 -- Non-Discrimination and Anti-Harassment in the District; Policy #3421 -- Title IX and Sex Discrimination; Policy #7550 -- Dignity for All Students; Policy #7551 -- Sexual Harassment of Students; and the District's Code of Conduct. As such, the District's response to reports of hazing will be handled in accordance with the applicable District policies and/or documents.

Education Law §§ 10-18, 1709-a, 2503-a, and 2801
Penal Law §§ 120.16 and 120.17
8 NYCRR § 100.2

NOTE: Refer also to Policies #3410 -- Code of Conduct
#3420 -- Non-Discrimination and Anti-Harassment in the District
#3421 -- Title IX and Sex Discrimination
#7550 -- Dignity for All Students
#7551 -- Sexual Harassment of Students
District Code of Conduct
Adopted: 9/12/17
Revised: 5/04/21
POLICY 8130: EQUAL EDUCATIONAL OPPORTUNITIES

Overview

The District is committed to creating and maintaining an environment which is free from discrimination and harassment. This policy addresses the provision of equal educational opportunities to students. It is just one component of the District's overall commitment to maintaining a discrimination and harassment-free educational and work environment.

Consistent with this commitment and in accordance with law and regulation, the District provides equal opportunity for students and does not discriminate against any student enrolled in (or any candidate for admission to) its programs and activities on the basis of any legally protected class or category including, but not limited to: race; color; religion; disability; national origin; sexual orientation; gender identity or expression; military status; sex; age; marital status; pregnancy; parental status; weight; ethnic group; or religious practice. Further, the District provides equal access to its facilities to any group officially affiliated with the Boy Scouts of America or any other youth group listed in Title 36 (as a patriotic society).

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

Inquiries about this policy may be directed to the District's Civil Rights Compliance Officer(s) (CRCO(s)).

Educational Services for Married/Pregnant Students

The opportunity to participate in all of the programs and activities of the District will not be restricted or denied because of pregnancy, parenthood, or marriage. Pregnant students will be encouraged to remain and participate in District programs. The forms of instruction provided to these students may include any or all of the following:

a) Remain in school with provisions for special instruction, scheduling, and counseling as needed;

b) Receive home instruction;

c) Attend BOCES programs.

The Superintendent or designee, in consultation with student services staff, the school physician, and the student's personal physician, may make program modifications which are feasible and necessary to accommodate the special needs of these students.

Reporting Allegations of Discrimination

In order for the District to enforce this policy, and to take corrective action as warranted, it is essential that students who believe that they have been a victim of discrimination, as well as any other person who has knowledge of or witnesses any possible discrimination, immediately report the alleged conduct or incident. Reports of discrimination may be made orally or in writing to any District employee including, but not limited to, a teacher, building principal, or CRCO.

All District employees who witness or receive an oral or written report of discrimination must immediately inform the CRCO. Failure to immediately inform the CRCO may subject the employee to discipline up to and including termination. If the CRCO is unavailable, including due to a conflict of interest or other disqualifying reason, the report will be directed to another CRCO, if the District has designated another individual to serve in that capacity. If the District has not designated another CRCO, the Superintendent will ensure that another person with the appropriate training and qualifications is appointed to act as the CRCO.

Additionally, District employees must comply with reporting requirements in any other applicable District policy or document. Applicable policies or documents may include: Policy #3420 -- Non-Discrimination and Anti-Harassment in the District; Policy #3421 -- Title IX and Sex Discrimination; Policy #7550 -- Dignity for All Students; and the District's Code of Conduct.
Grievance Process for Complaints of Discrimination

The District will act to promptly, thoroughly, and equitably investigate all complaints, whether oral or written, of discrimination and will promptly take appropriate action to protect students from further discrimination.

Various District policies and documents address discrimination. These policies and documents may include: Policy #3420 -- Non-Discrimination and Anti-Harassment in the District; Policy #3421 -- Title IX and Sex Discrimination; Policy #7550 -- Dignity for All Students; and the District’s Code of Conduct. All complaints will be handled in accordance with the applicable District policies and/or documents.

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

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

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

The District prohibits retaliation against any individual because the individual made a report or complaint, testified, assisted, or participated or refused to participate in an investigation, proceeding, or hearing related to a complaint of discrimination.

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

Where appropriate, follow-up inquiries will be made to ensure that the discrimination has not resumed and that those involved in the investigation have not suffered retaliation.

Age Discrimination Act of 1975, 42 USC § 6101 et seq.
Americans with Disabilities Act (ADA), 42 USC § 12101 et seq.
Section 504 of the Rehabilitation Act of 1973, 29 USC § 790 et seq.
Title IV of the Civil Rights Act of 1964, 42 USC § 2000c et seq.
Title VI of the Civil Rights Act of 1964, 42 USC § 2000d et seq.
Title IX of the Education Amendments Act of 1972, 20 USC § 1681 et seq.
28 CFR Part 35
34 CFR Parts 100, 104, 106, 110, and 270
45 CFR Part 86
Civil Rights Law §§ 40, 40-c, and 47-b
Education Law §§ 10-18, 313, 2801, 3201, and 3201-a
New York State Human Rights Law, Executive Law § 290 et seq.
8 NYCRR § 100.2
9 NYCRR § 466 et seq.

NOTE: Refer also to Policies #3281 -- Use of Facilities by the Boy Scouts of America and Patriotic Youth Groups
#3410 -- Code of Conduct
#3420 -- Non-Discrimination and Anti-Harassment in the District
#3421 -- Title IX and Sex Discrimination
#7550 -- Dignity for All Students
#7551 -- Sexual Harassment of Students
District Code of Conduct
Adopted: 10/10/17
Revised: 5/04/21
POLICY 8220: CAREER AND TECHNICAL (OCCUPATIONAL) EDUCATION

The District recognizes the need for career and technical (occupational) education and reaffirms its policy of strengthening available career and technical education programs through utilization of any available federal and state funds for that purpose and supporting BOCES' programs. Accordingly, these programs may be offered by the District and/or through a BOCES.

Equal Opportunity

The District prohibits discrimination on the basis of any legally protected class or category including, but not limited to, race, color, creed, religion, disability, use of a service animal, national origin, sexual orientation, gender identity or expression, military status, sex, age, and marital status in any career and technical education program or activity of the District.

Career and technical education programs and activities will be readily accessible to students with disabilities.

Public Notification

Prior to the beginning of each school year or academic semester, the District will issue an appropriate public announcement which advises students, parents, employees, and the general public that career and technical education opportunities will be offered without regard any legally protected class or category including, but not limited to: race; color; creed; religion; disability; use of a service animal; national origin; sexual orientation; gender identity or expression; military status; sex; age; and marital status. Included in this announcement will be the name, address, telephone number, and email address of the District's Civil Rights Compliance Officer(s) (CRCO(s)) and Title IX Coordinator(s).

Grievance Procedure

Various District policies and documents address discrimination. These policies and documents may include: Policy #3420 -- Non-Discrimination and Anti-Harassment in the District; Policy #3421 -- Title IX and Sex Discrimination; Policy #7550 -- Dignity for All Students; and the District's Code of Conduct. All complaints will be handled in accordance with the applicable District policies and/or documents.

Local Advisory Council

The Board will appoint a Local Advisory Council for Career Education. The Board may, with BOCES approval, utilize the BOCES Advisory Council as its Local Advisory Council.

Age Discrimination Act of 1975, 42 USC § 6101 et seq.
Americans with Disabilities Act (ADA), 42 USC § 12101 et seq.
Section 504 of the Rehabilitation Act of 1973, 29 USC § 790 et seq.
Title IV of the Civil Rights Act of 1964, 42 USC § 2000c et seq.
Title VI of the Civil Rights Act of 1964, 42 USC § 2000d et seq.
Title IX of the Education Amendments Act of 1972, 20 USC § 1681 et seq.
28 CFR Part 35
34 CFR Parts 100, 104, 106, 110, and 270
45 CFR Part 86
Civil Rights Law §§ 40, 40-c, and 47-b
Education Law Article 93 and §§ 10-18, 313, 2801, 3201, and 3201-a
New York State Human Rights Law, Executive Law § 290 et seq.
8 NYCRR §§ 100.2 and 141 et seq.
9 NYCRR § 466 et seq.
NOTE: Refer also to Policies #3420 -- Non-Discrimination and Anti-Harassment in the District
#3421 -- Title IX and Sex Discrimination
#7550 -- Dignity for All Students
#7551 -- Sexual Harassment of Students
#8130 -- Equal Educational Opportunities
District Code of Conduct
Adopted: 10/10/17
Revised: 5/04/21

May 4, 2021
POLICY 5681: SCHOOL SAFETY PLANS

The District considers the safety of its students and staff to be of the utmost importance and is keenly aware of the evolving nature of threats to schools. As such, it will address those threats accordingly through appropriate emergency response planning. The District-wide school safety plan and the building-level emergency response plan(s) will be designed to prevent or minimize the effects of violent incidents and emergencies and to facilitate the coordination of schools and the District with local and county resources in the event of these incidents or emergencies. These plans will be reviewed and updated by the appropriate team on at least an annual basis and adopted by the Board by September 1 of each school year.

The Board will make the District-wide school safety plan available for public comment at least 30 days prior to its adoption. The District-wide school safety plan may only be adopted by the Board after at least one public hearing that provides for the participation of school personnel, parents, students, and any other interested parties. The District-wide school safety plan and any amendments must be submitted to the Commissioner, in a manner prescribed by the Commissioner, within 30 days of adoption, but no later than October 1 of each school year.

Building-level emergency response plan(s) and any amendments must be submitted to the appropriate local law enforcement agency and the state police within 30 days of adoption, but no later than October 1 of each school year. Building-level emergency response plan(s) will be kept confidential and are not subject to disclosure under the Freedom of Information Law (FOIL) or any other provision of law.

District-Wide School Safety Plan

District-wide school safety plan means a comprehensive, multi-hazard school safety plan that covers all school buildings of the District, addresses crisis intervention, emergency response and management at the District level, and has the contents as prescribed in Education Law and Commissioner's regulations.

The District-wide school safety plan will be developed by the District-wide school safety team appointed by the Board. The District-wide school safety team will include, but not be limited to, representatives of the Board, teacher, administrator, and parent organizations, school safety personnel, and other school personnel including bus drivers and monitors. At the discretion of the Board, a student may be allowed to participate on the District-wide school safety team, however discretion around sharing confidential aspects of the safety plan must be considered.

The District-wide school safety plan will include, but not be limited to:

a) Policies and procedures for responding to implied or direct threats of violence by students, teachers, other school personnel including bus drivers and monitors, and visitors to the school, including threats by students against themselves, which includes suicide;

b) Policies and procedures for responding to acts of violence by students, teachers, other school personnel including bus drivers and monitors, and visitors to the school, including consideration of zero-tolerance policies for school violence;

c) Appropriate prevention and intervention strategies, such as:
   1. Collaborative arrangements with state and local law enforcement officials, designed to ensure that school safety officers and other security personnel are adequately trained, including being trained to de-escalate potentially violent situations, and are effectively and fairly recruited;
   2. Nonviolent conflict resolution training programs;
   3. Peer mediation programs and youth courts; and
   4. Extended day and other school safety programs;

d) Policies and procedures for contacting appropriate law enforcement officials in the event of a violent incident;

e) A description of the arrangements for obtaining assistance during emergencies from emergency services organizations and local governmental agencies;

f) Procedures for obtaining advice and assistance from local government officials, including the county or city officials responsible for implementation of Executive Law Article 2-B State and Local Natural and Man-Made Disaster Preparedness;

g) The identification of District resources which may be available for use during an emergency;
h) A description of procedures to coordinate the use of District resources and manpower during emergencies, including identification of the officials authorized to make decisions and of the staff members assigned to provide assistance during emergencies;

i) Policies and procedures for contacting parents, guardians, or persons in parental relation to District students in the event of a violent incident or an early dismissal;

j) Policies and procedures for contacting parents, guardians, or persons in parental relation to an individual District student in the event of an implied or direct threat of violence by the student against themselves, which includes suicide;

k) Policies and procedures relating to school building security, including, where appropriate: the use of school safety officers, school security officers, and/or school resource officers; and security devices or procedures;

l) Policies and procedures for the dissemination of informative materials regarding the early detection of potentially violent behaviors, including, but not limited to, the identification of family, community, and environmental factors to teachers, administrators, school personnel including bus drivers and monitors, parents, and other persons in parental relation to students of the District or Board, students, and other persons deemed appropriate to receive the information;

m) Policies and procedures for annual multi-hazard school safety training for staff and students, provided that the District must certify to the Commissioner that all staff have undergone annual training by September 15 on the building-level emergency response plan which must include components on violence prevention and mental health, provided further that new employees hired after the start of the school year will receive training within 30 days of hire or as part of the District's existing new hire training program, whichever is sooner;

n) Procedures for the review and conduct of drills and other exercises to test components of the emergency response plan, including the use of tabletop exercises, in coordination with local and county emergency responders and preparedness officials;

o) The identification of appropriate responses to emergencies, including protocols for responding to bomb threats, hostage-takings, intrusions, and kidnappings;

p) Strategies for improving communication among students and between students and staff and reporting of potentially violent incidents, such as the establishment of youth-run programs, peer mediation, conflict resolution, creating a forum or designating a mentor for students concerned with bullying or violence, and establishing anonymous reporting mechanisms for school violence;

q) A description of the duties of hall monitors and any other school safety personnel, the training required of all personnel acting in a school security capacity, and the hiring and screening process for all personnel acting in a school security capacity;

r) A system for informing all educational agencies within the District of a disaster; and

s) The designation of the Superintendent or designee, as the District Chief Emergency Officer whose duties will include, but not be limited to:
   1. Coordinating the communication between school staff, law enforcement, and other first responders;
   2. Leading the efforts of the District-wide school safety team in the completion and yearly update of the District-wide school safety plan and the coordination of the District-wide school safety plan with the building-level emergency response plan(s);
   3. Ensuring staff understanding of the District-wide school safety plan;

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4. Ensuring the completion and yearly update of building-level emergency response plans for each school building;
5. Assisting in the selection of security related technology and development of procedures for the use of the technology;
6. Coordinating appropriate safety, security, and emergency training for District and school staff, including required training in the emergency response plan;
7. Ensuring the conduct of required evacuation and lock-down drills in all District buildings as required by law; and
8. Ensuring the completion and yearly update of building-level emergency response plan(s) by the dates designated by the Commissioner.

(t) Protocols for responding to a declared state disaster emergency involving a communicable disease that are substantially consistent with the provision in Labor Law Section 27-c.

**Building-Level Emergency Response Plan**

Building-level emergency response plan means a building-specific school emergency response plan that addresses crisis intervention, emergency response and management at the building level and has the contents as prescribed in Education Law and Commissioner's regulations. As part of this plan, the District will define the chain of command in a manner consistent with the National Incident Management System (NIMS)/Incident Command System (ICS).

Building-level emergency response plan(s) will be developed by the building-level emergency response team. The building-level emergency response team is a building-specific team appointed by the building principal, in accordance with regulations or guidelines prescribed by the Board. The building-level emergency response team will include, but not be limited to, representatives of teacher, administrator, and parent organizations, school safety personnel and other school personnel including bus drivers and monitors, community members, local law enforcement officials, local ambulance, fire officials, or other emergency response agencies, and any other representatives the Board deems appropriate.

Classroom door vision panels will not be covered except as outlined in the building-level emergency response plan.

Education Law § 2801-a
8 NYCRR § 155.17
Adopted: 7/11/17
Revised: 2/14/20
Revised: 5/4/21
Yes – Tinnesz, Eagan, Kane, Mahany, Cimo and Rogers
No – n/a
**Motion Unanimously Carried 6-0**

Motion by Mr. Eagan, seconded by Mrs. Kane, to adopt the following resolution:

**RESOLVED:** That the Orchard Park Central School District Board of Education, upon the recommendation of the Superintendent of Schools, hereby accepts the donation from the Buffalo Bills of 4 Flag football kits (valued at $1,600) for the elementary physical education program.

Yes – Tinnesz, Eagan, Kane, Mahany, Cimo and Rogers
No – n/a
**Motion Unanimously Carried 6-0**
Motion by Mr. Eagan, seconded by Mrs. Kane, to adopt the following resolution:

**RESOLVED:** That the Orchard Park Central School District Board of Education, upon the recommendation of the Superintendent of Schools, hereby accepts the donation from the Quaker Athletic Booster Club of $2,000 to be used by the football program.

*Yes* – Tinnesz, Eagan, Kane, Mahany, Cimo and Rogers

*No* – n/a

**Motion Unanimously Carried 6-0**

Motion by Mr. Eagan, seconded by Mrs. Kane, to adopt the following resolution:

**RESOLVED:** That the Orchard Park Central School District Board of Education, upon the recommendation of the Superintendent of Schools, hereby accepts declares the following equipment from the special education department as presented as obsolete.

- Phonak Inspiro FM System, soft key, transmitter s/n: 1233NY099, receiver s/n: 1303NY36W
- Phonak Inspiro Premium FM System, s/n: 1337NYOWU
- Plantronics headset system CO54-XD, s/n: 0DTV6A, MC628AA1
- Oticon Amigo FM Transmitter System Transmitter s/n: 111786, Receiver s/n: 2191291

*Yes* – Tinnesz, Eagan, Kane, Mahany, Cimo and Rogers

*No* – n/a

**Motion Unanimously Carried 6-0**

**Adjournment**

Motion by Mr. Eagan, seconded by Mrs. Kane, to adjourn the meeting:

*Yes* – Tinnesz, Eagan, Kane, Mahany, Cimo and Rogers

*No* – n/a

**Motion Unanimously Carried 6-0 to adjourn at 7:57 p.m.**

Respectfully submitted,

Cheryl A. Connors
District Clerk

**Other Meeting Attachments**

1. Consensus Special Education

**Other Meeting Attachments**

1. Official Meeting Announcement
2. Meeting Agenda