

POLICY NOTICE

FOR EMPLOYEES OF MARLBORO CENTRAL SCHOOL DISTRICT



20011-2012

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Board of Education

Administrative Offices
50 Cross Road
Marlboro, N.Y. 12542

Board of Education Members:

Mr. Steven Jennison
Board President

Mr. Lawrence Cavazza
Board Vice-President

Mrs. Celeste Ricciardone
Board Member

Mr. James Sullivan
Board Member

Mr. Ken Brooks
Board Member

Mrs. JoAnne Reed
Board Member

Mr. Dean Tamburri
Board Member

Mrs. Irene Scaturro
Board Clerk

Administrative Offices

Central Office

Ray Castellani (845) 236-5802
Superintendent of Schools

Theresa Reynolds (845) 236-5812
Assistant Superintendent for Curriculum & Instruction

Dr. Neysa Sensenig (845) 236-5803
Assistant Superintendent for Business

Michael Bakatsias (845) 236-5814
Assistant Superintendent for Technology/Personnel

Rosanne Messina (845) 236-5820
Director of Pupil Personnel

Marlboro High School

Rosanne Collins-Judon (845) 236-5807
Principal
Bruce Cortolano
Assistant Principal

Marlboro Middle School

Debra Clinton (845) 236-5842
Principal
Darren Corsetti
Assistant Principal

Marlboro Intermediate School

Scott Brown (845) 236-1636
Principal
David Saulpaugh
Assistant Principal

Marlboro Elementary School

Scott Brown (845) 236-5833
Principal
David Saulpaugh
Assistant Principal

Milton Elementary School

Patricia Walsh (845) 795-2733
Principal

Middle Hope Elementary School

Marie Toombs (845) 565-9623
Principal

Lead Operations

Werner Pollmann (845) 236-5805

Director of Food Services

Fred Callo (845) 236-5815

Marlboro Central School District

Equal Opportunity

Policy # 2130

Internal Operations

SUBJECT: SCHOOL BOARD CODE OF ETHICS

Adoption of Code of Ethics

That the Board of Education adopt and observe a code of ethics governing the conduct of its members.

As a member of my local Board of Education representing all the citizens of my School District, I recognize:

- a) That my fellow citizens have entrusted me with the educational development of the children and youth of this community.
- b) That the public expects my first and greatest concern to be in the best interest of each and every one of these young people without distinction as to who they are or what their background may be.
- c) That the future welfare of this community, of this State, and of the Nation depends on the largest measure upon the quality of education we provide in the public schools to fit the needs of every learner.
- d) That my fellow Board members and I must take the initiative in helping all the people of this community to have all the facts all the time about their schools, to the end that they will readily provide the finest possible school program, school staff, and school facilities.
- e) That legally the authority of the Board is derived from the State which ultimately controls the organization and operation of the School District and which determines the degree of discretionary power left with the Board and the people of this community for the exercise of local autonomy.
- f) That I must never neglect my personal obligation to the community and my legal obligation to the State, nor surrender these responsibilities to any other person, group, or organization; but that, beyond these, I have a moral and civic obligation to the Nation which can remain strong and free only so long as public schools in the United States of America are kept free and strong.

(Continued)

SUBJECT: SCHOOL BOARD CODE OF ETHICS (Cont'd.)

In view of the foregoing consideration, it shall be my constant endeavor:

- a) To devote time, thought, and study to the duties and responsibilities of a school Board member so that I may render effective and creditable service.
- b) To work with my fellow Board members in a spirit of harmony and cooperation in spite of differences of opinion that arise during vigorous debate of points at issue.
- c) To base my personal decision upon all available facts in each situation, to vote my honest conviction in every case, unswayed by partisan bias of any kind; thereafter to abide by and uphold the final majority decision of the Board.
- d) To remember at all times that as an individual I have no legal authority outside the meetings of the Board, and to conduct my relationships with the school staff, the local citizenry, and all media of communication on the basis of this fact.
- e) To resist every temptation and outside pressure to use my position as a school Board member to benefit either myself or any other individual or agency apart from the total interest of the School District.
- f) To recognize that it is as important for the Board to understand and evaluate the educational program of the schools as it is to plan for the business of school operation.
- g) To bear in mind under all circumstances that the primary function of the Board is to establish the policies by which the schools are to be administered, but that the administration of the educational program and the conduct of school business shall be left to the employed Superintendent of Schools and his/her professional and nonprofessional staff.
- h) To welcome and encourage active cooperation by citizens, organizations and the media of communication in the District with respect to establishing policy on current school operation and proposed future developments.
- i) To support my State and National School Boards Association.
- j) Finally, to strive step by step toward ideal conditions for most effective School Board services to my community, in a spirit of teamwork and devotion to public education as the greatest instrument for the preservation and perpetuation of our representative democracy.

Marlboro Central School District

Policy # 3410

Community Relations

SUBJECT: CODE OF CONDUCT ON SCHOOL PROPERTY

The District has developed and will amend, as appropriate, a written Code of Conduct for the Maintenance of Order on School Property, including school functions, which shall govern the conduct of students, teachers and other school personnel, as well as visitors. The Board of Education shall further provide for the enforcement of such Code of Conduct. The District refers the public to the Code of Conduct in the Administrative Regulations.

Education Law Sections 2801 and 3214
Family Court Act Articles 3 and 7
Vehicle and Traffic Law Section 142
8 New York Code of Rules and Regulations
(NYCRR) Section 100.2(1)(2)

Note: Refer also to Policy # 7310 – School Conduct and Discipline
District Code of Conduct on School Property

Marlboro Central School District

Policy # 3420

Community Relations

SUBJECT: ANTI-HARASSMENT IN THE SCHOOL DISTRICT

The Board of Education affirms its commitment to nondiscrimination and recognizes its responsibility to provide an environment that is free of harassment and intimidation. Harassment is a violation of law and stands in direct opposition to District policy. Therefore, the Board prohibits and condemns all forms of harassment on the basis of race, color, creed, religion, national origin, political affiliation, sex, sexual orientation, age, marital status, military status, veteran status, or disability by employees, school volunteers, students, and non-employees such as contractors and vendors as well as any third parties who are participating in, observing, or otherwise engaging in activities subject to the supervision and control of the District.

Sexual orientation is defined as heterosexuality, homosexuality, bisexuality, or asexuality, whether actual or perceived.

The Board also prohibits harassment based on an individual's opposition to discrimination or participation in a related investigation or complaint proceeding under the anti-discrimination statutes. This policy of nondiscrimination and anti-harassment will be enforced on School District premises and in school buildings; and at all school-sponsored events, programs and activities, including those that take place at locations off school premises.

It is intended that this policy, apply to the dealings between or among employees with employees; employees with students; students with students; employees/students with vendors/contractors and others who do business with the School District, as well as school volunteers, visitors, guests and other third parties. All of these persons are hereinafter referred to collectively as "the named group."

For purposes of this policy, harassment shall mean communication (verbal, written or graphic) and/or physical conduct based on an individual's actual or perceived race, color, creed, religion, national origin, political affiliation, sex, sexual orientation, age, marital status, military status, veteran status, or disability that:

- a) Has the purpose or effect of substantially or unreasonably interfering with an individual's work performance or is used as a basis for employment decisions (including terms and conditions of employment) affecting such individual; and/or creates an intimidating, hostile or offensive work environment:
- b) Has the purpose or effect of substantially or unreasonably interfering with a student;
- c) Otherwise adversely affects the employment and/or educational opportunities and benefits provided by the District.

(Continued)

SUBJECT: ANTI-HARASSMENT IN THE SCHOOL DISTRICT (Cont'd.)

The School District will act to promptly investigate all complaints, either verbal or written, formal or informal, of allegations of harassment based on any the characteristics described above; and will promptly take appropriate action to protect individuals from further harassment.

In order for the Board to enforce this policy, and to take corrective measures as may be necessary, it is essential that any employee, student, or other member of the above named group who believes he/she has been a victim of harassment in the school environment and/or at programs, activities and events under the control and supervision of the District, as well as any individual who is aware of and/or who has knowledge of, or witnesses any possible occurrence of harassment, immediately report such alleged harassment; such report shall be directed to or forwarded to the District's designated complaint officer(s) through informal and/or formal complaint procedures as developed by the District. Such complaints are recommended to be in writing, although verbal complaints of alleged harassment will also be promptly investigated in accordance with the terms of this policy. In the event that the complaint officer is the alleged offender, the report will be directed to the next level of supervisory authority.

Upon receipt of an informal/formal complaint, the District will conduct a thorough investigation of the charges. However, even in the absence of an informal/formal complaint, if the District has knowledge of any occurrence of harassment, the District will investigate such conduct promptly and thoroughly. To the extent possible, within legal constraints, all complaints will be treated as confidentially and privately as possible. However, disclosure may be necessary to complete a thorough investigation of the charges and/or to notify law enforcement officials as warranted, and may disclosure will be provided on a "need to know" basis.

Based upon the results of this investigation, if the District determines that an employee and/or student has violated the terms of this policy and/or accompanying regulations, immediate corrective action will be taken as warranted. Should the offending individuals be a student, appropriate disciplinary measures will be applied, up to and including suspension, in accordance with applicable laws and/or regulations, District policy and regulation, and the District Code of Conduct. Should the offending individual be a school employee, appropriate disciplinary measures will be applied, up to and including termination of the offender's employment, in accordance with legal guidelines, District policy and regulation, and the applicable collective bargaining agreement(s). Third parties (such as school volunteers, vendors, etc.) who are found to have violated this policy and/or accompanying regulations and/or the Code of Conduct, will be subject to appropriate sanctions as warranted and in compliance with law. The application of such disciplinary measures by the District does not preclude the filing of civil and/or criminal charges as may be warranted.

SUBJECT: ANTI-HARASSMENT IN THE SCHOOL DISTRICT (Cont'd.)

The Board prohibits any retaliatory behavior directed against complainants, victims, witnesses, and/or any other individuals who participated in the investigation of a complaint of harassment. Follow-up inquiries shall be made to ensure that harassment has not resumed and that all those involved in the investigation of the harassment complaint have not suffered retaliation.

Regulations will be for reporting, investigating, and remedying allegations of harassment based in the characteristics described above. An appeal procedure will also be provided to address any unresolved complaints and/or unsatisfactory prior determinations by the applicable complaint officer(s). Such regulations will be developed in accordance with federal and state law as well as any applicable collective bargaining agreement(s).

The Superintendent/designee(s) will affirmatively discuss the topic of harassment with all employees and students, express the District's condemnation of such conduct, and explain the sanctions for such harassment. Appropriate training and/or "awareness" programs will be established for staff and students to help ensure knowledge of and familiarity with the issues pertaining to harassment in the schools, and to disseminate preventative measures to help reduce such incidents of prohibited conduct. Furthermore, special training will be provided for designated supervisors and managerial employees, as may be necessary, for the investigation of harassment complaints.

A copy of this policy and its accompanying regulations will be available upon request and may be posted at various locations in each school building. The District's policy and regulations on anti-harassment will be published in appropriate school publications such as teacher/employee handbooks, student handbooks, and/or school calendars.

This policy should not be read to abrogate other District policies and/or regulation or the District Code of Conduct prohibiting other forms of unlawful discrimination, inappropriate behavior, and/or hate crimes within this District. It is the intent of the District that all such policies and/or regulations be read consistently to provide the highest level of protection from unlawful discrimination in the provision of employment/educational services and opportunities. However, different treatment of any member of the above named group which has a legitimate, legal and nondiscriminatory reason shall not be considered a violation of District policy.

Title VII of the Civil Rights Act of 1964,
42 United States Code (USC) Section 2000-e et seq.
Prohibits discrimination on the basis of race, color,
religion, sex, or national origin.

(Continued)

SUBJECT: ANTI-HARASSMENT IN THE SCHOOL DISTRICT (Cont'd.)

Title VI of the Civil Rights Act of 1964,
42 United States Code (USC) Section 2000-d et seq.
Prohibits discrimination on the basis of race, color or
national origin.

Section 504 of the Rehabilitation Act of 1973,
29 United States Code (USC) Section 794 et seq.
Prohibits discrimination on the basis of disability.

The Americans With Disabilities Act,
42 United States Code (USC) Section 12101 et seq.
Prohibits discrimination on the basis of disability.

Title IX of the Education Amendments of 1972,
20 United States Code (USC) Section 1681 et seq.
Prohibits discrimination on the basis of sex.

New York State Civil Rights Law Section 40-c
Prohibits discrimination on the basis of race, creed,
color, national origin, sex, sexual orientation, marital
status or disability.

New York State Executive Law Section 290 et seq.
Prohibits discrimination on the basis of age, race, creed,
color, national origin, sex, sexual orientation, disability,
military status, or marital status.

Age Discrimination in Employment Act,
29 United States Code (USC) Section 621.

Military Law Sections 242 and 243

Note: Refer also to Policies #6121 – Sexual harassment of District Personnel
#6122 – Complaints and Grievances by Employees
#7550 – Complaints and Grievances by Students
#7551 -- Sexual harassment of Students

SUBJECT: EXPOSURE CONTROL PROGRAM

The District shall establish an exposure control program designed to prevent and control exposure to bloodborne pathogens. According to the New York State Department of Labor's Division of Safety and Health and OSHA standards, the program shall consist of:

- a) Guidelines for maintaining a safe, healthy school environment to be followed by staff and students alike.
- b) Written standard operating procedures for blood/body fluid clean-up.
- c) Appropriate staff education/training.
- d) Evaluation of training objectives.
- e) Documentation of training and any incident of exposure to blood/body fluids.
- f) A program of medical management to prevent or reduce the risk of pathogens, specifically hepatitis B and HIV.
- g) Written procedures for the disposal of medical waste.
- h) Provision of protective materials and equipment for all employees who perform job-related tasks involving exposure or potential exposure to blood, body fluids or tissues.

Occupational Safety and Health Administration (OSHA)
29 Code of Federal Regulations (CFR) 1910.10:30

SUBJECT: DRUG AND ALCOHOL TESTING FOR SCHOOL BUS DRIVERS AND OTHER SAFETY-SENSITIVE EMPLOYEES

In Accordance with federal regulations, employees in safety-sensitive positions as defined in regulations, including school bus drivers who are required to have and use a commercial drivers license (CDL), are now subject to random testing for alcohol, cocaine, amphetamines, opiates (including heroin), and phencyclidine (PCP). The District shall adhere to federal law and regulations requiring the implementation of a drug and alcohol-testing program for such employees in safety-sensitive positions.

The District shall both establish and manage its own program, by contract, or through a consortium for the provision of alcohol and drug testing of employees in safety-sensitive positions. Safety-sensitive employees (SSE), including school bus drivers who drive a vehicle which is designed to transport sixteen(16) or more passengers (including the driver), shall be subject to this requirement.

Federal regulations require that the District test school bus drivers and other SSE's for alcohol and drugs at the following times:

- a) Drug testing will be conducted after an offer to hire, but before actually performing safety-sensitive functions for the first time. Such pre-employment testing will also be required when employees transfer to a safety-sensitive position.
- b) Safety-sensitive employees are also subject to a random drug and/or alcohol test on an unannounced basis just before, during or just after performance of safety-sensitive functions.
- c) In addition, testing will be ordered if a trained supervisor has a "reasonable suspicion" that an employee has engaged in prohibited use of drugs and/or alcohol.
- d) There will also be post accident testing conducted after accidents on employees whose performance could have contributed to the accidents.
- e) Finally, return-to-duty and follow-up testing will be conducted when an individual who has violated the prohibited alcohol and/or drug conduct standards returns to performing safety-sensitive duties. Follow-up tests are unannounced and at least six (6) tests must be conducted in the first twelve (12) months after an employee returns to duty. Follow-up testing may be extended for up to sixty (60) months following return-to-duty.

All employee drug and alcohol testing will be kept confidential and shall only be revealed without the driver's consent to the employer, a substance abuse professional, drug testing laboratory, medical review officer and any other individual designated by law.

(Continued)

SUBJECT: DRUG AND ALCOHOL TESTING FOR SCHOOL BUS DRIVERS AND OTHER SAFETY-SENSITIVE EMPLOYEES (Cont'd)

The following alcohol and controlled substance-related activities are prohibited by the Federal Highway Administration's drug use and alcohol misuse rules for drivers of commercial motor vehicles and other SSE's:

- a) Reporting for duty or remaining on duty to perform safety-sensitive functions while having an alcohol concentration of 0.04 or greater.
- b) Being on duty or operating a commercial motor vehicle (CMV) while the driver possesses alcohol, unless the alcohol is manifested and transported as part of a shipment. This includes the possession of medicines containing alcohol (prescription or over-the-counter), unless the packaging seal is unbroken.
- c) Using alcohol while performing safety-sensitive functions.
- d) Using alcohol four (4) hours or less before duty.
- e) When required to take a post-accident alcohol test, using alcohol within eight (8) hours following the accident or prior to undergoing a post-accident alcohol test, whichever comes first.
- f) Refusing to submit to an alcohol or controlled substance test required by post-accident, random, reasonable suspicion or follow-up testing requirements.
- g) Reporting for duty or remaining on duty, requiring the performance of safety-sensitive functions, when the SSE uses any controlled substance. This prohibition does not apply when instructed by a physician who has advised the SSE that the substance does not adversely affect the SSE's ability to safely operate a CMV.
- h) Reporting for duty, remaining on duty or performing a safety-sensitive function, if the SSE tests positive for controlled substances.

Drivers and other SSEs who are known to have engaged in prohibited behavior with regard to alcohol misuse or use of controlled substances are subject to disciplinary action and penalties pursuant to District policy and collective bargaining agreements, as well as the sanctions provided for in federal law. SSEs who have engaged in such prohibited behavior shall not be allowed to perform safety-sensitive functions until they are:

- a) Evaluated by a substance abuse professional (SAP).

SUBJECT: DRUGS AND ALCOHOL TESTING FOR SCHOOL BUS DRIVERS AND OTHER SAFETY-SENSITIVE EMPLOYEES (Cont'd.)

- b) Complete any requirements for rehabilitation as set by the District and the SAP.
- c) Pass a return-to-duty test with the result below 0.02 if the conduct involved alcohol, or a controlled substance test with a verified negative result if the conduct involved controlled substance use.
- d) The SSE shall also be subject to unannounced follow-up alcohol and controlled substance testing. The number and frequency of such follow-up testing shall be as directed by the SAP, and consist of at least six (6) tests in the first twelve (12) months.

The Superintendent of Schools shall ensure that each SSE receives a copy of District policy, educational materials that explain the requirements of the alcohol and drug testing regulations, and any regulations and/or procedures developed by the District with respect to meeting those requirements. The Superintendent or his/her designee shall ensure that a copy of these materials is distributed to each SSE, who shall sign for receipt of all of the above documents, as well as other appropriate personnel, prior to the start of alcohol and controlled substance testing as well as at the beginning of each school year or at the time of hire for any safety-sensitive employees. Representatives of applicable collective bargaining units shall be notified of the availability of this information.

The Superintendent or his/her designee shall arrange for training of all supervisors who may be utilized to determine whether “reasonable suspicion” exists to test a driver for prohibited conduct involving alcohol or controlled substance use/abuse.

Any violation of this policy and/or District procedures, and applicable federal and state laws by a covered employee shall be grounds for disciplinary action including, but not limited to, fines, suspension, and/or discharge in a manner consistent with District policy, collective bargaining agreements and applicable law.

Omnibus Transportation Employee Testing Act of 1991
(Public Law 102-143)
49 United States Code (USC) Section 521(b)
49 Code of Federal Regulations (CFR) Parts 40,382,391,392,and 395

Marlboro Central School District

Policy # 6110

Personnel

SUBJECT: CODE OF ETHICS FOR ALL DISTRICT PERSONNEL

General provisions

Pursuant to the provisions of Section 806 of the General Municipal Law, the Board of Education of the Marlboro Central School District recognizes that there are rules of ethical conduct for members of the Board and employees of the District that must be observed if a high degree of moral conduct is to be obtained in our unit of local government. It is the purpose of this resolution to promulgate these rules of ethical conduct of the Board members and employees of the District. The rules shall serve as a guide for official conduct of the Board members and employees of the District. The rules of ethical conduct of this resolution, as adopted, shall not conflict with, but shall be in addition to any prohibition of Article Eighteen of the General Municipal Law or any other general or special law relating to ethical conduct and interest in contracts of Board members and employees.

Standards of Conduct

Every Board member or employee of the Marlboro Central School District shall be subject to and abide by the following standards of conduct:

- a) Gifts. Pursuant to Section 805-a of the General Municipal Law, he/she shall not, directly or indirectly, solicit any gift or accept or receive any gift having a value of seventy-five dollars (\$75) or more, whether in the form of money, services, loan, travel, entertainment, hospitality, thing or promise, or any other form, under circumstances in which it could reasonably be inferred that the gift was intended or expected to influence him/her in the performance of official duties or was intended as a reward for any official action on his/her part.
- b) Confidential Information. He/she shall not disclose confidential information acquired by him/her in the course of his/her official duties or use such information to further his/her personal interest.
- c) Representation before one's own agency. He/she shall not receive, or enter into any agreement, express or implied, for compensation for services to be rendered in relation to any matter before any municipal agency of which he/she is an officer, member or employee or of any municipal agency of which he/she is an officer, member or employee or of any municipal agency over which he/she has jurisdiction or to which he/she has the power to appoint any member, officer or employee.
- d) Representation before any agency for a contingent fee. He/she shall not receive, or enter into any agreement, express or implied, for compensation for services to be rendered in relation to any matter before any agency of his/her municipality, whereby his/her compensation is to be dependent or contingent upon any action by such agency with respect to such matter, provided that this paragraph shall not prohibit the fixing at any time of fees based upon the reasonable value of services rendered.

(Continued)

SUBJECT: CODE OF ETHICS FOR ALL DISTRICT PERSONNEL (Cont'd.)

- e) Disclosure of interest in resolution. To the extent that he/she knows thereof, a member of the Board of Education or employee of the Marlboro Central School District, whether paid or unpaid, who participates in the discussion or gives official opinion to the Board or Education on any resolution before the Board of Education shall publicly disclose on the official record the nature and extent of any direct or indirect financial or other private interest he/she has in such resolution.
- f) Investments in conflict with official duties. He/she shall not invest or hold any investment directly or indirectly in any financial, business, commercial, or other private transaction, that creates a conflict with his/her official duties.
- g) Private employment. He/she shall not engage in, solicit, negotiate for or promise to accept private employment or render services for private interests when such employment or services creates a conflict with or impairs the proper discharge of his/her official duties.
- h) Future employment. He/she shall not, after the termination of service or employment with the School District, appear before any board or agency of the Marlboro Central School District in relation to any case, proceeding, or application in which he/she personally participated during the period of his/her service or employment or which was under his/her active consideration.

Legal Remedies

Nothing herein shall be deemed to bar or prevent the timely filing by a present or former Board member or employee of any claim, account, demand or suit against the Marlboro Central School District, or any agency thereof on behalf of himself/herself or any member of his/her family arising out or any personal injury or property damage of for any lawful benefit authorized or permitted by law.

Distribution/Posting of Code of Ethics

The Superintendent of the Marlboro Central School District shall cause a copy of this code of ethics to be distributed to every Board member and employee of the School District within thirty (30) days after the effective date of this resolution. Each Board member and employee elected or appointed thereafter shall be furnished a copy of before entering upon the duties of his/her office or employment. The Superintendent shall also cause a copy of Article 18 of the General Municipal Law to be kept posted in each building in the District in a place conspicuous to its Board members and employees. Failure to distribute any such copy, as well as failure to post any such copy of any Board member or employee to receive such copy, as well as failure to post any such copy of General Municipal Law, Article 18, shall have not effect on the duty of compliance with such code or Article 18, nor with the enforcement of provisions thereof.

(Continued)

SUBJECT: CODE EHTICS FOR ALL DISTRICT PERSONNEL (Cont'd.)

Penalties

In addition to any penalty contained in any other provision of law, any person who shall knowingly and intentionally violate any of the provisions of this code may be fined, suspended or removed from office or employment, as the case may be, in the manner provided by law.

Effective Date

This resolution shall take effect immediately.

General Municipal Law, Article 18
Education Law Section 410
Labor Law 201-d

SUBJECT: EQUAL EMPLOYMENT OPPORTUNITY

Policy and Procedures for Discrimination Complaints

Policy Statement

It is the policy of the Board of Education of the Marlboro Central School District (“Board”) to provide equal opportunity without regard to race, color, creed, age, sex, sexual orientation, marital status, veteran status, national origin, or disability. As such, the Board has a strong commitment to providing a work environment conducive to maintaining the dignity of all its workers and encouraging efficient, productive and creative work.

Complaints and Investigation

Any employee of the Board who believes that he/she been subjected to discrimination shall submit a complaint in writing all incidents of such conduct to the Board’s designated compliance officer giving the specifics of the complaint as to who, what, where and when, to the extent practicable.

Furthermore, the Board encourages any employee to make a written or verbal complaint to the compliance officer using the specifics of the complaint, as referred to above, if that employee that he/she has witnessed the discrimination of another employee or has witnessed as admission of discrimination, whether the discrimination to be complained of was committed by a Board official or Board employee against another Board employee.

In order to be able to investigate while evidence available, it is very important that complaints be made soon after the occurrence of the conduct complained of. In the event that the compliance officer is the offender, the complainant shall report his/her complaint to the next level to supervisory authority.

Upon receipt of a complaint, the compliance officer, or alternate, will conduct a thorough investigation of the charges. All reports are to be fully investigated even if the complainant does not wish to have done. All investigations are to be completed within a reasonable period of time and kept as confidential to the extent practicable.

SUBJECT: EQUAL EMPLOYMENT OPPRTTUNITY (Cont'd.)

Both the complainant and the respondent are entitled to fair treatment in the handling of the complaint, as well as to privacy and discretion to the extent practicable. The Board views any retaliatory behavior against complainants and/or witnesses as misconduct. Whether or not the following are considered to be discrimination, any attempt to retaliate against an individual for bringing a complaint may itself be treated as misconduct. In all of the proceedings described below the complainant and the respondent are each free to designate one other Board employee to accompany him or her to provide advise and moral support.

Responsive Action

Based upon the results of the investigation, immediate corrective action will be taken when warranted, up to and including termination of the offender's employment in accordance with the appropriate contract, if any, and the law. Follow-up inquiries shall be made to ensure that the prohibited conduct has not resumed and that the victim and/or witnesses have not suffered retaliation.

In the case of complaints that might potentially involve criminal charges against the respondent, the compliance officer shall take steps to have the pertinent information transmitted to law enforcement authorities. Notwithstanding the foregoing, the complainant may also bring a complaint to the law enforcement authorities.

Employee Complaints to Agencies

The Board acknowledges that while it would like employees to raise issues of discrimination pursuant to this policy and regulations so that the Board can address them, any employee also has the legal right to immediately make a complaint to the appropriate governmental entity that includes the following:

- Equal Employment Opportunity Commission (EEOC)
- New York State Division of Human Rights

PLEASE TAKE NOTICE THAT THE FAILURE TO FILE A COMPLAINT WITH THESE AGENCIES WITHIN THE STATUTORY PERIOD MAY RESULT IN THE LOSS OF LEGAL RIGHTS.

Civil Rights Act of 1964, Title VII
New York State Executive Law, 290, et seq.
29 CFR 1604

SUBJECT: SEXUAL HARASSMENT OF DISTRICT PERSONNEL

Preamble

The Marlboro Central School District does not discriminate on the basis of sex in its educational programs or the activities that it operates. Sexual harassment of employees and students is illegal and the district will strive to safeguard the rights of all employees and students within the district and to provide an environment that is free from sexual harassment. This policy relates to sexual harassment including that contemplated by Title VII and IX of the US Code. Nothing in the Regulations or in the Policy shall prohibit the taking of other action with regard to oral or written complaints and reports of sexual harassment whatever the source.

Definition of Types of Conduct Constituting Sexual Harassment

- a) Sexual harassment is defined by the law through statutes, decisions and regulations and consists of unwelcome sexual advances, requests for sexual favors, and other verbal or physical conduct of a sexual nature when:
 - 1. Submission to such conduct is made either explicitly or implicitly a term or condition of an individual's employment or status as a district student.
 - 2. Submission to or rejection of such conduct by an individual is used as a basis for performance evaluation of employees and/or students or other employment or educational decision affecting an individual.
 - 3. Such conduct has a purpose or effect of unreasonably interfering with an individual's work performance or creating an intimidating, hostile or offensive work environment for employees of educational environment for students.
 - 4. Such conduct constitutes sexual harassment under federal or state laws.
 - 5. Such conduct engaged in by students subject to Section 3214 of the Education Law constitutes conduct proscribed under Section 3214.

- b) Forms of sexual harassment may include, but not limited to:
 - 1. Verbal: Sexual innuendos, suggestive comments, jokes of a sexual nature, sexual propositions, threats, request for sexual favors, questions about a person's sexual practices, sexually explicit jokes, lewd comments, sexual assaults.
 - 2. Non-verbal: Sexual or suggestive objects or pictures, suggestive or sexually insulting sounds, leering, whistling, obscene gestures, crude cartoons.
 - 3. Physical: unwanted physical contact including, but not limited to, touching, pinching, brushing the body, pulling at clothes, coercive sexual intercourse, assault, cornering, kissing or fondling.

(Continued)

SUBJECT: SEXUAL HARASSMENT OF DISTRICT PERSONNEL (Cont'd.)

Complainant Communications of Sexual Harassment

Any District employee or student who believes that he or she has been subjected to sexual harassment should communicate the alleged misconduct in accordance with the Sexual Harassment Regulations. The District will ensure that an investigation is promptly commenced by appropriate individuals. The time limits set should be kept to the extent practicable.

Non-Complainant Communications of Sexual Harassment

- a) Employees may communicate to the Compliance Officer an observed incident(s) of sexual harassment. Except that employees responsible for student discipline and order should continue to communicate all serious incidents of misconduct including those involving sexual harassment when they come to the attention of the employee or the appropriate administrator, those incidents of sexual harassment communicated to the administrator should also be communicated to the Compliance Officer. Nothing herein shall preclude employees or students from communicating personally observed incidents of sexual harassment or information about incidents communicated to such individuals.

The Compliance Officer should keep a log of all of these communications and the action taken, if any.

- b) Teachers and administrators who witness or are told about incidents of sexual harassment of students should promptly call that to the attention of the alleged harasser and Compliance Officer.
- c) Administrators who witness incidents of sexual harassment by employees or students against an employee or student should promptly call that attention of the harasser.

Employee and Student Recipients of Communications of Alleged Sexual Harassment

Employees and students who are the recipients of student and employee communications alleging sexual harassment by an employee or student of the District community are requested to encourage those complaining to promptly make their complaints to the Compliance Officer.

(Continued)

SUBJECT: SEXUAL HARASSMENT OF DISTRICT PERSONNEL (Cont'd.)

Complaints and Reports

All Complaints of sexual harassment will be kept as private as is reasonable to provide for the implementation of this policy and related regulation. Reports made to the Compliance Officer and complaints made by or about students will be brought to the attention of the students' parents or guardians. Unless the conduct alleged in the report becomes a complaint, whether formal or informal, it will not be dealt with by the Compliance Officer under these Regulations beyond the investigative state, if any. However, the subject matter of the report and alleged conduct may be dealt with by the District and the District reserves all its rights in this respect.

Discipline

The District considers sexual harassment to be a serious offense. Those District employees and/or students who violate this policy should expect serious consequences. The District condemns any retaliatory behavior against complaints, or potential complaints, reporters, communicators or witnesses, or any one administering the policy or regulations. Those engaging in retaliatory conduct shall be subject to discipline.

District employees and/or students whose conduct constitutes sexual harassment or retaliatory behavior may be subject to disciplinary action, including suspension from school for students subject to Section 3214 of the Education Law, expulsion of other students and discharge from employment, even for a first time offense, if egregious, consistent with applicable federal and state laws, including the Civil Service Law, relevant collective bargaining agreements, tenure law and/or Student conduct and Discipline Policy at the District or in the students' resident district.

Regulations

The District is directed to develop and implement specific procedures of reporting, communicating, complaining, investigating and remedying allegations consistent with applicable federal and state laws and/or the Student Conduct and Discipline Policy of the District or of the student's resident district. The District shall designate an individual to the district for the position of Compliance Officer.

Alternate Responses to Proscribed Behavior

The Procedure and provision of the Superintendent's regulations shall not limit the District or its agents from other actions consistent with the law.

Publication of Policy and Regulations

Copies of this policy and its accompanying regulations are to be distributed to all District employees and students and posted in appropriate places and sent to the Superintendents of all component districts. The District shall have annual orientation sessions for students and employees to inform them of the policy and regulations, to make them sensitive to prohibited behavior, to answer questions raised and to publicize preventative measures to deal with sexual harassment.

SUBJECT: SEXUAL HARASSMENT OF DISTRICT PERSONNEL (Cont'd.)

Definitions

“Employees” shall mean all teaching, administrative and support personnel.

“Student” shall mean any individual enrolled in a course at the District.

“Complainant” shall mean an employee or student (individuals in a parental relationship may bring the complaint in behalf of the student) who complains of being the object of sexual harassment.

“Compliance Officer” shall mean the individual who processes the complaints, including but not limited to, sexual harassment as contemplated by Title VII and IX of the U.S. Code, in accordance with these regulations.

“Reporter” shall mean any employee or student or other individual who informs the Compliance Officer of an incident(s) of sexual harassment which has been observed by that individual or which has come to the individual’s attention.

“Report” shall mean a statement about sexual harassment made by a reporter.

Compliance Officer

The Compliance Officer, even if appointed for a particular period by the district, may be replaced at any time by the district. The number of compliance officers may be increased or decreased and the District may make interim appointments if the Compliance Officer is absent or if there is no Compliance Officer.

Employee Compliant to Agencies

The District encourages employees to report allegations of sexual harassment pursuant to this Policy and Regulations so that the district can address them. However, any employee has the legal right to immediately make a complaint to the appropriate governmental entity which includes the following:

- Equal Employment Opportunity Commission (EEOC)
- New York State Division of Human Rights

Please take notice that the failure to file a complaint with these agencies within the statutory period may result in the loss of legal rights.

SUBJECT: DRUG-FREE WORKPLACE

It shall be the general policy of the Board of Education to affirm that all programs in the District that receive Federal funds shall guarantee that their workplaces are free of controlled substances. "Controlled substance" means a controlled substance in schedules I through V of Sections 202 of the Controlled Substances Act (21 USC 812) and as further defined in regulation at 21 Code of Federal Regulations (CFR) 1308.11-1308.15. An acknowledgment form shall be signed by the Superintendent indicating that the District is in full compliance with Drug-Free Workplace Act. This policy shall guarantee that not only Federally funded programs, but also the entire District is free of controlled substances.

"Workplace" is defined as a school building or other school premises; any school-owned vehicle or any other school-approved vehicle used to transport students to and from school or school activities; off school property during any school-sponsored or school-approved activity, event or function, such as a field trip or athletic event, where students are under the jurisdiction of the School District.

The Board of Education directs the administration to develop regulations to comply with this policy, and further supports such actions and activities of the administration as shall be required to maintain a drug-free workplace.

Drug-Free Workplace Act
20 United State Code (USC) Section 7101 et seq.
21 United State Code (USC) Section 812
21 Code of Federal Regulations (CFR) 1308.11-1308.15
34 Code of Federal Regulations (CFR) Part 85

Note: Refer also to

Policies # 3410- Code of Conduct on School Property

6150- Alcohol, Drugs and Other Substance (School Personnel)

6560- Employee Assistance Program (EAP)

7320- Alcohol, Tobacco, Drugs and Other Substances (students)

SUBJECT: STAFF USE OF COMPUTERIZED INFORMATION RESOURCES

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

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

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

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

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

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

**SUBJECT: STAFF USE OF COMPUTERIZED INFORMATION RESOURCES
(Cont'd.)**

Privacy Rights

Staff data files and electronic storage areas shall remain District property, subject to District control and inspection. The computer coordinator may access all such files and communications to insure system integrity and that users are complying with requirements of this policy and accompanying regulations. Staff should **NOT** expect that information stored on the DCS will be private.

Implementation

Administrative regulations will be developed to implement the terms of this policy, addressing general parameters of acceptable staff conduct as well as prohibited activities so as to provide appropriate guidelines for employee use of the DCS.

NOTE: Refer also to Policy #8271 – The Children’s Internet Protection Act: Internet Content Filtering/Safety Policy.

SUBJECT: FAMILY AND MEDICAL LEAVE ACT

The Board of Education, in accordance with the Family and Medical Leave Act of 1993 (FMLA), gives “eligible” employees of the District the right to take unpaid leave for a period of up to twelve (12) work weeks in a twelve-month period as determined by the District. The District will compute the twelve-month period according to the following time frame: a “rolling” twelve-month period will be used that is measured backward from the date an employee uses any FMLA leave.

Employees are “eligible” if they have been employed by the District for at least twelve (12) months and for at least 1,250 hours of service during the previous twelve-month period. Full-time teachers are deemed to meet the 1,250-hour test. The law covers both full-time and part-time employees.

Qualified employees may be granted leave for one (1) or more of the following reasons:

- a) The birth of a child and care for the infant;
- b) Adoption of a child and care for the infant;
- c) The placement with the employee of a child in foster care;
- d) To care for a spouse, child or parent who has a serious health condition as defined by the FMLA;
- e) A Serious health condition of the employee, as defined by the FMLA, that prevents the employee from performing his/her job.

At the Board of Education or employee’s option, certain types of paid leave may be substituted for unpaid leave.

An employee on FMLA leave is also entitled to have health benefits maintained on leave. If an employee was paying all or part of the premium payments prior to leave, the employee will continue to pay his/her share during the leave period.

In most instances, an employee has a right to return to the same position or an equivalent position with equivalent pay, benefits and working conditions at the conclusion of the leave.

(Continued)

SUBJECT: FAMILY AND MEDICAL LEAVE ACT (Cont'd.)

The Board of Education has a right to thirty (30) days advanced notice from the employee where practicable. In addition, the Board may require an employee to submit certification from a health care provider to substantiate that leave is due to serious health condition of the employee or the employee's immediate family member. Failure to comply with these requirements may result in the denial of FMLA leave. The Board may also require that an employee present a certification of fitness to return to work when the absence was caused by the employee's serious health condition. The Board of Education has the right to deny restoration to employment if the employee does not furnish the certificate of fitness.

A notice, which explains the FMLA's provisions and provides information concerning the procedures for filing complaints of violations of the FMAL shall be posted in each school building.

Administration is directed to develop regulations to implement this policy, informing employees of their rights and responsibilities under the FMLA.

Family and Medical Leave Act of 1993
Public Law 103-3
29 Code of Federal Regulations (CFR) Part 825

SUBJECT: STUDENT EVALUATION

Placement

Placement within the system, with respect to building, teacher, and grade or special class, shall be at the discretion of the school administration and shall be subject to review and change at any time. In making such a decisions, the administrator will be guided by performance in class, past records, parent/guardian and teacher recommendations, standardized test scores, and any other appropriate sources of information, but the final decision shall rest with the school administration.

Promotion and Retention

The procedures to be followed by the staff regarding promotion and retention will be developed by the Superintendent and will be continually evaluated in the light of School District policy. Building principals may establish written standards for promotion or retention within the school units to which the students are assigned, subject to the guidelines of the Superintendent and the approval of the Board of Education.

Testing Program

The Board of Education endorses and supports the use of ability, achievement, diagnostic, readiness, interest and guidance tests as part of the total educational process to the degree to which tests help the District to serve its students.

Alternative Testing Procedures

The use of alternative testing procedures shall be limited to:

- a) Students identified by the Committee on Special Education and/or Section 504 Team as having a disability. Alternate testing procedures shall be specified in a student's Individualized Education Program or Section 504 Accommodation Plan; and
- b) Students whose native language is other than English, (i.e., English Language learners, in accordance with State Educational Department Guidelines.

The Alternate testing procedures employed shall be based upon a student's individual needs and the type of test administered.

SUBJECT: STUDENT EVALUATION (Cont'd.)

The District shall report the use of alternative testing procedures to the State Education Department on a form and at a time prescribed by the Commissioner.

Reporting to Parents/Legal

Parents/guardians shall receive an appropriate report of student progress at regular intervals. Report cards shall be used as a standard vehicle for the periodic reporting of student progress and appropriate school related data. Report cards, however, are not intended to exclude other means of reporting progress, such as conferences, phone conversations, etc.

When necessary, attempts will be made to provide interpreters for non-English speaking parents/guardians.

8 New York Code of Rules and Regulations
(NYCRR) Section 100.2 (g)
Section 504 of the Rehabilitation Act of 1973,
29 United States Code (USC) Section 794 et seq.

SUBJECT: SCHOOL CONDUCT AND DISCIPLINE

The Board of Education acknowledges its responsibility to protect the educational climate of the District and to promote responsible student behavior. Accordingly, the Board delegates to the Superintendent the responsibility for assuring the implementation of a Code of Conduct for the Maintenance of Order on School Property, including school functions, which shall govern the conduct of students as well as teachers, other school personnel and visitors. The Board shall further provide for the enforcement of such Code of Conduct. The District Code of Conduct shall be developed in collaboration with student, teacher, administrator, and parent organizations, school safety personnel and other personnel and shall incorporate, at a minimum, those components addressed in law and enumerated in Policy # 3410 – Code of Conduct on School Property. Specific components may vary as appropriate to student age, building levels, and educational needs.

In Accordance with the Code of Conduct on School Property, areas addressing student conduct and behavior will further utilize the following strategies in promoting acceptable student behavior:

- a) A bill of rights and responsibilities of students that focuses upon positive student behavior, and is publicized and explained to all students on an annual basis;
- b) A Code of Conduct for student behavior setting forth prohibited student conduct and the range of penalties that may be imposed for violation of such Code, that is publicized and disseminated to all students and parents/guardians on an annual basis pursuant to law;
- c) Strategies and procedures for the maintenance and enforcement of public order on school property that shall govern the conduct of all persons on school premises, in accordance with Section 2801 of the Education Law and accepted principles of due process of law;
- d) Procedures within each building to involve student service personnel, administrators, teachers, parents/guardians and students in the early identification and resolution of discipline problems. For students identified as having disabilities, procedures are included for determining when a student's conduct shall constitute a reason for referral to the Committee on Special Education for review and modification, if appropriate, of the student's individualized education program;
- e) Alternative educational programs appropriate to individual student needs;
- f) Disciplinary measures for violation of the school policies developed in accordance with subparagraphs b) and c) of this paragraph. Such measures shall be appropriate to the seriousness of the offense and, where applicable, to the previous disciplinary record of the student. Any suspension from attendance upon instruction may be imposed only in accordance with Section 3214 of the Education Law; and

(Continued)

SUBJECT: SCHOOL CONDUCT AND DISCIPLINE (Cont'd.)

- g) Guidelines and programs for in-service education for all District staff to ensure effective implementation of school policy on school conduct and discipline.

Education Law Sections 2801 and 3214
8 New York Code of Rules and Regulations
(NYCRR) Section 100.2 (1)(2)

Note: Refer also to Policy # 3410 – Code of Conduct on School Property
District Code of Conduct on School Property

Approved: August 19, 2004

**ADOPTED: Board of Education Meeting
July 19, 2007**

SUBJECT: SUSPENSION OF STUDENTS

The Superintendent and/or the principal may suspend the following students from required attendance upon instruction:

- a) A student who is insubordinate or disorderly; or
- b) A student who is violent or disruptive; or
- c) A student whose conduct otherwise endangers the safety, morals, health or welfare of others.

When a student has been suspended and is of compulsory attendance age, immediate steps shall be taken to provide alternative instruction which is of an equivalent nature to that provided in the student's regularly scheduled classes.

Suspension: Five Days or Less

The Superintendent and/or the principal of the school where the student attends shall have the power to suspend a student for a period not to exceed five (5) school days. In the absence of the principal, the designated "Acting Principal" may then suspend a student for a period of five (5) school days or less.

When the Superintendent or the principal (the "suspending authority") proposes to suspend a student for five (5) school days or less, the suspending authority shall provide the student with **notice** of the charged misconduct. If the student denies the misconduct, the suspending authority shall provide an **explanation** of the basis for the suspension.

When suspension of a student for period of five (5) school days or less is proposed, administration shall also immediately notify the parent/person in parental relation in writing that the student *may be* suspended from school.

Written notice shall be provided by personal delivery, express mail delivery, or equivalent means reasonably calculated to assure receipt of such notice within twenty-four (24) hours of the decision to propose suspension at the last known address or addresses of the parents/persons in parental relation. Where possible, notification shall also be provided by telephone if the school has been provided with a telephone number(s) for the purpose of contacting parents/persons in parental relation.

The notice shall provide a description of the incident(s) for which suspension is proposed and shall inform the student and the parent/person in parental relation of their right to request an immediate informal conference with the principal in accordance with the provisions of Education Law Section 3214(3)(b). Both the notice and the informal conference shall be in the dominant language or

(Continued)

SUBJECT: SUSPENSION OF STUDENTS (Cont'd.)

mode of communication used by the parents/persons in parental relation. At the informal conference, the student and/or parent/person in parental relation shall be authorized to present the student's version of the event and to ask questions of the complaining witnesses.

The notice and opportunity for informal conference shall take place prior to suspension of the student unless the student's presence in the school poses a continuing danger to persons or property or an ongoing threat of disruption to the academic process, in which case the notice and opportunity for an informal conference shall take place as soon after the suspension as is reasonably practical.

Teachers shall immediately report or refer a violent student to the principal or Superintendent for a violation of the *District's Code of Conduct* and a minimum suspension period.

Suspension: More Than Five School Days

In situations where the Superintendent determines that a suspension in excess of five (5) school days may be warranted, the student and parent/person in parental relation, upon reasonable notice, shall have had an opportunity for a fair hearing. At the hearing, the student shall have the right of representation by counsel, with the right to question witnesses against him/her, and the right to present witnesses and other evidence on his/her behalf.

Where the basis for the suspension is, in whole or in part, the possession on school grounds or school property by the student of any firearm, rifle, shotgun, dagger, dangerous knife, dirk, razor, stiletto or any of the weapons, instruments or appliances specified in Penal Law Section 265.01, the hearing officer or Superintendent shall not be barred from considering the admissibility of such weapon, instrument or appliance as evidence, notwithstanding a determination by a court in a criminal or juvenile delinquency proceeding that the recovery of such weapon, instrument or appliance was the result of an unlawful search or seizure.

Minimum Periods of Suspension

Pursuant to law, Commissioner's Regulations and the *District's Code of Conduct*, minimum periods of suspension shall be provided for the following prohibited conduct, subject to the requirements of federal and state law and regulations:

- a) Consistent with the federal Gun-Free Schools Act, any student who is determined to have brought a weapon to school or possessed a weapon on school premises shall be suspended for a period of not less than one (1) calendar year. However, the Superintendent has the authority to modify this suspension requirement on a case-by-case basis.
- b) A minimum suspension period for students who repeatedly are substantially disruptive of the educational process or substantially interfere with the teacher's authority over the classroom, provided that the suspending authority may reduce such period on a case-by-case basis to be consistent with any other state and federal law. The definition of "repeatedly is substantially disruptive of the educational process or substantially interferes with the teacher's authority" shall be determined in accordance with the Regulations of the Commissioner.
- c) A minimum suspension period for acts that would qualify the student to be defined as a violent student pursuant to Education Law Section 3214(2-a)(a), provided that the suspending authority may reduce such period on a case-by-case basis to be consistent with any other state and federal law

(Continued)

SUBJECT: SUSPENSION OF STUDENTS (Cont'd.)

Suspension of Students with Disabilities

Generally, should a student with a disability infringe upon the established rules of the schools, disciplinary action shall be in accordance with procedures set forth in the *District's Code of Conduct* and in conjunction with applicable law and the determination of the Committee on Special Education (CSE).

If suspension or removal from the current educational placement constitutes a disciplinary change in placement because it is for more than ten (10) consecutive school days or constitutes a pattern because the suspensions or removals cumulate to more than ten school days in a school year, the Committee on Special Education shall conduct a review of the relationship between the child's disability and the behavior subject to the disciplinary action. If it is determined, as a result of this review, that the student's behavior is not a manifestation of his/her disability, the relevant disciplinary procedures applicable to students without disabilities may be applied to the student in the same manner in which they would be applied to students without disabilities, subject to the right of the parent/person in parental relation to request a hearing objecting to the manifestation determination and the District's obligation to provide a free, appropriate public education to such student.

Additionally, the District may seek an order from a hearing officer for a change in placement of a student with a disability to an appropriate interim alternative educational setting for up to forty-five (45) days if the District establishes, in accordance with law, that such student is substantially likely to injure himself/herself or others.

There are three specific instances when a student with a disability may be placed in an IAES for up to 45 school days without regard to a manifestation determination.

- a) where the student carries or possess a weapon to or at school, on school premises, or to or at a school function; or
- b) where a student knowingly possess or uses illegal drugs or sells or solicits the sale of a controlled substance while at school, on school premises, or a school function; or
- c) Where a student has inflicted serious bodily injury upon another person while at school, on school premises, or at a school function. Serious bodily harm has been defined in law to refer to one of the following:
 1. Substantial risk of death;
 2. Extreme physical pain; or
 3. Obvious disfigurement or protracted loss or impairment of the function of a bodily member, organ or faculty

School personnel may consider any unique circumstances on a case-by-case basis when determining whether to order a change in placement for a student with a disability who violates a code of student conduct.

(continued)

SUBJECT: SUSPENSION OF STUDENTS (Cont'd.)

In all cases, the student placed in an IAES will continue to receive all educational services necessary to make progress on his/r IEP. The period of suspension or removal may not exceed the amount of time a non-disabled student would be suspended for the same behavior.

Suspension From BOCES

The BOCES principal may suspend School District students from BOCES classes for a period not to exceed five (5) school days when student behavior warrants such action.

In-School Suspension

In-school suspension will be used as a lesser discipline to avoid an out-of-school suspension.

The student shall be considered present for attendance purposes. The program is used to keep each student current with his/her class work while attempting to reinforce acceptable behavior, attitudes and personal interaction.

BOCES Activities

BOCES activities, like field trips and other activities outside the building itself, are considered an extension of the school program. Therefore, an infraction handled at BOCES is to be considered as an act within the School District itself.

A student who is ineligible to attend a District school on a given day may also be ineligible to attend BOCES classes. The decision rests with the Superintendent or his/her designee.

Exhaustion of Administrative Remedies

If a parent/person in parental relation wishes to appeal the decision of the building principal and/or Superintendent to suspend a student from school, regardless of the length of the student's suspension, the parent/person in parental relation must appeal to the board of Education within fifteen (15) days of the decision and prior to commencing an appeal to the Commissioner of Education.

Education Law Sections 2801 and 3214
8 New York Code of Rules and Regulations
(NYCRR) Section 100.2(1)(2) and Part 201
18 United States Code (USC) Sections 914 and 921
20 United States Code (USC) Section 8921 as
Reauthorized by the No Child Left Behind Act of 2001
20 United states Code (USC) Section 1400-1485,
Individuals with Disabilities Education Act (IDEA)
34 Code of Federal Regulations (CFR) Part 300

Policy # 7315

Students

SUBJECT: TEACHER REMOVAL OF DISRUPTIVE STUDENTS FROM THE CLASSROOM

Disruptive Students

In accordance with Educational Law, Commissioner's Regulations and the District's Code of Conduct, teachers shall have the power and authority to remove disruptive students from their classrooms consistent with discipline measures contained in the Code of Conduct. The term "disruptive student," as defined pursuant to law, shall refer to an elementary or student under twenty-one (21) years of age who is substantially disruptive of the educational process or substantially interferes with the teacher's authority over the classroom.

Further, teachers shall abide by the provisions of the District's Code of Conduct with regard to the utilization of alternative classroom management techniques and student intervention services, as may be applicable and appropriate to the specific circumstances, prior to removal of the students from the classroom. Additionally, teachers shall have the authority to remove disruptive students from the classroom for each incident for a period of time no greater than as enumerated in the Code of Conduct.

Teachers must inform the student and the school principals/designee of the reasons for the removal.

- a) In most instances, the teacher shall, prior to removing the disruptive student from the classroom, provide the student with an explanation of the basis for the removal and allow the student to informally present the student's version of relevant events.
- b) If the teacher finds that the disruptive student's continued presence in the classroom poses a continuing danger to persons or property or presents an ongoing threat of disruption to the academic process, the teacher shall provide the student with an explanation of the basis for the removal and an informal opportunity to be heard within twenty-four (24) hours of the student's removal, provided that if such twenty-four (24) hour period does not end on a school day, it shall be extended to the corresponding time on the next school day.

No disruptive student shall return to the classroom until the principal/designee makes a final determination regarding the discipline imposed by the teacher as outlined in administrative regulations and pursuant to the provisions enumerated in Education Law Section 3214(3-a) or the period expires, whichever is less. The District will ensure the provision of continued educational programming and activities for students removed from classroom by a teacher.

**SUBJECT: TEACHER REMOVAL OF DISRUPTIVE STUDENTS FROM THE
CLASSROOM (Cont'd)**

The principal/designee shall inform the parents/person in parental relation to such student of the removal and shall, upon request, provide the student and the parent/person in parental relation an opportunity for an informal conference to discuss the reasons for the removal in accordance with the procedures enumerated in law. As applicable, the principal/designee shall render a determination regarding the discipline imposed by the teacher in accordance with the requirements mandated pursuant to law and/or regulation.

This policy, in accordance with statutory mandates, does not authorize removal of a student in violation of any state or federal law or regulation (e.g., IDEA, Section 504 of the Rehabilitation Act of 1973). It shall be the responsibility of the building principal/designee to ensure that teacher removal of student from the classroom complies with applicable laws and regulations.

Exhaustion of Administrative Remedies

It is District policy that, prior to commencing an appeal to the Commissioner of Education regarding teacher removal of a disruptive student from the classroom, the parent/person in parental relation must first appeal to the Board of Education.

**“Sunset” Provision for twenty-four (24) hour & forty-eight (48) hour Notification
Period**

The provisions in law which specify that twenty-four (24) and forty-eight (48) hour notification periods correlate with school days shall terminate on July 1, 2005 in accordance with legislation; and shall be rescinded as Board policy and procedure as of that date (unless subsequent revisions to applicable law provide otherwise).

Violent Students

Teachers are required to immediately report and refer a violent student, as defined pursuant to Education Law, to the principal or Superintendent for a violation of the District’s Code of Conduct and a minimum suspension period as determined by such Code, unless otherwise reduced by the suspending authority on a case-by-case basis to be consistent with any other state and federal law.

Education Law Section 2801 and 3214
8 New York Code of Rules and Regulations
(NYCRR) Section 100.2(1)(2) and Part 201
Individuals with Disabilities Education Act (IDEA),
20 United States Code (USC) Sections 1400-1485
34 Code of Federal Regulations (CFR) Part 300
Section 504 of the Rehabilitation Act of 1973,
29 United States Code (USC) Section 794 et seq.

SUBJECT: CORPORAL PUNISHMENT

Corporal punishment as a means of discipline shall not be used against a student by any teacher, administrator, officer, employee or agent of this School District.

However, if alternative procedures and methods, which would not involve physical force, do not work, then the use of reasonable physical force is not prohibited for the following reasons:

- a) Self-protection;
- b) Protection of others;
- c) Protection of property; or
- d) Restraining/removing a disruptive student.

When a school employee uses physical force against a student, the school employee shall, within the same school day, make a report to the Superintendent describing in detail the circumstances and the nature of the action taken.

The Superintendent of Schools shall submit a written report semi-annually to the Commissioner of Education, with copies to the Board of Education, by January 15 and July 15 of each year, setting forth the substance of each written complaint about the use of corporal punishment received by the Marlboro Central School District authorities during the reporting period, the results of each investigation, and the action, if any, taken by the school authorities in each case.

Rules of the Board of Regents Section 19.5
8 New York Code of Rules and Regulations
(NYCRR) Section 100.2 (1)(3)

Marlboro Central School District

Policy # 7530

Students

SUBJECT: CHILD ABUSE

The Marlboro Central School District subscribes to all of the provisions of Title 6 – Child Protective Services of the Social Services Law (Section 411-428). Our purpose is to provide protective services to abused and maltreated children as described by the law, and to make all school personnel within the District aware of our legal responsibilities under this law.

Regulations shall be developed, maintained and disseminated by administration regarding the following:

- a) Mandatory reporting of suspected child abuse/neglect;
- b) Reporting procedures and obligations of persons required to report;
- c) Provisions for taking a child into protective custody;
- d) Mandatory reporting of deaths;
- e) Immunity from liability and penalties for failure to report; and
- f) Obligations for provision of services and procedures necessary to safeguard the life of a child.

Additionally, an ongoing training program for all professional staff shall be established and implemented to enable such staff to carry out their reporting responsibilities.

Social Services Law Sections 411-428
Family Court Act Section 1012
Education Law Section 3209-a

Child Abuse in an Educational Setting

The School District is committed to the protection of students in educational settings from abuse and maltreatment by employees or volunteers as enumerated in law.

“Child Abuse” shall mean any of the following acts committed in an educational setting by an employee of volunteer against a child:

- a) Intentionally or recklessly inflicting physical injury, serious physical injury or death;
or
- b) Intentionally or recklessly engaging in conduct which creates a substantial risk of such physical injury, serious physical injury or death; or
- c) Any child sexual abuse, defined as conduct prohibited by Article 130 or 263 of the Penal Law; or
- d) The commission or attempted commission against a child of the crime of disseminating indecent materials to minors pursuant to Article 235 of the Penal Law.

(Continued)

SUBJECT: CHILD ABUSE (Cont'd.)

“Educational setting” shall mean the building(s) and grounds of the School District; the vehicles provided by the School District for the transportation of students to and from school buildings, field trips, co-curricular and extracurricular activities both on and off School District Grounds; all co-curricular and extracurricular activity sites; and any other location where direct contact between an employee or volunteer and a child has allegedly occurred.

In any case where an oral or written allegation is made to a teacher, school nurse, school guidance counselor, school psychologist, school social worker, school administrator, School Board member, or other school personnel required to hold a teaching or administrative license of certificate, that a child (defined in the law as a person under the age of twenty-one (21) years enrolled in a school district in this state) has been subjected to child abuse by an employee or volunteer in an educational setting, that person shall upon receipt of such allegation:

- a) Promptly complete a written report of such allegation including the full name of the child alleged to be abused; the name of the child’s parent; the identity of the person making the allegation and their relationship to the alleged child victim; the name of the employee or volunteer against whom the allegation was made; and a listing of the specific allegations of child abuse in an educational setting. Such written report shall be completed on a form as prescribed by the Commissioner of Education.
- b) Except where the school administrator is the person receiving such oral or written allegation, the employee completing the written report must promptly personally deliver a copy of that written report to the school administrator of the school in which the child abuse allegedly occurred (subject to the following paragraph).

In any case where it is alleged the child was abused by an employee or volunteer of a school other than a school within the school district of the child’s attendance, the report of such allegations shall be promptly forwarded to the Superintendent of Schools of the school district of the child’s attendance and the school district where the abuse allegedly occurred.

Any employee or volunteer who reasonably and in good faith makes a report of allegations of child abuse in an educational setting in accordance with the reporting requirements of the law shall have immunity from civil liability which might otherwise result by reason of such actions.

SUBJECT: CHILD ABUSE (Cont'd.)

Upon receipt of a written report alleging child abuse in an educational setting, the school administrator or Superintendent must then determine whether there is “reasonable suspicion” to believe that such an act of child abuse has occurred. Where there has been a determination as to the existence of such reasonable suspicion, the school administrator or Superintendent must follow the notification/reporting procedures mandated in law and further enumerated in administrative regulations, including parental notification. When the school administrator receives a written report, he/she shall promptly provide a copy of such report to the Superintendent.

Where the school administrator or Superintendent has forwarded a written report of child abuse in an educational setting to law enforcement authorities, the Superintendent shall also refer such report to the Commissioner of Education where the employee or volunteer alleged to have committed such an act of child abuse holds a certification or license issued by the State Education Department.

Any school administrator or Superintendent who reasonably and in good faith makes a report of allegations of child abuse in an educational setting, or reasonably and in good faith transmits such a report to a person legally authorized to receive such information, shall be confidential and shall not be redisclosed except to law enforcement authorities involved in an investigation of child abuse in an educational setting or as expressly authorized by law or pursuant to a court-ordered subpoena. School administrators and the Superintendent shall exercise reasonable care in preventing such unauthorized disclosure.

Additionally, teachers and all other school officials shall be provided an annual written explanation concerning the reporting of child abuse in an educational setting, including the immunity provision as enumerated in law. Further, the Commissioner of Education shall furnish the District/staff responsibilities under the law.

Prohibition of “ Silent” (Unreported) Resignations

The Superintendent and other school administrators are prohibited from withholding from law enforcement authorities, the Superintendent or the Commissioner of Education, where appropriate, information concerning allegations of child abuse in an educational setting against an employee or volunteer in exchange for that individual’s resignation or voluntary suspension from his/her position.

Superintendents (or a designated administrator) who reasonably and in good faith report to law enforcement officials information regarding allegations of child abuse or a resignation as required pursuant to the law shall have immunity from any liability, civil or criminal, which might otherwise result by reason of such actions.

Education Law Sections 1128-33 and 3208-b
Penal Law Article 130, 235 and 263
8 New York Code of Rules and Regulations
(NYCRR) Part 83

SUBJECT: COMPLAINTS AND GRIEVANCES BY STUDENTS

While students have the responsibility to abide by the policies and regulations of the District, they shall also be afforded opportunity to present complaints and grievances free from interference, coercion, restraint, discrimination or reprisal. Administration shall be responsible for:

- a) Establishing rules and regulations for the redress of complaints or grievances through proper administration channels;
- b) Developing an appeals process;
- c) Ensuring that students have full understanding and access to these regulations and procedure; and
- d) Providing prompt consideration and determination of student complaints and grievances.

Complaints and Grievances Coordinator

Additionally, the Board shall ensure compliance with Title IX of the Educational Amendments of 1972, Section 504 of the Rehabilitation Act of 1973 and the Americans with Disabilities Act (ADA). The Superintendent shall designate a District employee as the Title IX/Section 504/ADA Coordinator; and regulations and procedures shall be implemented to resolve complaints of discrimination based on sex or disability.

Prior to the beginning of each school year, the District shall issue an appropriate public announcement, which advises students, parents/guardians, employees and the general public of the District's established grievance procedures for resolving complaints of discrimination based on sex, sexual orientation or disability. Including in such announcement will be the name, address and telephone number of the Title IX/Section 504/ADA Coordinator.

The Title IX/Section 504/ADA Coordinator shall also be responsible for handling complaints and grievance regarding discrimination based on race, color, creed, religion, national origin, political affiliation, sexual orientation, age, military status, veteran status, or marital status.

The Title VII of the Civil Rights Act of 1964,
42 United States Code (USC) Section 2000-e et seq.
Prohibits discrimination on the basis of race, color,
religion, sex or national origin.

SUBJECT: COMPLAINTS AND GRIEVANCES BY STUDENTS (Cont'd.)

Title Vi of the Civil Rights Act 1964
42 United State Code (USC) Section 2000-d et seq.
Prohibits discrimination on the basis of race, color or
national origin.

Section 504 of the Rehabilitation Act of 1973,
29 United States Code (USC) Section 794 et seq.

The Americans with Disabilities Act,
42 United States Code (USC) Section 12101 et seq.
Prohibits discrimination on the basis of disability.

Title IX of the Education Amendments of 1972,
20 United States Code (USC) Section 1681 et seq.
Prohibits discrimination of the basis of sex.

New York State Civil Rights Law Section 40-c
Prohibits discrimination on the basis of race, creed,
Color, national origin, sex, marital status, sexual
orientation or disability.

New York State Executive Law Sections 290 et seq.
Prohibits discrimination on the basis of age, race, creed,
color, national origin, sex, sexual orientation, disability,
military status, or marital status.

Age Discrimination in Employment Act,
29 United States Code Section 621

NOTE: Refer also to Policy # 3420- Anti-harassment in the School District

SUBJECT: SEXUAL HARASSMENT OF STUDENTS

The board of Education affirms its commitment to non-discrimination and recognizes its responsibility to provide for all District students an environment that is free of sexual harassment and intimidation. Sexual harassment is a violation of law and stands in direct opposition to District policy. Therefore, the Board prohibits and condemns all forms of sexual harassment by employees, school volunteers, students, and non-employees such as contractors and vendors which occur on school grounds and at all school-sponsored events, programs and activities including those that take place at locations off school premises. Generally, sexual harassment is defined as unwelcome sexual advances, requests for sexual favors and other verbal or physical conduct or communication of a sexual nature when:

- a) Submission to or rejection of such sexually harassing conduct and/or communication by a student affects decisions regarding any aspect of the student's education, including participation in school-sponsored activities;
- b) Conditions exist within the school environment that allow or foster obscene pictures, lewd jokes, sexual advances, requests for sexual favors or other harassing activities of a sexual nature; and
- c) Such conduct and/or communication has the purpose or effect of substantially or unreasonably interfering with a student's academic performance or participation in an educational or extracurricular activity, or creating an intimidating, hostile or offensive learning environment; and/or effectively bars the student's access to an educational opportunity or benefit.

The Board acknowledges that in determining whether sexual harassment has occurred the totality of the circumstances, expectations, and relationships should be evaluated including, but not limited to, the ages of the harasser and the victim; the number of individuals involved; and the type, frequency and duration of the conduct. The Board recognizes that sexual harassment can originate from a person of either sex against a person of the opposite or same sex, and from a third party such as a school visitor, volunteer, or vendor, or any other individual associated with the School District. Sexual harassment may occur from student-to-student, from staff-to-student, from student-to-staff, as well as staff-to-staff.

SUBJECT: SEXUAL HARASSMENT OF STUDENTS (Cont'd.)

In order for the Board to enforce this policy, and to take corrective measures as may be necessary, it is essential that any student who believes he/she has been a victim of sexual harassment in the school environment, as well as any other person who is aware of and/or who has knowledge of or witnesses any possible occurrence of sexual harassment, immediately report such alleged harassment; such report shall be directed to or forwarded to the District's designated compliant officer(s) through informal and/or formal complaint procedures as developed by the District. Such complaints are recommended to be in writing, although verbal complaints of alleged sexual harassment will also be promptly investigated in accordance with the terms of this policy. In the event that the compliant officer is the alleged offender, the report will be directed to the next level of supervisory authority.

Upon receipt of an informal/formal complaint, the District will conduct a thorough investigation of the charges. To the extent possible, within legal constraints, all complaints will be treated as confidentially and privately as possible. However, disclosure may be necessary to complete a thorough investigation of the charges, and any disclosure will be provided on a "need to know" basis.

Based upon the results of the investigation, if the District determines that an employee and/or student has violated the terms of this policy and/or accompanying regulations, immediate corrective action will be taken as warranted. Should the offending individual be a student, appropriate disciplinary measures will be applied, up to and including suspension, in accordance with District policy and regulation, the Code of Conduct, and applicable laws and/or regulations. Should the offending individual be a school employee, appropriate disciplinary measures will be applied, up to and including termination of the offender's employment, in accordance with legal guidelines, District policy and regulation, the Code of Conduct and the applicable collective bargaining agreement(s). Third parties (such as school volunteers, vendors, etc.) who are found to have violated this policy and/or accompanying regulations will be subject to appropriate sanctions as warranted and in compliance with the law.

The Board prohibits any retaliatory behavior directed against complainants, victims, witnesses, and/or any other individuals who participated in the investigation of a complaint of sexual harassment. Follow-up inquires shall be made to ensure that harassment has not resumed and that all those involved in the investigation of the sexual harassment complaint have not suffered retaliation.

Regulations will be developed for reporting, investigating and remedying allegations of sexual harassment. An appeal procedure will also be provided to address any unresolved complaints and/or unsatisfactory prior determinations by the applicable compliant officer(s).

Such regulations will be developed in accordance with federal and state law as well as any applicable collective bargaining agreement(s).

(Continued)

SUBJECT: SEXUAL HARASSMENT OF STUDENTS (cont'd.)

The Superintendent/designee(s) will affirmatively discuss the topic of sexual harassment with all employees and students, express the District's condemnation of such conduct, and explain the sanctions for such harassment. Appropriate training and/or "awareness" programs will be established for staff and students to help ensure knowledge of and familiarity with the issues pertaining to sexual harassment in the schools, and to disseminate preventative measures to help reduce such incidents of prohibited conduct. Furthermore, special training will be provided for designated supervisors and managerial employees, as may be necessary, for training in the investigation of sexual harassment complaints.

A copy of this policy and its accompanying regulations will be available upon request and may be posted at various locations in each school building. The District's policy and regulations on sexual harassment will be published in appropriate school publications such as teacher/employee handbooks, student handbooks, and/or school calendars.

Title IX of the Education Amendments of 1972
20 United States Code (USC) Section 1681 et seq.

34 Code of Federal Regulations (CFR)
Section 100 et seq.

Title VII of the civil Rights Act of 1964,
42 United States Code (USC) Sections 200-e et seq.

The Civil rights Act of 1991
42 United States Code (USC) Section 1981(a)

29 Code of Federal Regulations (CFR)
Section 1604.11(a)

Executive Law Section 296 and 297

Marlboro Central School District

Policy # 7620

Students

SUBJECT: STUDENTS WITH DISABILITIES PARTICIPATING IN SCHOOL DISTRICT PROGRAMS

All students with disabilities residing in the District, including those of preschool age, shall be provided with full access and opportunity to participate in School District programs, including extracurricular programs and activities, that are available to all other students enrolled in the public schools of the District. Parent/guardians of students with disabilities, including those students placed in out-of-District programs, shall receive timely notice of such District programs and activities.

8 New York Code of Rules and Regulations
(NYCRR) Section 200.2(b)(1) and (2)

Marlboro Central School District

Policy # 8120

Instruction

SUBJECT: EQUAL EDUCATIONAL OPPORTUNITIES

It is the policy of this District that each student attending its public schools shall have equal educational opportunities and will not be excluded or prevented from participating in or having admittance to the educational courses, programs or activities; school services and extracurricular events on the basis of race, color, creed, religion, national origin, political affiliation, sex, sexual orientation, age, marital status, military status, or disability. Sexual orientation is defined as heterosexuality, homosexuality, bisexuality, or asexuality, whether actual or perceived.

Administration shall establish grievance procedures that provide for the prompt and equitable resolution of complaints pertaining to discrimination on the basis of race, color, creed, religion, national origin, political affiliation, sex, sexual orientation, age, marital status, military status, or disability.

Title VII of the Civil Rights Act of 1964,
42 United States Code (USC) Section 2000-e et seq.
Prohibits discrimination on the basis of race, color,
religion, sex, or national origin.

Title VI of the Civil Rights Act of 1964
42 United States Code (USC) Section 2000-d et seq.
Prohibits discrimination on the basis of race, color, or
national origin.

Section 504 of the Rehabilitation Act of 1973,
29 United States Code (USC) Section 794 et seq.

The Americans with Disabilities Act,
42 United States Code (USC) Section 12101 et seq.
Prohibits discrimination on the basis of disability.

Title IX of the Education Amendments of 1972,
20 United States Code (USC) Section 1681 et seq.
Prohibits discrimination on the basis of sex.

New York State Civil Rights Law Section 40-c
Prohibits discrimination on the basis of sex.
Prohibits discrimination on the basis of race, creed,
color, national origin, sex, martial status, sexual
orientation or disability.

(Continued)

SUBJECT: EQUAL EDUCATIONAL OPPORTUNITIES (Cont'd.)

New York State Executive Law Section 290 et seq.
Prohibits discrimination on the basis of age, race, creed,
color, national origin, sex, sexual orientation, disability,
military status or marital status.

Age Discrimination in Employment Act,
29 United States Code Section 621

Marlboro Central School District

User Agreement and Waiver Form

Please print:

User/Account Holder Name: _____

School: _____

Grade/Position: _____

I have read and understand the Marlboro Staff use of Computerized Information regarding Internet/Computer use of district-sponsored account. I agree to abide by its provisions.

I understand that in-school access to the Internet is designed solely for educational purposes. The use of school computers, software, network resources and/or the Internet for non-educational purposes such as for profit activity, personal business or illegal activity is prohibited. I also understand that a variety of inappropriate and offensive materials are available over the Internet, and it may be possible for me to access these materials inadvertently. I agree to act responsibly and to refrain from viewing inappropriate and/or offensive materials. I further understand that it is possible for undesirable or ill-intended individuals to communicate with me over the Internet and that there is no practical way for the Marlboro School District to prevent this from happening. I agree to take responsibility for avoiding such individuals and to report any such attempts at communicating with me. I acknowledge that in the course of using the Internet, there may occur interruptions in service beyond the control of the District, which may result in the loss of data, information or files. The District disclaims any and all responsibility for loss of data, information or files, caused by such service interruptions. I shall not use the Internet for any purpose that would violate any District policy and/or regulations, or that would violate any State or Federal law or regulation.

I understand that I have no right to privacy when I use the Marlboro School District's computer network and the Internet, including e-mail. I authorize the Marlboro School District staff to monitor any communications to or from me on the Marlboro School District Internet. I have determined that the benefits of having in-school access to the Internet outweigh the potential risks, and I will not hold the Marlboro School District as the Internet Access Provider, responsible for material acquired or contacts made on the Marlboro School District network or the Internet.

I further understand that any violation of the provisions in this Policy may result in suspension or revocation of my systems access and related privileges, other disciplinary action, and possible legal action.

Account Holder/User Signature: _____

Date: _____

Marlboro Central School District

Acknowledgement by Employee

Sign –Off

I am in receipt of the Annual Policy Notice for Employees of the Marlboro Central School District Handbook. I understand that I am responsible for reading and understanding the policies and practices described. I understand that this policy handbook is not a contract of employment and that nothing in this manual conveys any right to continued employment.

I agree to abide by the policies and practices contained herein. I understand and accept that the contents of the handbook may change from time to time due to revision and/or change in policy or changes which are mandated by legislation. I understand that it may not be possible at times to be informed of such changes, and that precedence will be given to the most current information over that which may be in this handbook and out of date.

If I have questions regarding the contents of this handbook, I will contact the Central Office for any interpretations I may need.

Employees Signature

Date

Please Print Name

Date

Personnel Department

Date