

ANNUAL NOTIFICATION OF DISTRICT POLICIES AND PROCEDURES

ATTENDANCE AND ADMISSION INFORMATION

Student Entry Registration Procedures

Registration for High School/Middle School students, (please call the Registrar's office at 914-693-1500 x3034) to make an appointment to come to the High School, 505 Broadway, Dobbs Ferry. For Kindergarten and Elementary students, (please call the Registrar's office at 914-693-1503 x 1435) to make an appointment to come to Springhurst at 175 Walgrove Avenue, Dobbs Ferry. Parents should go to the district website (www.dfsd.org) to obtain a Registration Packet which includes all pertinent forms and instructions on documents to bring to the appointment.

Kindergarten Eligibility

Children who will be five (5) years old on or before December 31 of a given year are eligible to enter Kindergarten in September. There are no exceptions to this regulation.

Registration of children for next September entry into Kindergarten is scheduled in the early spring at the Springhurst Elementary School. Parents should go to the district website (www.dfsd.org) to obtain the Registration Packet which includes all pertinent forms and instructions on documents to bring to the appointment. If you are unable to access the information via the website, please contact the Springhurst office at 693-1503 x1435.

An informal orientation session about the Kindergarten program is scheduled for parents in a morning in March. Please call the school at 693-1503 x3 for the specific date.

Residency Requirement

All individuals residing within the District who are between the ages of five (5) years and twenty-one (21) years and who have not received a high school diploma shall be entitled to enroll in the District's schools. A child's residence is presumed to be that of his/her parent(s) or legal guardian(s) and is established by a demonstration of the child's physical presence as an inhabitant within the District as well as an intention to remain in the District permanently. Students may only have one legal residence for purposes of enrollment in the District's schools. In certain limited circumstances, as set forth in Board Policy 5152, the District may permit the enrollment of non-resident high school students for purposes of accessing the IB program on an annual basis upon payment of tuition. A written application to enroll non-resident children as tuition students in the Dobbs Ferry Schools must be made to the Superintendent of Schools by the student's parent(s)/legal guardian(s). If the District permits such non-resident students to enroll in the District's schools, transportation shall be the responsibility of the parent(s)/legal guardians. For further information about non-resident student admission please contact the office of the Superintendent of Schools, Dr. Lisa Brady, at 693-1506.

Transportation Services

Eligibility

District children who attend Dobbs Ferry public or parochial schools will be provided transportation as follows:

1. All K-5th graders.
2. All children grades 6-12 who live more than 2 miles from the school they legally attend.

In-District Transportation

Inquires about in-district transportation should be directed to Vic Granuzzo, Quad Village Transportation, at 914-295-5544 or 914-295-5559.

Out of District Transportation

Parents who wish the district to provide transportation for their children to private or parochial schools outside the district must file a written request for this service before April 1 each school year. Applications should be submitted to:

Ardsley Union Free School District
Transportation Department
500 Farm Road
Ardsley, NY 10502

Included should be the name, age and grade of the student and the school he/she is to attend. To qualify, a student must reside no more than 15 miles from the school in which he/she is legally enrolled.

Student Absences — Religion

Student absences on days for religious observance are excused absences. If your child is to be absent for religious reasons, you must inform the main office of your child's school in writing.

Absence and Tardiness

Under the School Attendance Laws of New York State, parents are responsible for ensuring their child(ren)'s regular attendance and punctuality at school. As set forth in the District's comprehensive student attendance policy (5100), the following absences will be recognized by the District as "excused" absences from school, provided such absence(s) is/are substantiated by the child's parent in writing (this includes emails):

- Illness of the child,
- death in the immediate family,
- religious observance,
- required attendance in court,
- approved school-sponsored activities, including field trips, interscholastic athletics, musical and other competitions,
- directed or authorized presence at the Administrative Offices or Nurse's Office,
- quarantine,
- emergency dental and/or medical appointments,

- military obligations,
- approved work study programs, and
- College visitations (for juniors and seniors only upon prior knowledge and approval of the child's parent(s)/legal guardian(s) and counselors).

Any absence not provided for on the above list shall be deemed "unexcused." A written excuse from the child's parent(s)/guardian(s) is required each time a child is absent or tardy. This excuse must be sent with the child when he/she returns to school or on the day that he/she is tardy. The note must include the reason for the absence or tardiness, the dates covered and a signature by the parent(s) or guardian(s). Parents should also call the main office of their child's school in the morning on each day the student is absent, providing a reason for the absence.

Change of Address and Census Data

Please notify the District, in writing, of any change of address, telephone or family status (births, deaths) as follows:

District Clerk
 Dobbs Ferry Union Free School District
 505 Broadway, Dobbs Ferry, N.Y. 10522

Military Recruitment

It is the responsibility of the Dobbs Ferry High School to provide military recruiters access to student recruiting information. There are two (2) similar, but not identical, provisions in Federal Law that deal with the issue. One is contained in the National Defense Authorization Act, and the other is part of the No Child Left Behind Act.

Both provisions require local educational agencies that receive federal funding to provide access to secondary school student names, addresses, and telephone listings upon a request made by the military recruiters. Under both laws, a secondary school student or parent of the student may request that such information not be released without prior written parental consent.

If you do not want your child's name, address and/or phone listing released to military recruiters, please return the form, received in your child's mailer packet, to the Guidance Department. It is not necessary to return the form if it was submitted previously.

Code of Conduct

The Board of Education has approved a K-12 Code of Conduct. Parents and students will be provided with written and/or electronic copies of the Code of Conduct on an annual basis. Additional copies will also be made available at each school as well as on the District's website.

Notification of Non-Discrimination Policy

The Dobbs Ferry School District does not discriminate on the basis of age, color, religion, creed, disability, marital status, veteran status, national origin, race, gender in the education programs and activities it operates.

Inquiries concerning this policy should be referred to Dr. Lisa Brady, Superintendent at 914-693-1506 or the Mr. Douglas Berry, Assistant Superintendent of Curriculum and Instruction at 914-693-1500 x3059, who have been designated to coordinate the District's efforts to comply with and carry out its responsibilities under Title IX, Section 504, the ADA, and the Age Discrimination Act. Dr. Lisa Brady, Superintendent at 914-693-1506 or Mr. Douglas Berry, Assistant Superintendent Curriculum and Instruction, will provide information, including complaint procedures, to any student or employee who believes that his or her civil rights may have been violated by the District or its officials.

In addition, pursuant to the Dignity for All Students Act ("DASA"), the District has appointed each building assistant principal as a DASA coordinator to address any instances of harassment, discrimination and/or bullying on the basis of actual or perceived race, color, weight, national origin, ethnic group, religion, religious practice, disability, sexual orientation, gender or sex. Inquiries concerning DASA and/or the filing of complaints that DASA is believed to have been violated, should be referred to your child's building principal.

Sexual Harassment

The Board of Education recognizes that harassment of students, employees (including all staff, applicants for employment, both paid and unpaid interns, exempt and non-exempt status, part-time, seasonal, and temporary workers, regardless of immigration status) and certain "non-employees" (which includes contractors, subcontractors, vendors, consultant and other persons providing services pursuant to a contract, or their employees) on the basis of sex, gender and/or sexual orientation is abusive and illegal behavior that harms targets and negatively impacts the school culture by creating an environment of fear, distrust, intimidation and intolerance. The Board further recognizes that preventing and remedying such harassment in schools is essential to ensure a healthy, nondiscriminatory environment in which students can learn and employees and "non-employees" can work productively.

Sexual harassment is a form of sex discrimination and is unlawful under federal, state, and (where applicable) local law. Sexual harassment includes harassment on the basis of actual or perceived or self-identified sex, sexual orientation, gender identity, gender expression, and transgender status. Sexual harassment of a student can deny or limit the student's ability to participate in or to receive benefits, services, or opportunities from the school's program.

Please see Policy 0110 on the District website for more detailed information.

Health Policy

All students in the District are provided health services in accordance with New York State requirements. Each child in grades K, 2, 4, 7 and 10 is required to have a health appraisal by the family doctor or by the school physician, which must include the results of a WSC/BMI. If the school physician does examine a student and has a concern, a report will be made to the parents. New York State Education Law requires that all children in grades 5 through 9 receive a school screening examination for possible curvature of the spine (scoliosis)

Any child entering school for the first time or transferring from another school must furnish the school with an immunization certificate, a current physical examination (within the last 12 months) and a dental health certificate.

In accordance with New York State Education Law, the District also requires that students enrolling in grades K, 2, 4, 7, and 10 present a dental health certificate containing a report of a comprehensive dental examination signed by a New York State licensed dentist.

2019-20 School Year New York State Immunization Requirements for School Entrance/Attendance¹

NOTES:

Children in a prekindergarten setting should be age-appropriately immunized. The number of doses depends on the schedule recommended by the Advisory Committee on Immunization Practices (ACIP). For grades pre-k through 11, intervals between doses of vaccine should be in accordance with the ACIP-recommended immunization schedule for persons 0 through 18 years of age. Doses received before the minimum age or intervals are not valid and do not count toward the number of doses listed below. Intervals between doses of vaccine DO NOT need to be reviewed for grade 12 except for interval between measles vaccine doses. See footnotes for specific information for each vaccine. Children who are enrolling in grade-less classes should meet the immunization requirements of the grades for which they are age equivalent.

Dose requirements **MUST** be read with the footnotes of this schedule.

Vaccines	Prekindergarten (Day Care, Head Start, Nursery or Pre-k)	Kindergarten and Grades 1, 2, 3, 4 and 5	Grades 6, 7, 8, 9, 10 and 11	Grade 12
Diphtheria and Tetanus toxoid-containing vaccine and Pertussis vaccine (DTaP/DTP/Tdap/Td) ²	4 doses	5 doses or 4 doses if the 4th dose was received at 4 years or older or 3 doses if 7 years or older and the series was started at 1 year or older	3 doses	
Tetanus and Diphtheria toxoid-containing vaccine and Pertussis vaccine booster (Tdap) ³	Not applicable		1 dose	
Polio vaccine (IPV/OPV) ⁴	3 doses	4 doses or 3 doses if the 3rd dose was received at 4 years or older	4 doses or 3 doses if the 3rd dose was received at 4 years or older	3 doses
Measles, Mumps and Rubella vaccine (MMR) ⁵	1 dose	2 doses		
Hepatitis B vaccine ⁶	3 doses	3 doses	3 doses or 2 doses of adult hepatitis B vaccine (Recombivax) for children who received the doses at least 4 months apart between the ages of 11 through 15 years	
Varicella (Chickenpox) vaccine ⁷	1 dose	2 doses		1 dose
Meningococcal conjugate vaccine (MenACWY) ⁸	Not applicable		Grades 7, 8, 9 and 10: 1 dose	2 doses or 1 dose if the dose was received at 16 years or older
Haemophilus influenzae type b conjugate vaccine (Hib) ⁹	1 to 4 doses	Not applicable		
Pneumococcal Conjugate vaccine (PCV) ¹⁰	1 to 4 doses	Not applicable		



For further information, contact:
New York State Department of Health Bureau of Immunization, Room 649, Corning Tower ESP
Albany, NY 12237 (518) 473-4437
New York City Department of Health and Mental Hygiene Program Support Unit,
Bureau of Immunization,
42-09 28th Street, 5th floor Long Island City, NY 11101 (347) 396-2433

New York State Department of Health/Bureau of Immunization health.ny.gov/immunization

Sports Health Forms

Middle and high school students who plan to participate in any scholastic sport must have a physical completed within 12 months of the sport season and no physical restrictions on file in the health office. The school doctor visits the schools before the fall sports season to perform pre-sports physicals for those students who request them. Parental permission form and 30-day update must also be provided for each sports season.

School Lunch Program

As a convenience for parents and students, of the Dobbs Ferry Union Free School District's School Lunch Program provides parents an easy and secure online prepayment service to deposit money into your child's school meal account at any time. This service also provides parents the ability to view your child's account balance through a web site called www.myschoolbucks.com. By having money in each child's account prior to entering the cafeteria, the lunch lines will move along much faster so your child will have more time to eat and be with friends. Parents will also have the ability to print out a copy of their child's purchasing history report. This history report will show you all dates and times that your child made purchases in the cafeteria within the past thirty days. Parents are encouraged to sign up on www.myschoolbucks.com and establish an account regardless of how they pay. By signing up you will also be notified by e-mail when you have a low balance. You will need to know your child's Student ID# which is on their report card or you may call your child's school office. If you need further information on the lunch program please contact (Business Office) at 693-1500 x3025.

You can also always pay with cash or check in the cafeteria.

Anyone in need of a "Free and Reduced " Lunch Program can find more information on our website at <https://www.dfsd.org/domain/318> or call Mia Alfano, on 914-693-1500 ext. 3045.

High School Graduation

Chapter 32 of the Laws of 2018 Relating to Policies that Allow All Students to Participate in a High School Graduation Ceremony

Participation in the graduation ceremony and related activities will be predicated on satisfactory completion of all graduation requirements, or as otherwise described in this policy. Exceptions may be made under extraordinary circumstances with the permission of the Superintendent of Schools. A student who has earned either a Career Development and Occupational Studies Commencement Credential (CDOS) or Skills and Achievement Commencement Credential (SACC) by the time his/her ninth-grade cohort reaches graduation may, but is not required to, participate in that graduation ceremony and related activities.

Please see Policy 4772 and 4773 on the District website for more detailed information.

Pesticide Notification

New York State Education Law Section 409-H, effective July 1, 2001, requires all schools to provide written notification to all persons in parental relation, faculty, and staff regarding the potential use of pesticides periodically throughout the school year. The District is required to maintain a list of persons in parental relation, faculty, and staff who wish to receive 48-hour prior written notification of certain pesticide applications. The following pesticide applications are not subject to prior notification requirements:

- a school remains unoccupied for a continuous 72-hours following an application;
- anti-microbial products;
- nonvolatile rodenticides in tamper-resistant bait stations in areas inaccessible to children;
- nonvolatile insecticidal baits in tamper resistant bait stations in areas inaccessible to children;
- silica gels and other nonvolatile ready-to-use pastes, foams, or gels in areas inaccessible to children;
- boric acid and disodium octaborate tetrahydrate;
- the application of EPA designated biopesticides;
- the application of EPA designated exempt materials under 40CFR152.25;
- the use of aerosol products with a directed spray in containers of 18 fluid ounces or less when used to protect individuals from an imminent threat from stinging and biting insects including venomous spiders, bees, wasps, and hornets.

In the event of an emergency application necessary to protect against an imminent threat to human health, a good faith effort will be made to supply written notification to those on the 48-hour prior notification list. If you would like to receive 48-hour prior notification of pesticide applications that are scheduled to occur in your school, or for more information, please contact the Director of School Facilities, Maintenance & Operations at 693-1500 x3044.

Notification of Availability of the District Asbestos Management Plan

In accordance with the EPA's Asbestos Hazard Emergency Response Act (AHERA) of 1987 (40CFR Part 763), the Dobbs Ferry School District is required to give annual notification stating that the Asbestos Management Plan for each building is available and kept in the main office of each building and in the District's Central Office. These records are available for review during normal school business hours.

In addition, in accordance with this act, a six-month periodic surveillance is conducted in each building that contains asbestos. The periodic surveillances are conducted in June and December of each year.

Furthermore, before the start of any project, the District will make sure all building occupants are properly notified and all signage will indicate the scope of work.

For more information, please contact the Director of School Facilities, Maintenance and Operations at 693-1500, x3044.

Dignity For All Students Act (DASA)

“New York State’s Dignity for All Students Act (The Dignity Act) seeks to provide the State’s public elementary and secondary school students with a safe and supportive environment free from discrimination, intimidation, taunting, harassment, and bullying on school property, a school bus and/or at a school function.

The original legislation amended State Education Law by creating a new Article 2 – Dignity for All Students. The Dignity Act also amended Section 801-a of New York State Education Law regarding instruction in civility, citizenship, and character education by expanding the concepts of tolerance, respect for others and dignity to include: an awareness and sensitivity in the relations of people, including but not limited to, different races, weights, national origins, ethnic groups, religions, religious practices, mental or physical abilities, sexual orientations, gender identity, and sexes. The Dignity Act further amended Section 2801 of the Education Law by requiring Boards of Education to include language addressing The Dignity Act in their codes of conduct.

Retaliation against someone who reports or investigates an incident of harassment, bullying, intimidation or discriminatory behavior or who helps in an investigation is prohibited. Students who believe they have been retaliated against should immediately contact the superintendent.

DASA Designated Liaisons

Ms. Jean Gismervik, District Coordinator, gismervikj@dfsd.org - 914-693-5899

Mr. Raymond Cavallo, Springhurst Asst. Principal, cavallor@dfsd.org - 914-693-1503

Ms. Anne Pecunia, Middle School Asst. Principal, pecuniaa@dfsd.org - 914-693-7640

Ms. Candace Reim, High School Asst. Principal, reimc@dfsd.org - 914-693-7645

FERPA Annual Notification—Notification to Parents and Students of Rights Concerning a Student’s School

Records

The Family Educational Rights and Privacy Act (FERPA) grants parents or guardians and students over eighteen (18) years of age (“eligible students”) certain rights with respect to the student’s education records. They are:

1. The right to inspect and copy the student’s education records, within 45 days from the day the District receives a request for access.

Parents or guardians of students less than eighteen (18) years of age and students older than eighteen (18) years of age have the right to inspect and copy the student’s permanent record. Parents, guardians or students should submit to the school principal (or appropriate school official) a written request that identifies the record(s) they wish to inspect. The principal will make arrangements for access and notify the parent(s)/guardian(s) or eligible student of the time and place where the records may be inspected.

The District charges a nominal fee for copying, but no one will be denied their right to copies of their records for inability to pay this cost.

The rights contained in this section are denied to any person against whom an order of protection has been entered concerning a student.

2. The right to request an amendment of the student's education records that the parent(s)/guardian(s) or eligible student believes are inaccurate, misleading, irrelevant, or improper.

Parents/guardians or eligible students may ask the District to amend a record that they believe is inaccurate, misleading, irrelevant, or improper. They should write the school principal or records custodian, clearly identifying the part of the record they want changed, and specify the reason.

If the District decides not to amend the record as requested by the parent(s)/guardian(s) or eligible student, the District will notify the parent(s)/guardian(s) or eligible student of the decision and advise him or her of their right to a hearing regarding the request for amendment. Additional information regarding the hearing procedures will be provided to the parent(s)/guardian(s) or eligible student when notified of the right to a hearing.

3. The right to permit disclosure of personally identifiable information contained in the student's education records, except to the extent that FERPA or state law authorizes disclosure without consent.

Disclosure is permitted without consent to school officials with legitimate educational or administrative interests. A school official is a person employed by the District as an administrator, supervisor, instructor, or support staff member (including health or medical staff and law enforcement unit personnel); a person serving on the Board; a person or company with whom the District has contracted to perform a special task (such as an attorney, auditor, medical consultant, or therapist); or a parent(s)/guardian(s) or student serving on an official committee, such as a disciplinary or grievance committee, or assisting another school official in performing his or her tasks.

A school official has a legitimate educational interest if the official needs to review an education record in order to fulfill his or her professional responsibility.

Upon request, the District also discloses education records without consent to officials of another school district in which a student has enrolled or intends to enroll, as well as to any person as specifically required by state or federal law.

Disclosure is also permitted without consent to: any person for research, statistical reporting, or planning, provided that no student or parent(s)/guardian(s) can be identified; any person named in a court order; and appropriate persons if the knowledge of such information is necessary to protect the health or safety of the student or other persons.

4. The right to prohibit the release of directory information concerning the parent's/guardian's child.

Throughout the school year, the District may release to the public student "directory information" consisting of the student's name, address, telephone listing, date and place of birth, major field of study, participation in officially recognized activities and sports, weight and height (if members of

athletic teams), degrees and awards received, and the name of the educational agency or institution previously attended by the student. (See Board Policy 5500)

A parent or eligible student may object to the release of the above directory information on an annual basis by notifying the Superintendent of Schools, in writing, by September 15 of each school year. Any written objection filed with the Superintendent will remain in effect for the duration of the school year in which it was filed.

5. Consent to release personally identifiable student information.

The District takes great pride in our students' work and their achievements. To this end, periodically during the school year, the District may use individual student photographs, student works, and/or audio or video recordings of students in any of several types of publications, including but not limited to, District newsletters, yearbooks, calendars, web sites, newspapers, radio and/or television. As the District takes its responsibility to protect our students' privacy very seriously, the District requires your written consent in order to allow your child to participate in these publications. Please complete the form attached to this document and return it to your child's homeroom teacher by September 15.

1. The right to file a complaint with the U.S. Department of Education, concerning alleged failures by the District to comply with the requirements of FERPA.

The name and address of the office that administers FERPA is:

Family Policy Compliance Office
U.S. Department of Education
400 Maryland Avenue, SW
Washington, DC 20202-4605

DOBBS FERRY UNION FREE SCHOOL DISTRICT

Consent to Release Personally Identifiable Student Information 2019-20

Please fill out the form below and return it to your child's school office by September 15.

During the school year, the District may use individual student photographs, student works, and/or audio or video recordings of students in any of several types of publications, including but not limited to, District newsletters, yearbooks, calendars, web sites, newspapers, radio and/or television. As the District takes its responsibility to protect our students' privacy very seriously, the District requires your written consent **NOT** to allow your child to participate in these publications.

NO I DO NOT CONSENT to my child's participation in publications, including but not limited to District Newsletters, yearbooks, websites, newspapers, radio and/or television.

Print Student's Name: _____ Date: _____

Print Name of Parent/Guardian: _____

Signature of Parent/Guardian: _____

Relation to Student: _____

Grade: _____ Homeroom: _____ Homeroom Teacher: _____

COMMENTS:

PARENTS BILL OF RIGHTS FOR DATA PRIVACY AND SECURITY

Pursuant to Section 2-c and 2-d of the Education Law, parents and students are entitled to certain protections regarding confidential student information. The Dobbs Ferry School District is committed to safeguarding personally identifiable information from unauthorized access or disclosure as set forth below:

1. A student's personally identifiable information cannot be sold or released for any commercial purposes;
2. Parents have the right to inspect and review the complete contents of their child's education record;
3. The District is committed to implementing safeguards associated with industry standards and best practice under state and federal laws protecting the confidentiality of personally identifiable information, including but not limited to, encryption, firewalls, and password protection when data is stored or transferred;
4. New York State, through the New York State Education Department, collects a number of student data elements for authorized uses. A complete list of all student data elements collected by the State is available for public review at: http://www.p12.nysed.gov/irs/sirs/2011-12/2011-12SIRSGuidance/NEWER/2013-14SIRSMannual9-1_20131107.pdf or by writing to the Office of Information & Reporting Services, New York State Education Department, Room 863 EBA, 89 Washington Avenue, Albany, NY 12234;
5. Parents have the right to have complaints about possible breaches of student data addressed. Complaints should be directed to:

At the School District: Dr. Lisa Brady, Superintendent of Schools, 505 Broadway, Dobbs Ferry, NY 10522, (914) 693-1506.

At the State: Chief Privacy Officer, New York State Education Department, 89 Washington Avenue, Albany, NY 12234; Email address: cpo@mail.nysed.gov.

6. Agreements with third party contractors/consultants will ensure that the subcontractors, persons or entities that the third party contractor/consultant will share the student data or teacher or principal data with, if any, will abide by data protection and security requirements.
7. A parent, student, eligible student, teacher or principal may challenge the accuracy of the student data or teacher or principal data that is collected by filing a written request with the Superintendent of Schools.

SEXUAL HARASSMENT

The Board of Education recognizes that harassment of students, employees (including all staff, applicants for employment, both paid and unpaid interns, exempt and non-exempt status, part-time, seasonal, and temporary workers, regardless of immigration status) and certain "non-employees" (which includes contractors, subcontractors, vendors, consultant and other persons providing services pursuant to a contract, or their employees) on the basis of sex, gender and/or sexual orientation is abusive and illegal behavior that harms targets and negatively impacts the school culture by creating an environment of fear, distrust, intimidation and intolerance. The Board further recognizes that preventing and remedying such harassment in schools is essential to ensure a healthy, nondiscriminatory environment in which students can learn and employees and "non-employees" can work productively.

Sexual harassment is a form of sex discrimination and is unlawful under federal, state, and (where applicable) local law. Sexual harassment includes harassment on the basis of actual or perceived or self-identified sex, sexual orientation, gender identity, gender expression, and transgender status. Sexual harassment of a student can deny or limit the student's ability to participate in or to receive benefits, services, or opportunities from the school's program.

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

- a. submission to that conduct is made either explicitly or implicitly a term or condition of an individual's employment or a student's education;
- b. submission to or rejection of such conduct is used as the basis for decisions affecting an individual's employment or a student's education; or
- c. the conduct has the purpose or effect of unreasonably interfering with an employee's or "non-employee's" work or student's school performance or creating an intimidating, hostile or offensive work or educational environment, even if the complaining individual is not the intended target of the sexual harassment;

Sexual harassment can include unwelcome sexual advances, requests for sexual favors, and other verbal, nonverbal, or physical conduct of a sexual nature, or verbal, nonverbal or physical aggression, intimidation or hostility that is based on actual or perceived gender and sexual stereotypes. Examples of sexual harassment can be found in the accompanying regulation (0110-R).

The Board is committed to providing an educational and working environment that promotes respect, dignity and equality and that is free from all forms of sexual harassment. To this end, the Board condemns and strictly prohibits all forms of sexual harassment on school grounds, school buses and at all school-sponsored activities, programs and events, including those that take place at locations outside the district, or outside the school setting if the harassment impacts the individual's education or employment in a way that violates their legal rights, including when employees and "non-employees" travel on district business, or when harassment is done by electronic means (including on social media). For employees, sexual harassment is considered a form of employee misconduct. Sanctions will be enforced against all those who engage in sexual harassment, and against supervisory and managerial personnel who knowingly allow such behavior to continue or who engage in retaliation against the individual.

Sexual harassment may subject the district to liability for harm done to targets. Harassers may also be individually subject to civil liability if sued in a court of law or criminal liability if prosecuted.

Under various state and federal laws, students, employees and "non-employees" have legal protections against sexual harassment in the school environment as described above. Those laws are listed in the references section. Additionally, local laws (e.g., county, city, town, village) may apply to the district. The district's Code of Conduct also addresses appropriate behavior in the school environment.

In order for the Board to effectively enforce this policy and to take prompt corrective measures, it is essential that all targets of sexual harassment and persons with knowledge of sexual harassment report the harassment immediately. The district will promptly investigate all complaints of sexual harassment, either formal or informal, verbal or written. To the extent possible, all complaints will be treated in a confidential manner. Limited disclosure may be necessary to complete a thorough investigation. If the complainant reports feeling unsafe at school due to the nature of the complaint, the district will determine if accommodations need to be made until the issue is resolved.

If, after appropriate investigation, the district finds that a student, an employee, "non-employee" or a third party has violated this policy, prompt corrective action will be taken in accordance with the applicable collective bargaining agreement, contract, district policy and state law. Individual nondisclosure agreements may only be used as permitted by law, described in the accompanying regulation. Mandatory arbitration clauses are prohibited in all district contracts and agreements.

All complainants and those who participate in sexual harassment complaints or the investigation of a complaint of sexual harassment have the right to be free from retaliation of any kind, when they do so with a good faith belief that sexual harassment has occurred. Such prohibited retaliation can include, but is not limited to, discipline, discrimination, demotion, denial of privileges, or any action that would keep a person from coming forward to make or support a sexual harassment claim. Such actions need not be job- or education-related, or occur in the workplace or educational environment, to constitute unlawful retaliation.

The Superintendent of Schools is directed to develop and implement regulations for reporting, investigating and remedying allegations of sexual harassment. These regulations are to be attached to this policy. In addition, training programs shall be established for students, and annually for employees, to raise awareness of the issues surrounding sexual harassment and to implement preventative measures to help reduce incidents of sexual harassment. Age-appropriate instructional materials will be incorporated into the curriculum to educate students so that they can recognize and reduce the incidence of sexual harassment.

This policy shall be posted in a prominent place in each district facility, on the district's website, and shall also be published in student registration materials, student, parent and employee handbooks, and other appropriate school publications.

A committee of administrators, teachers, parents, students and the school attorney shall be convened annually to review this policy's effectiveness and compliance with applicable state and federal law, and to recommend revisions to Board.

Ref:

Education Amendments of 1972, Title IX, 20 U.S.C. §1681 *et seq.*
Title VII of Civil Rights Act (1964), 42 U.S.C. §2000-e; 34 CFR §100 *et seq.*
Executive Law §296-d (prohibition of sexual harassment of non-employees)
Labor Law §201-g (required sexual harassment policy and training)
Civil Practice Law and Rules §§5003-b (nondisclosure agreements optional); 7515 (mandatory arbitration prohibited)
General Obligations Law §5-336 (nondisclosure agreements optional)
Davis v. Monroe County Board of Education, 526 U.S. 629, 652 (1999)
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