

NORTH ROSE-WOLCOTT CENTRAL SCHOOL DISTRICT
 BOARD OF EDUCATION REGULAR MEETING
 February 10, 2022 6:00 PM VIA Zoom

AGENDA

1. Call to Order/Pledge of Allegiance

Approval of Agenda

RESOLUTION

Be it resolved that the Board of Education, upon recommendation of the Superintendent of Schools and pursuant to Education Law, approves the agenda of February 10, 2022.

Motion for approval by _____, seconded by _____, all in favor ___-___.

2. Executive Session:

A motion will be requested to enter executive session for the purpose to discuss the employment history of a specific employee.

The motion was made by _____, and seconded by _____ any discussion- All in favor ___-___.

3. Presentations:

- Student Presentation – Elementary Student – Alejandro Gonzalez-Romero
- Budget Presentation– Gary Barno
- Drivers’ Education – Scott Bradley and Matt Savino

4. Reports and Correspondence:

- North Rose-Wolcott Elementary School– Christie Graves, Matt DiGiambattista
 - School Improvement Plan - Update
- Board of Education Building Liaisons
 - Elementary School –Izetta Younglove
 - Middle School – John Boogaard
 - High School – Linda Eygnor
- Four County Update – Linda Eygnor, Lucinda Collier
- Safety Committee –John Boogaard
- Policy Committee – Paul Statskey, John Boogaard, Linda Eygnor
 - First Reading: These policies are being submitted for a first reading.

1000	By-Laws	
1510	Regular Board Meetings and Rules (Quorum and Parliamentary Procedure)	Revised
3000	Community Relations	
3420	Non-Discrimination and Anti-Harassment in the District	Revised
3421	Title IX and Sex Discrimination	New
7000	Students	
7551	Sexual Harassment of Students	Revised
7560	Notice of Sex Offenders	Revised

5. Public Access to the Board:

This time is provided for residents of the District to address the Board of Education. If you would like to speak please email the District Clerk. The speaker will be allowed three minutes to address the Board of Education.

6. Consent Agenda:

A motion for approval of items as listed under the CONSENT AGENDA ITEMS is made by _____, and seconded by _____ any discussion- All in favor ___ - ___.

a. Board of Education Meeting Minutes

RESOLUTION

Be it resolved that the Board of Education, upon recommendation of the Superintendent of Schools and pursuant to Education Law, approves the Meeting Minutes of January 27, 2022.

b. Recommendations from CSE and CPSE

RESOLUTION

Be it resolved that the Board of Education, upon recommendation of the Superintendent of Schools and pursuant to Education Law, approves the recommendations for the Committee on Special Education dated January 7, 10, 11, 12, 14, 18, 19, 21, 25, 26, and February 1, 2022; and instructs the Superintendent to implement the recommendations on behalf of the following individuals identified by student number:

14437	14351	12561	12537	14424	14184	14675
13965	12275	14664	13449	14680	14481	12672
13236	13982	13829	13429	13786	13076	14455
14668	14670	14672	14679	13014	13083	13143
IEP Amendments						
14521	14357	14383	12963	12547		

c. Treasurer Report

RESOLUTION

Be it resolved that the Board of Education, upon recommendation of the Superintendent of Schools and pursuant to Education Law approves the Treasurer Report for November 2021.

d. Substitute Teachers and Substitute Service Personnel

RESOLUTION

Be it resolved that the Board of Education, upon recommendation of the Superintendent of Schools and pursuant to Education Law, approves the individuals named on the substitute lists, which are on file with the District Clerk.

e. Corrective Action Plan

RESOLUTION

Be it resolved that the Board of Education, upon recommendation of the Superintendent of Schools and pursuant to Education Law, approves the Corrective Action Plan for the year ending June 30, 2021.

f. Approval of Combined Sports

RESOLUTION

Be it resolved that the Board of Education, upon recommendation of the Superintendent of Schools and pursuant to Education Law, approves the participation of Red Creek Central School District with the North Rose-Wolcott Boys' Varsity Baseball in all practices and games under the direction of the appointed North Rose-Wolcott coach, for the 2021-2022 school year.

g. Personnel Items:

1. Letter of Resignation –Anthony Vezzose

Anthony Vezzose, Head Custodian, has submitted a letter of resignation.

RESOLUTION

Be it resolved that the Board of Education, upon recommendation of the Superintendent of Schools and pursuant to Education Law accepts the resignation of Anthony Vezzose as Head Custodian, effective

February 18, 2022.

2. Appoint Special Education Teacher – Michael Scharvella

Scott Bradley recommends Michael Scharvella to fill a Special Education Teacher position.

RESOLUTION

Be it resolved that the Board of Education, upon recommendation of the Superintendent of Schools and pursuant to Education Law, approves the four year probationary appointment of Michael Scharvella as a Special Education Teacher conditional upon a criminal history record check according to Commissioners Regulation §80 1.11 and Part 87 as follows:

Certification: SWD Grades 7-12 – Generalist, Initial

Tenure Area: Special Education, Generalist

Probationary Period: February 14, 2022-February 13, 2026

Salary: Step G \$51,729

The expiration date is tentative and conditional only. In order to be eligible for and considered for tenure, the teacher must meet all requirements of the educational law and corresponding regulations.

3. Tenure Appointment – Brian Jeary

Be it resolved that the Board of Education, upon recommendation of the Superintendent of Schools and pursuant to Education Law approves the appointment of Brian Jeary as a teacher on tenure in the Industrial Arts/Technology tenure area effective February 10, 2022.

4. Tenure Appointment – Amanda Johnson

Be it resolved that the Board of Education, upon recommendation of the Superintendent of Schools and pursuant to Education Law approves the appointment of Amanda Johnson as a teacher on tenure in the School Media Specialist tenure area effective February 26, 2022.

5. Co-Curricular Appointments

The following individuals are being recommended to fill co-curricular position.

RESOLUTION

Be it resolved that the Board of Education, upon recommendation of the Superintendent of Schools and pursuant to Education Law, appoints the following individuals to fill a co-curricular position for the 2021-22 school year.

Name	Bldg.	Title	Step	Year	Salary
Brian Hoyt		Athletic Event Scorekeeper/Timer			As per NRWTA Contract

6. Program Appointments

The following individuals are being recommended to work in enrichment programs that are funded by grants.

RESOLUTION

Be it resolved that the Board of Education, upon recommendation of the Superintendent of Schools and pursuant to Education Law, approves the following individuals to work various enrichment programs during the 2021-2022 school year conditional upon a criminal history record check according to Commissioners Regulation §80-1.11 and Part 87.

Staff	Position	\$/Hr.
Aubrey Conti	Grant Program Nurse	\$30.00/hour

7. Approve Memorandum of Agreement

RESOLUTION

Upon the recommendation of the Superintendent, the Board of Education approves a Memorandum of Agreement between the District, the North Rose-Wolcott Service Employees Association and two unit members (fully executed by the parties on January 31, 2022), which amends the collective bargaining agreement between the parties by adjusting the hourly rate of pay for two current employees, effective February 1, 2022, and the starting rate of pay for maintenance personnel hired after February 1, 2022.

8. Approve Memorandum of Agreement - Acting Assistant Superintendent for Business and Operations- Gary Barno

RESOLUTION:

Be it resolved that the Board of Education approves the amended Memorandum of Agreement for the Acting Assistant Superintendent for Business (effective for the period February 1, 2022 through June 30, 2022), executed on January 21, 2022. Contract is on file with the District Clerk.

9. Appoint Interim Director of Facilities II – Gerald Hargarther

Fred Prince recommends Gerald Hargarther as Interim Director of Facilities II.

RESOLUTION

Be it resolved that the Board of Education, upon recommendation of the Superintendent of Schools and pursuant to Education Law, appointment of Gerald Hargarther as Interim Director of Facilities II conditional upon a criminal history record check according to Commissioners Regulation §80 1.11 and Part 87 as follows:

Appointment Dates: February 1, 2022-June 30, 2022

Salary: Contract on file with the District Clerk

10. Correction from November 9, 2021 Coaching and Athletic Department Appointments

Marc Blankenberg recommends the following individuals to fill coaching positions.

RESOLUTION

Be it resolved that the Board of Education, upon recommendation of the Superintendent of Schools and pursuant to Education Law, approves the following coaching appointments for the 2021-22 school year, conditional upon a criminal history record check according to Commissioners Regulation §80-1.11 and Part 87, and successful completion of all required First Aid/CPR and Child Abuse courses.

Position		Name	Step	Years	Salary
Wrestling Coach	JV	Brian Jeary	1 4	2 17	\$3,546 -\$5,851

11. Correction from January 27, 2021 - Amend Appointment of Director of Business Operations and Finance – Madelynn Wisnowski

RESOLUTION

BE IT RESOLVED, that the January 13, 2022 resolution approving the appointment of Madelynn Wisnowski as Director of Business Operations & Finance is hereby amended retroactive to January 13, 2022 to provide as follows:

BE IT RESOLVED, that the Board of Education of the North Rose-Wolcott Central School District hereby appoints Madelynn Wisnowski to a four (4) year probationary appointment as Director of Business Operations & Finance, effective February 14, 2022 with such probationary period ending on ~~January 30, 2026~~ February 13, 2026 (a position in the Director of Business Operations & Finance Tenure Area); and

BE IT FURTHER RESOLVED, that Madelynn Wisnowski shall be supervised by the Superintendent of

Schools and has met all the requirements to hold an Internship Certificate as a School District Business Leader by the Commissioner of Education; and

BE IT FURTHER RESOLVED, that the Board of Education approves the Terms and Conditions Agreement for the Director of Business Operations & Finance, effective February 14, 2022 and ending June 30, 2022.

7. Policies:

A motion for approval of the following items as listed under Policies is made by _____, and seconded by _____ any discussion- All in favor __ - __.

a) Approval of Policies

RESOLUTION

Be it resolved that the Board of Education, upon recommendation of the Superintendent of Schools and pursuant to Education Law approves the following new and/or revised policies:

7000	Students	
7313	Suspension of Students	Revised

Good News:

Superintendent Update:

Board Member Requests/Comments/Discussion:

Informational Items:

- Claims Auditor Reports

Motion for Adjournment:

There being no further business or discussion, a motion is requested adjourn the regular meeting.

Motion for approval by _____, seconded by _____, with motion approved __ - __. Time adjourned: __: __ p.m.

SUBJECT: REGULAR BOARD MEETINGS AND RULES (QUORUM AND PARLIAMENTARY PROCEDURE)

All Board meetings will be open to the public except those portions that are executive sessions. The Board will make reasonable efforts to ensure that all meetings are held in an appropriate facility that can adequately accommodate all members of the public who wish to attend. The Superintendent will attend all Board meetings, unless mutually agreed upon between the President/Vice President and Superintendent. Members of the Superintendent's staff may attend Board meetings at the Superintendent's discretion. The Board may also request that additional people attend.

Regular Board meetings will take place on the day and time designated by the Board at the Annual Organizational Meeting, except as modified. Any Board meeting may be adjourned to a future date and time if approved by a majority of the Board present. Further, if a meeting date falls on a legal holiday, interferes with other area meetings, or Board member attendance will be less than a quorum, the Board will select a date for a postponed meeting at the prior regular meeting, and it will direct the Clerk to notify all members. The District Clerk will provide the Board members written or electronic notice of the time of and agenda for each regular meeting before the meeting.

When the Board schedules a meeting on at least one week's notice, it will give or electronically transmit public notice of the time and place to the news media and conspicuously post the notice in one or more designated public locations at least 72 hours before the meeting. Notice of other meetings will be given or electronically transmitted, to the extent practicable, to the news media and conspicuously posted at one or more designated public locations at a reasonable time before the meeting. ~~When~~ The District ~~has the ability to do so, it~~ will conspicuously post the meeting notices on its website.

It is the responsibility of the Superintendent to prepare the agenda and review it with the Board President for each meeting of the Board. The agenda for each meeting shall be prepared during the week prior to the meeting. The agenda shall be distributed to Board members no later than ~~the Friday~~ **three (3) days** before such regular meeting. Whenever the President or other members of the Board wish to bring a matter to the attention of the Board:

1. such request should be made to the ~~Superintendent through~~ Board President and/or Vice President **with supporting rationale;**
2. **the matter will be placed on the agenda for consideration;**
3. **after discussion, Board members will vote as to whether or not there is sufficient interest in the matter;**
4. **If the vote is affirmative, the Board will request the Superintendent to investigate/gather information on the topic for Board discussion at a later time. ~~so that the same can be placed on the agenda.~~**

Whenever individuals or groups wish to bring a matter to the attention of the Board, such request shall be addressed in writing to the Superintendent ~~through and~~ the Board President and/or Vice President for determination of inclusion on the agenda.

District records available to the public under the Freedom of Information Law, as well as any proposed rule, regulation, policy, or amendment scheduled to be discussed at a Board meeting will be made available upon request, to the extent practicable, before the meeting. Copies of these

(Continued)

Bylaws

SUBJECT: REGULAR BOARD MEETINGS AND RULES (QUORUM AND PARLIAMENTARY PROCEDURE) (Cont'd.)

records may be made available for a reasonable fee. These records will be posted on the website to the extent practicable before the meeting.

If videoconferencing or online technology is used to conduct a meeting, the public notice for the meeting will inform the public, identify all the locations for the meeting, and state that the public has the right to attend at any of the locations. If a meeting is streamed live over the internet, the public notice will inform the public of the website's internet address. Voting may be done through videoconferencing, provided that members can be both seen and heard voting and participating from remote locations.

Recording Meetings

The Board allows public meetings to be photographed, broadcast, webcast, or otherwise recorded by means of audio or video, in a non-disruptive manner, and it supports the use of this technology to facilitate the open communication of public business.

Public Expression

The Board encourages public expression at Board meetings. The Board will designate a specific portion of its meeting agenda for this participation. The Board may invite visitors to participate in its discussion of matters on the agenda.

Quorum

The quorum for any Board meeting is four members. No formal action will be taken at any meeting where a quorum is not present. Unless otherwise required by law, official action will only be taken by approval of the majority of the full Board.

Use of Parliamentary Procedure

The Board will use pertinent portions of the latest edition of Robert's Rules of Order to conduct its business.

Education Law §§ 1708 and 2504
General Construction Law § 41
Public Officers Law Article 7, §§ 103(d), 104, and 107

NOTE: Refer also to Policies #1520 -- Special Meetings of the Board of Education
#1540 -- Executive Sessions
#3220 -- Community Relations
#6211 -- Employment of Relatives of Board Members

Adopted: 1992
Revised: 11/12/03, 1/9/07, 4/3/12, 4/14/15, 6/9/20

POLICY 3420

SUBJECT: NON-DISCRIMINATION AND ANTI-HARASSMENT IN THE DISTRICT

Overview

The District is committed to creating and maintaining an environment which is free from discrimination and harassment. This policy addresses complaints of discrimination and/or harassment made under applicable federal and state laws and regulations, as well as any applicable District policy, regulation, procedure, or other document such as the District's *Code of Conduct*. It is just one component of the District's overall commitment to maintaining a discrimination and harassment-free educational and work environment.

In accordance with applicable federal and state laws and regulations, the District does not discriminate on the basis of any legally protected class or category in its education programs and activities or when making employment decisions. Further, the District prohibits discrimination and harassment on school property and at school functions on the basis of any legally protected class including, but not limited to:

- a) Race;
- b) Color;
- c) Religion **and religious practice**;
- d) Disability;
- e) National origin;
- f) Sexual orientation;
- g) Gender identity or expression;
- h) Military status;
- i) Sex;
- j) **Age**;
- k) **Ethnic group**;
- l) Weight; and
- m) Marital status.

The District adopts this policy as part of its effort to provide for the prompt and equitable resolution of complaints of discrimination and/or harassment. The District will promptly respond to reports of discrimination and/or harassment, ensure that all investigations are conducted within

Commented [1]: The ones that I added come from DASA protected classes.

**SUBJECT: NON-DISCRIMINATION AND ANTI-HARASSMENT IN THE DISTRICT
(Cont'd.)**

a reasonably prompt time frame and under a predictable fair grievance process that provides due process protections, and impose disciplinary measures and implement remedies when warranted.

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

Scope and Application

This policy outlines the District's general approach to addressing complaints of discrimination and/or harassment. This policy applies to the dealings between or among the following parties on school property and at school functions:

- a) Students;
- b) Employees;
- c) Applicants for employment;
- d) Paid or unpaid interns;
- e) Anyone who is (or is employed by) a contractor, subcontractor, vendor, consultant, or other person providing services pursuant to a contract in the workplace;
- f) Volunteers; and
- g) Visitors or other third parties.

Further, discrimination and/or harassment that occurs off school property and somewhere other than a school function can disrupt the District's educational and work environment. This conduct can occur in-person or through phone calls, texts, emails, or social media. Accordingly, conduct or incidents of discrimination and /or harassment that create or foreseeably create a disruption within the District may be subject to this policy in certain circumstances.

Other District policies and documents such as regulations, procedures, collective bargaining agreements, and the District's *Code of Conduct* may address misconduct related to discrimination and/or harassment and may provide for additional, different, or more specific grievance procedures depending on a number of factors including, but not limited to, who is involved, where the alleged discrimination and/or harassment occurred, and the basis of the alleged discrimination and/or harassment. These documents must be read in conjunction with this policy.

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

SUBJECT: NON-DISCRIMINATION AND ANTI-HARASSMENT IN THE DISTRICT (Cont'd.)

Definitions

For purposes of this policy, the following definitions apply:

- a) "School property" means in or within any building, structure, athletic playing field, playground, parking lot, or land contained within the real property boundary line of any District elementary or secondary school, or in or on a school bus or District vehicle.
- b) "School function" means a school-sponsored or school-authorized extracurricular event or activity regardless of where the event or activity takes place, including any event or activity that may take place virtually or in another state.

What Constitutes Discrimination and Harassment

Determinations as to whether conduct or an incident constitutes discrimination and/or harassment will be made consistent with applicable federal and state laws and regulations, as well as any applicable District policy, regulation, procedure, or other document such as the District's *Code of Conduct*. These determinations may depend upon a number of factors, including, but not limited to: the particular conduct or incident at issue; the ages of the parties involved; the context in which the conduct or incident took place; the relationship of the parties to one another; the relationship of the parties to the District; and the protected class or characteristic that is alleged to have been the basis for the conduct or incident. The examples below are intended to serve as a general guide for individuals in determining what may constitute discrimination and/or harassment. These examples should not be construed to add or limit the rights that individuals and entities possess as a matter of law.

Generally stated, discrimination consists of the differential treatment of a person or group of people on the basis of their membership in a legally protected class. Discriminatory actions may include, but are not limited to: refusing to promote or hire an individual on the basis of his or her membership in a protected class; denying an individual access to facilities or educational benefits on the basis of his or her membership in a protected class; or impermissibly instituting policies or practices that disproportionately and adversely impact members of a protected class.

Generally stated, harassment consists of subjecting an individual, on the basis of his or her membership in a legally protected class, to unwelcome verbal, written, or physical conduct which may include, but is not limited to: derogatory remarks, signs, jokes, or pranks; demeaning comments or behavior; slurs; mimicking; name calling; graffiti; innuendo; gestures; physical contact; stalking; threatening; bullying; extorting; or the display or circulation of written materials or pictures.

SUBJECT: NON-DISCRIMINATION AND ANTI-HARASSMENT IN THE DISTRICT (Cont'd.)

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

Civil Rights Compliance Officer

*The District has designated the following District employee(s) to serve as its CRCO(s):

Megan Paliotti, Assistant Superintendent for Instruction and School Improvement
11631 Salter Colvin Road, Wolcott, NY 14590
315-594-3141 mpaliotti@nrwcs.org

Frederick Prince, Human Resource Director
11631 Salter Colvin Road, Wolcott, NY 14590
315-594-3141 fprince@nrwcs.org

The CRCO(s) will coordinate the District's efforts to comply with its responsibilities under applicable non-discrimination and anti-harassment laws and regulations including, but not limited to: the Americans with Disabilities Act of 1990, Section 504 of the Rehabilitation Act of 1973, Title VI of the Civil Rights Act of 1964, and the Age Discrimination Act of 1975.

Where appropriate, the CRCO(s) may seek the assistance of other District employees, such as the District's Title IX Coordinator(s) or Dignity Act Coordinator(s) (DAC(s)), or third parties in investigating, responding to, and remedying complaints of discrimination and/or harassment.

Reporting Allegations of Discrimination and/or Harassment

Any person may report discrimination and/or harassment regardless of whether they are the alleged victim or not. Reports may be made in person, by using the contact information for the CRCO, or by any other means that results in the CRCO receiving the person's oral or written report. This report may be made at any time (including during non-business hours) by using the telephone number or email address, or by mail to the office address, listed for the CRCO.

Reports of discrimination and/or harassment may also be made to any other District employee including a supervisor or building principal. All reports of discrimination and/or harassment will be immediately forwarded to the CRCO. Reports may also be forwarded to other District employees depending on the allegations.

SUBJECT: NON-DISCRIMINATION AND ANTI-HARASSMENT IN THE DISTRICT (Cont'd.)

All District employees who witness or receive an oral or written report of discrimination and/or harassment must immediately inform the CRCO. Failure to immediately inform the CRCO may subject the employee to discipline up to and including termination

In addition to complying with this policy, District employees must comply with any other applicable District policy, regulation, procedure, collective bargaining agreement, or other document such as the District's *Code of Conduct*. Applicable documents include, but are not limited to, the District's policies, regulations, and procedures related to Title IX, sexual harassment in the workplace, and the Dignity for All Students Act (DASA).

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

Grievance Process for Complaints of Discrimination and/or Harassment

The District will act to promptly, thoroughly, and equitably investigate all complaints, whether oral or written, of discrimination and/or harassment based on any legally protected class and will promptly take appropriate action to protect individuals from further discrimination and/or harassment. The CRCO will oversee the District's investigation of all complaints of discrimination and/or harassment. In the event an anonymous complaint is filed, the District will respond to the extent possible.

If an investigation reveals that discrimination and/or harassment based on a legally protected class has occurred, the District will take immediate corrective action as warranted. This action will be taken in accordance with applicable federal and state laws and regulations, as well as any applicable District policy, regulation, procedure, collective bargaining agreement, third-party contract, or other document such as the District's *Code of Conduct*.

Knowingly Makes False Accusations

Any employee or student who knowingly makes false accusations against another individual as to allegations of discrimination and/or harassment will face appropriate disciplinary action.

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

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

SUBJECT: NON-DISCRIMINATION AND ANTI-HARASSMENT IN THE DISTRICT (Cont'd.)

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

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

Confidentiality

To the extent possible, all complaints will be treated as confidential. Disclosure may be necessary in certain circumstances such as to complete a thorough investigation and/or notify law enforcement officials. All disclosures will be in accordance with law and regulation.

Training

In order to promote familiarity with issues pertaining to discrimination and harassment in the District, and to help reduce incidents of prohibited conduct, the District will provide appropriate information and/or training to employees and students. As may be necessary, special training will be provided for individuals involved in the handling of discrimination and for harassment complaints.

Notification

Prior to the beginning of each school year, the District will issue an appropriate public announcement or publication which advises students, parents or legal guardians, employees, and other relevant individuals of the District's established grievance process for resolving complaints of discrimination and/or harassment. This announcement or publication will include the name, office address, telephone number, and email address of the CRCO(s). The District's website will reflect current and complete contact information for the CRCO(s).

A copy of this policy and its corresponding regulations and/or procedures will be available upon request and will be posted and/or published in appropriate locations and/or District publications.

Additional Provisions

Regulations and/or procedures will be developed for reporting, investigating, and remedying allegations of discrimination and/or harassment.

**SUBJECT: NON-DISCRIMINATION AND ANTI-HARASSMENT IN THE DISTRICT
(Cont'd.)**

42 USG § 1324b
Age Discrimination Act of 1975, 42 USC § 6101 et seq.
Age Discrimination in Employment Act of 1967 (ADEA), 29 USC § 621 et seq.
Americans with Disabilities Act (ADA), 42 USC § 12101 et seq.
Equal Educational Opportunities Act of 1974, 20 USC § 1701 et seq.
Genetic Information Non-Discrimination Act (GINA), 42 USC § 2000ff et seq.
National Labor Relations Act (NLRA), 29 USC § 151 et seq.
Section 504 of the Rehabilitation Act of 1973, 29 USC § 790 et seq.
Title IV of the Civil Rights Act of 1964, 42 USC § 2000c et seq.
Title VI of the Civil Rights Act of 1964, 42 USC § 2000d et seq.
Title VII of the Civil Rights Act of 1964, 42 USC § 2000e et seq.
Title IX, 20 USC § 1681 et seq.
USERRA, 38 USC § 4301 et seq.
28 CFR Part 35
29 CFR Chapter I — National Labor Relations Board
29 CFR Chapter XIV — Equal Employment Opportunity Commission
34 CFR Parts 100, 104, 106, 110, and 270
Civil Rights Law §§ 40, 40-c, 47-a, 47-b, 48-a, and 115
Correction Law § 752
Education Law §§ 10-18, 313, 313-a, 2801, 3201, and 3201-a
Labor Law §§ 194-a, 201-d, 201-g, 203-c, 206-c, 215
New York State Human Rights Law, Executive Law § 290 et seq.
Military Law §§ 242, 243, and 318
8 NYCRR § 100.2
9 NYCRR § 466 et seq.

NOTE: Refer also to Policies #3421 — Title IX and Sex Discrimination
#6120 — Equal Employment Opportunity
#6121 — Sexual Harassment in the Workplace
#6122 — Employee Grievances
#7550 — Dignity for All Students
#7551 — Sexual Harassment of Students
#8130 — Equal Educational Opportunities
District Code of Conduct

Adoption Date:

SUBJECT: TITLE IX AND SEX DISCRIMINATION

As required by Title IX of the Education Amendments of 1972, the District does not discriminate on the basis of sex in its education programs and activities, admissions or when making employment decisions.

Scope and Application of Policy and Questions Related to Application

This policy is limited to addressing complaints of sex discrimination, including formal complaints of sexual harassment, as expressly defined by Title IX. This policy applies to any individual participating in or attempting to participate in the District's education programs or activities including students and employees.

If the allegations forming the basis of a formal complaint of sexual harassment, if proven, would constitute prohibited sexual harassment under Title IX, then the grievance process outlined in this policy will apply to the investigation and adjudication of the allegations. If the allegations would not constitute sexual harassment under Title IX or no formal complaint is filed, the District will follow other policies and protocols, as applicable, in addressing the concerns, such as:

#3420 - Non-Discrimination and Anti-Harassment In The District
#6120 - Equal Employment Opportunity
#6121 – Sexual Harassment in the Workplace
#7550 – Dignity for All Students
#7551 – Sexual Harassment of Students
The District's *Code of Conduct*

Inquiries about this policy or the application of Title IX may be directed to the District's Title IX Coordinator(s), the Assistant Secretary for Civil Rights of the United States Department of Education, or both.

What Constitutes Sex Discrimination Including Sexual Harassment

Title IX prohibits various types of sex discrimination including, but not limited to: sexual harassment; the failure to provide equal athletic opportunity; sex-based discrimination in a District's science, technology, engineering, and math (STEM) courses and programs; and discrimination based on pregnancy.

Under Title IX, sexual harassment includes conduct on the basis of sex that satisfies one or more of the following:

- a) An employee of the District conditioning the provision of an aid, benefit, or service of the District on an individual's participation in unwelcome sexual conduct;
- b) Unwelcome conduct determined by a reasonable person to be so severe, pervasive, and objectively offensive that it effectively denies a person equal access to the District's education program or activity;
- c) Sexual assault, meaning an offense classified as a forcible or nonforcible sex offense under the uniform crime reporting system of the Federal Bureau of Investigation;

(Continued)

SUBJECT: TITLE IX AND SEX DISCRIMINATION (Cont'd.)

- d) Dating violence, meaning violence committed by a person:
 - 1. Who is or has been in a social relationship of a romantic or intimate nature with the victim; and
 - 2. Where the existence of such a relationship will be determined based on a consideration of the following factors:
 - (a) The length of the relationship;
 - (b) The type of relationship;
 - (c) The frequency of interaction between the persons involved in the relationship;
- e) Domestic violence, meaning felony or misdemeanor crimes of violence committed by a current or former spouse or intimate partner of the victim, by a person with whom the victim shares a child in common, by a person who is cohabitating with or has cohabitated with the victim as a spouse or intimate partner, by a person similarly situated to a spouse of the victim under the domestic or family violence laws of the jurisdiction receiving grant monies, or by any other person against an adult or youth victim who is protected from that person's acts under the domestic or family violence laws of the jurisdiction; or
- f) Stalking, meaning engaging in a course of conduct directed at a specific person that would cause a reasonable person to:
 - 1. Fear for his or her safety or the safety of others; or
 - 2. Suffer substantial emotional distress.

Title IX Coordinator(s)

The District has designated and authorized the following District employee(s) to serve as its Title IX Coordinator(s):

Megan Paliotti, Assistant Superintendent for Instruction and School Improvement
11631 Salter Colvin Road, Wolcott, NY 14590
315-594-3141 mpaliotti@nrwcs.org

Frederick Prince, Human Resource Director
11631 Salter Colvin Road, Wolcott, NY 14590
315-594-3141 frpince@nrwcs.org

(Continued)

SUBJECT: TITLE IX AND SEX DISCRIMINATION (Cont'd.)

The Title IX Coordinator(s), who must be referred to as such, will coordinate the District's efforts to comply with its responsibilities under Title IX. However, the responsibilities of the Title IX Coordinator(s) may be delegated to other personnel.

Where appropriate, the Title IX Coordinator(s) may seek the assistance of the District's Civil Rights Compliance Officer(s) (CRCO(s)) and/or Dignity Act Coordinator(s) (DAC(s)) in investigating, responding to, and remedying complaints of sex discrimination, including sexual harassment.

Reporting Allegations of Sex Discrimination and Formal Complaints of Sexual Harassment

Any person may report sex discrimination, including sexual harassment, regardless of whether or not he/she is the alleged victim. Reports may be made in person, by using the contact information for the Title IX Coordinator(s), or by any other means that results in the Title IX Coordinator receiving the person's oral or written report. This report may be made at any time (including during non-business hours) by using the telephone number or email address, or by mail to the office address, listed for the Title IX Coordinator.

Reports of sex discrimination may also be made to any other District employee including a supervisor, building principal, or the District's CRCO(s). All reports of sex discrimination, including sexual harassment, will be forwarded to a District Title IX Coordinator. Reports may also be forwarded to other District employees, in accordance with applicable Board policies and/or the Code of Conduct, depending on the nature of the allegations.

All District employees who witness or receive an oral or written report of sex discrimination or sexual harassment must promptly inform a CRCO or a Title IX Coordinator. Failure to promptly inform a CRCO or a Title IX Coordinator may subject the employee to discipline up to and including termination.

Filing a Formal Complaint

An individual who is participating in or attempting to participate in the District's education programs or activities (or their parent or legal guardian) may file a formal complaint of sexual harassment.

Making a report of sexual harassment is not the same as filing a formal complaint of sexual harassment. A formal complaint is a document either filed by a complainant or a parent or legal guardian who has a right to act on behalf of the complainant or signed by the Title IX Coordinator, which alleges sexual harassment (as defined in this policy) against a respondent (i.e., alleged perpetrator of sexual harassment) and requests that the District investigate the allegations.

(Continued)

SUBJECT: TITLE IX AND SEX DISCRIMINATION (Cont'd.)

The formal complaint form may be obtained from a District Title IX Coordinator or found on the District's website.

While the District must respond to all reports it receives of sexual harassment. The Title IX grievance process set forth in this policy, however, is only applicable if a formal complaint of sexual harassment as defined by Title IX is filed.

A complainant may file a formal complaint with the Title IX Coordinator in person or by mail, email, or other method made available by the District. The filing of a formal complaint initiates the formal complaint grievance process set forth in this policy.

The complainant, or the complainant's parent or legal guardian, must physically or digitally sign the formal complaint, or otherwise indicate that the complainant is the person filing the formal complaint. Where a parent or legal guardian signs the complaint, the parent or legal guardian does not become the complainant; rather the parent or legal guardian acts on behalf of the complainant. The Title IX Coordinator may sign the formal complaint, but his or her signature does not make him or her a complainant or a party to the complaint. If the formal complaint is signed by the Title IX Coordinator, the Title IX Coordinator is still obligated to comply with the grievance process outlined in this policy.

When a formal complaint is filed, the Title IX Coordinator must send a written notice of allegations to all parties, which includes the identities of all known parties.

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

The District will not discriminate on the basis of sex in its treatment of a complainant or a respondent in responding to a formal complaint of sexual harassment.

Grievance Process for Complaints or Concerns of Sex Discrimination and Harassment Other Than Formal Complaints of Sexual Harassment as Defined under Title IX Regulations

The District has adopted procedures that provide for the prompt and equitable resolution of complaints or concerns of sex discrimination and harassment other than formal complaints of sexual harassment as defined under Title IX regulations. In addressing any such complaints or concerns, the District will adhere to applicable policies and protocols, such as #3420 - Non-Discrimination and Anti-Harassment In The District, #3421 - Title IX and Sex Discrimination, #6120 - Equal Employment Opportunity, #6121 - Sexual Harassment in the Workplace, #7550 - Dignity for All Students, # 7551 - Sexual Harassment of Students, and the District's Code of Conduct, as applicable.

(Continued)

SUBJECT: TITLE IX AND SEX DISCRIMINATION (Cont'd.)

The District will respond promptly in a manner that is not deliberately indifferent whenever it has actual knowledge of sexual harassment in an education program or activity of the District. "Actual knowledge" means notice of sexual harassment as defined under this policy or allegations of sexual harassment to a District Title IX Coordinator or any official of the District who has authority to institute corrective measures on behalf of the District, or to any District employee. Education program or activity includes locations, events, or circumstances over which the District exercised substantial control over both the respondent and the context in which the sexual harassment occurs.

Upon actual knowledge of sexual harassment as defined in this policy, a Title IX Coordinator must promptly contact complainant to discuss the availability of supportive measures, consider complainant's wishes regarding such measures, inform complainant of the availability of such measures with or without the filing of a formal complaint, and explain to complainant the process for filing a formal complaint.

Grievance Process for Formal Complaints of Sexual Harassment as Defined under Title IX Regulations

The District will follow a grievance process that complies with law and regulation before the imposition of any disciplinary sanctions or other actions that are not supportive measures against a respondent.

The District will conduct the grievance process in a timely manner designed to provide all parties with a prompt and equitable resolution. It is anticipated that, in most cases, the grievance process will be conducted within a reasonably prompt manner and follow the time frames established in this policy.

General Requirements for the Investigative and Grievance Process

During the investigation of a formal complaint and throughout the grievance process, the District will verify that:

- a) Complainants and respondents are treated equitably. This includes applying any provisions, rules, or practices incorporated into the District's grievance process, other than those required by law or regulation, equally to both parties.
- b) All relevant evidence is objectively evaluated, including both inculpatory and exculpatory evidence. Inculpatory evidence implicates or tends to implicate an individual in a crime or wrongdoing. Exculpatory evidence frees or tends to free an individual from blame or accusation.
- c) The Title IX Coordinator, investigator, decision-maker involved in the grievance process, or any person designated by the District to facilitate any informal resolution process does not have a conflict of interest or bias for or against complainants or respondents generally or an individual complainant or respondent.

(Continued)

SUBJECT: TITLE IX AND SEX DISCRIMINATION (Cont'd.)

- d) Respondents are presumed not to be responsible for the alleged conduct until a determination regarding responsibility is made at the conclusion of the grievance process.
- e) The grievance process, including any appeals or informal resolutions, is concluded within a reasonably prompt time frame and that the process is only temporarily delayed or extended for good cause. Good cause includes, but is not limited to, considerations such as the absence of a party, a party's advisor, or a witness; concurrent law enforcement activity; or the need for language assistance or accommodation of disabilities. Whenever the time frame is temporarily delayed or extended, written notice will be provided to all complainants and respondents of the delay or extension and the reasons for the action.
- f) The parties are made aware by copy of this policy or otherwise that the range of possible disciplinary sanctions and remedies that may be implemented by the District following any determination regarding responsibility are those set forth in the District's Code of Conduct and/or are in accordance with New York Education Law Section 3214.
- g) The preponderance of the evidence standard is used to determine responsibility in all formal complaints of sexual harassment as defined in this policy.
- h) The procedures and permissible bases for an appeal are known to all complainants and respondents by receiving a copy of this policy or otherwise.
- i) The range of supportive measures available are known to all parties by copy of this policy or otherwise. "Supportive measures" means non-disciplinary, non-punitive individualized services offered as appropriate, as reasonably available, and without fee or charge to the complainant or the respondent before or after the filing of a formal complaint or where no formal complaint has been filed. These measures are designed to restore or preserve equal access to the District's education program or activity without unreasonably burdening the other party, including measures designed to protect the safety of all parties or the District's educational environment, or deter sexual harassment. Supportive measures may include counseling, extensions of deadlines or other course-related adjustments, modifications of work or class schedules, campus escort services, mutual restrictions on contact between the parties, changes in work locations, leaves of absence, increased security and monitoring of certain areas, and other similar measures. The District must maintain as confidential any supportive measures provided to the complainant or respondent, to the extent that maintaining such confidentiality would not impair the ability of the District to provide the supportive measures. The Title IX Coordinator is responsible for coordinating the effective implementation of supportive measures.
- j) There is no requirement, allowance of, reliance on, or otherwise use of questions or evidence that constitute, or seek disclosure of, information protected under a legally recognized privilege, unless the person holding the privilege has waived the privilege.

(Continued)

SUBJECT: TITLE IX AND SEX DISCRIMINATION (Cont'd.)

- k) The burden of proof and the burden of gathering evidence sufficient to reach a determination regarding responsibility rests on the District and not on the parties.
- l) The Title IX Coordinator, the investigator, any decision-maker, or any other person participating on behalf the District does not access, consider, disclose, or otherwise use a party's records that are made or maintained by a physician, psychiatrist, psychologist, or other recognized professional or paraprofessional acting in the professional's or paraprofessional's capacity, or assisting in that capacity, and which are made and maintained in connection with the provision of treatment to the party, unless the District obtains that party's voluntary, written consent to do so for the grievance process. If the party is not an eligible student, as defined in FERPA as a student who has reached 18 years of age or is attending a post-secondary institution, the District will obtain the voluntary, written consent of a parent (as defined by FERPA regulations).
- m) The parties have an equal opportunity to present witnesses, including fact and expert witnesses, and other inculpatory and exculpatory evidence.
- n) Credibility determinations are not to be based on a person's status as a complainant, respondent, or witness.
- o) The ability of either party to discuss the allegations under investigation or to gather and present relevant evidence is not restricted.
- p) The parties are provided with the same opportunities to have others present during any grievance proceeding, including the opportunity to be accompanied to any related meeting or proceeding by the advisor of their choice, who may be, but is not required to be, an attorney, and not limit the choice or presence of advisor for any complainant or respondent in any meeting or grievance proceeding. However, the District may establish restrictions regarding the extent to which the advisor may participate in the proceedings, as long as the restrictions apply equally to both parties.
- q) Written notice of the date, time, location, participants, and purpose of all investigative interviews or other meetings is provided to any party whose participation is invited or expected with sufficient time for the party to prepare to participate.
- r) The parties are provided with equal opportunity to inspect and review any evidence obtained as part of the investigation that is directly related to the allegations raised in a formal complaint, including the evidence upon which the District does not intend to rely on in reaching a determination regarding responsibility and inculpatory or exculpatory evidence whether obtained from a party or other source, so that each party can meaningfully respond to the evidence prior to conclusion of the investigation.

(Continued)

SUBJECT: TITLE IX AND SEX DISCRIMINATION (Cont'd.)

- s) Any document sent to a minor or legally incompetent person is also sent to the party's parent or legal guardian.
- t) Any document sent to a party is also sent to the party's advisor, if known.
- u) Prior to completion of the investigative report, the District will send to each party and the party's advisor, if any, the evidence subject to inspection and review in an electronic format or a hard copy. The parties will have at least 10 days to submit a written response, which the investigator will consider prior to completion of the investigative report.

After a Report of Sexual Harassment Has Been Made

After receiving a report of sexual harassment, the Title IX Coordinator will:

- a) Promptly contact the complainant to discuss and offer supportive measures;
- b) Inform the complainant both of the range of supportive measures available and that these measures are available regardless of whether a formal complaint is filed;
- c) Consider the complainant's wishes with respect to supportive measures; and
- d) Explain to the complainant the process for filing a formal complaint.

The Title IX Coordinator may also contact the respondent to discuss and/or impose supportive measures.

Emergency Removal and Administrative Leave

At any point after receiving a report or formal complaint of sexual harassment, the District may immediately remove a respondent from the District's education program or activity on an emergency basis, provided that the District:

- a) Undertakes an individualized safety and risk analysis;
- b) Determines that an immediate threat to the physical health or safety of any student or other individual arising from the allegations of sexual harassment justifies removal; and
- c) Provides the respondent with notice and an opportunity to challenge the decision immediately following the removal.

(Continued)

SUBJECT: TITLE IX AND SEX DISCRIMINATION (Cont'd.)

The District should coordinate its Title IX compliance efforts with special education staff when initiating an emergency removal of a student with a disability from an education program or activity, as the removal could constitute a change of placement under the IDEA or Section 504. Any removal must also comply with New York Education Law Section 3214 requirements.

The District may place a non-student employee respondent on administrative leave with or without pay during the pendency of the grievance process in accordance with law and regulation and any applicable District policy, procedure, or collective bargaining agreement.

Written Notice of Allegations

Upon receipt of a formal complaint, the District will send all known parties written notice of:

- a) The District's grievance process (as set forth in this policy), including any informal resolution process; and
- b) The allegations of sexual harassment, which will:
 1. Provide sufficient details known at the time and sufficient time to prepare a response before any initial interview. Sufficient details include the identities of the parties involved in the incident, if known, the conduct allegedly constituting sexual harassment, and the date and location of the alleged incident, if known;
 2. State that the respondent is presumed not to be responsible for the alleged conduct and that a determination regarding responsibility is made at the conclusion of the grievance process;
 3. Inform the parties that they may have an advisor of their choice, who may be, but is not required to be, an attorney;
 4. Inform the parties that they may inspect and review any evidence obtained as part of the investigation that is directly related to the allegations raised in the formal complaint; and
 5. Include notice of any provision in any applicable District policy, procedure, collective bargaining agreement, or other document, such as the District's *Code of Conduct*, that prohibits knowingly making false statements or knowingly submitting false information during the grievance process.

If, in the course of an investigation, the District decides to investigate allegations about any complainant or respondent that were not included in the initial notice, the District will provide another notice of the additional allegations to the parties whose identities are known.

(Continued)

SUBJECT: TITLE IX AND SEX DISCRIMINATION (Cont'd.)Investigation of a Formal Complaint

A Title IX Coordinator will generally oversee the District's investigation of all formal complaints of sexual harassment, as defined by this policy. During the investigation of a formal complaint, the Title IX Coordinator or another District employee may serve as the District's investigator. The District may also outsource all or part of an investigation to an appropriate third party or parties, in accordance with legal requirements.

It is anticipated that most investigations will be completed within 30 to 60 days after receiving a formal complaint of sexual harassment as defined under this policy. This timeframe may vary, depending on factors, such as the number of witnesses and the evidence to be considered, but all investigations will be promptly completed.

During the investigation of a formal complaint, the investigator will:

- a) Collect, review, and preserve all evidence including, but not limited to, any relevant documents, videos, electronic communications, and phone records.
- b) Interview relevant persons.
- c) Create an investigative report that fairly summarizes relevant evidence. At least 10 days prior to a determination regarding responsibility, the investigative report will be sent to each party and the party's advisor, if any, in an electronic format or a hard copy, for their review and written response. Prior to completion of the investigative report, the District will send to each party and the party's advisor, if any, the evidence subject to inspection and review in an electronic format or a hard copy.
- d) The parties will have at least 10 days to submit a written response, which the investigator will consider prior to completion of the investigative report.
- e) Keep any written documentation and associated documents in a secure and confidential location.

Determination Regarding Responsibility

At least 10 days prior to a determination regarding responsibility, the investigative report will be sent to each party and the party's advisor, if any, in an electronic format or a hard copy, for their review and written response.

The District will designate an individual decision-maker or a panel of decision-makers to issue a written determination regarding responsibility. The decision-maker will not be the same individual as either the Title IX Coordinator or the investigator(s).

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SUBJECT: TITLE IX AND SEX DISCRIMINATION (Cont'd.)

Before reaching a determination regarding responsibility, the decision-maker(s) will afford each party the opportunity to:

- a) Submit written, relevant questions that a party wants asked of any party or witness within 5 days after the parties have received the investigative report;
- b) Generally provide each party with the answers given by any party or witness within 7 days of receiving the questions; and
- c) Allow for additional, limited follow-up questions and responses from each party to occur within 5 days after the parties have received responses to their initial questions.

Questions and evidence about a complainant's sexual predisposition or prior sexual behavior will not be considered, unless the questions and evidence about the complainant's prior sexual behavior are offered to prove that someone other than the respondent committed the conduct alleged by the complainant, or if the questions and evidence concern specific incidents of the complainant's prior sexual behavior with respect to the respondent and are offered to prove consent. The decision-maker(s) will explain to the party proposing the questions any decision to exclude a question as not relevant.

The decision-maker(s) will generally issue a written determination regarding responsibility to the Title IX Coordinator, the Superintendent, and all parties simultaneously within 10 days after all follow-up questions have been responded to.

To reach this determination, the decision-maker(s) will use the preponderance of the evidence standard, which is the standard of evidence that will be applied in all formal complaints of sexual harassment. This standard is understood to mean that the party with the burden of persuasion must prove that a proposition is more probably true than false meaning a probability of truth greater than 50 percent.

The written notice of the determination regarding responsibility will include:

- a) Identification of the allegations potentially constituting sexual harassment;
- b) A description of the procedural steps taken from the receipt of the formal complaint through the determination, including any notifications to the parties, interviews with parties and witnesses, site visits, and methods used to gather other evidence;
- c) Findings of fact supporting the determination;
- d) Conclusions regarding the application of any applicable District policy, procedure, collective bargaining agreement, or other document such as the District's *Code of Conduct* to the facts;

(Continued)

SUBJECT: TITLE IX AND SEX DISCRIMINATION (Cont'd.)

- e) A statement of, and rationale for, the result as to each allegation, including a determination regarding responsibility, any disciplinary sanctions the District is imposing on the respondent, and whether remedies designed to restore or preserve equal access to the District's education program or activity will be provided by the District to the complainant; and
- f) The District's procedures and permissible bases for the complainant and respondent to appeal.

Finality of Determination Regarding Responsibility

The determination regarding responsibility becomes final either on the date that the District provides the parties with the written determination of the result of the appeal, if an appeal is filed, or if an appeal is not filed, the date on which an appeal would no longer be considered timely.

Where a determination regarding responsibility for sexual harassment has been made against the respondent, remedies will be provided to a complainant and disciplinary sanctions may be imposed on a respondent. Remedies will be designed to restore or preserve equal access to the District's education program or activity. Remedies and disciplinary sanctions will be implemented in accordance with applicable laws and regulations, as well as any District policy, procedure, collective bargaining agreement, or other document such as the District's *Code of Conduct*.

The Title IX Coordinator is responsible for the effective implementation of any remedies and/or disciplinary sanctions. The Title IX Coordinator will work with other individuals as necessary to effectively implement remedies and/or disciplinary sanctions.

Appeals

Either party may file an appeal from a determination regarding responsibility or from the District's dismissal of a formal complaint or any of its allegations. Appeals must be submitted in writing to the Title IX Coordinator within 20 days of the written notice of the determination regarding responsibility or dismissal of the formal complaint or any of its allegations.

An appeal may only be based upon one or more of the following bases:

- a) Procedural irregularity that affected the outcome of the matter;
- b) New evidence that was not reasonably available at the time the determination regarding responsibility or dismissal was made, that could affect the outcome of the matter; or
- c) The Title IX Coordinator, investigator, or decision-maker(s) had a conflict of interest or bias for or against complainants or respondents generally or the individual complainant or respondent that affected the outcome of the matter.

(Continued)

SUBJECT: TITLE IX AND SEX DISCRIMINATION (Cont'd.)

The bases on which a party is seeking an appeal must be specifically stated in the party's written appeal.

Upon receipt of an appeal, the District will:

- a) Notify the other party in writing that an appeal has been filed and implement appeal procedures equally for both parties;
- b) Verify that any decision-maker for the appeal:
 1. Is not the same person as any decision-maker that reached the initial determination regarding responsibility or dismissal, investigator, or Title IX Coordinator;
 2. Does not have any conflict of interest or bias for or against complainants or respondents generally or an individual complainant or respondent;
- c) Give all parties a reasonable, equal opportunity to submit a written statement in support of, or challenging, the outcome. Parties will have to submit these written statements within 10 days after the parties have been notified of the appeal;
- d) Issue a written decision describing the result of the appeal and the rationale for the result; and
- e) Generally provide the written decision simultaneously to the parties within 20 days after receiving the parties written statements in support of, or challenging, the outcome.

Dismissal of a Formal Complaint

The District must dismiss a formal complaint under Title IX if the conduct alleged:

- a) Would not constitute sexual harassment under the Title IX regulations even if proven;
- b) Did not occur in the District's education program or activity; or
- c) Did not occur against a person in the United States.

Further, the District may dismiss a formal complaint or any of its allegations under Title IX, if at any time during the investigation:

- a) A complainant notifies the Title IX Coordinator in writing that the complainant would like to withdraw the formal complaint or any of its allegations;
- b) The respondent is no longer enrolled in or employed by the District; or

(Continued)

SUBJECT: TITLE IX AND SEX DISCRIMINATION (Cont'd.)

- c) Specific circumstances prevent the District from gathering evidence sufficient to reach a determination as to the formal complaint or any of its allegations.

Upon a dismissal of a formal complaint, the District must promptly send written notice of the dismissal and reason(s) for the dismissal simultaneously to the parties.

The dismissal of a formal complaint under Title IX does not preclude investigation and/or related follow-up or corrective or remedial action under another related District policy, procedure, collective bargaining agreement, or other document such as the District's *Code of Conduct*.

Informal Resolutions

Before reaching a determination regarding responsibility, but only after a formal complaint is filed, the District may in its discretion offer and facilitate the use of an informal resolution process, such as mediation, that does not involve a full investigation and adjudication of the formal complaint.

Informal resolutions will generally be completed within 30 days, absent extraordinary circumstances.

The District will not require that parties participate in an informal resolution process. The District will not offer or facilitate an informal resolution process to resolve allegations that an employee sexually harassed a student. Further, the District will not require the waiver of the right to an investigation and adjudication of formal complaints of sexual harassment as a condition of enrollment or continuing enrollment, or employment or continuing employment, or enjoyment of any other right.

If the District offers and facilitates the use of an informal resolution process, it will:

- a) Provide written notice to all known parties which details:
 - 1. The allegations in the formal complaint;
 - 2. The requirements of the informal resolution process including the circumstances under which it precludes the parties from resuming a formal complaint arising from the same allegations, provided, however, that at any time prior to agreeing to a resolution, any party has the right to withdraw from the informal resolution process and resume the grievance process with respect to the formal complaint;
 - 3. Any consequences resulting from participating in the informal resolution process, including the records that will be maintained or could be shared; and
- b) Obtain the parties' voluntary, written consent to the informal resolution process.

(Continued)

SUBJECT: TITLE IX AND SEX DISCRIMINATION (Cont'd.)

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

The District prohibits retaliation against any individual for the purpose of interfering with his or her Title IX rights or because the individual made a report or complaint, testified, assisted, or participated or refused to participate in an investigation or proceeding under Title IX. Intimidation, threats, coercion, or discrimination, including charges against an individual for code of conduct violations that do not involve sex discrimination or sexual harassment, but arise out of the same facts or circumstances as a report or complaint of sex discrimination, or a report or formal complaint of sexual harassment, for the purpose of interfering with any right or privilege secured by title IX or this part, constitutes prohibited retaliation.

Charging an individual with a code of conduct violation for making a materially false statement in bad faith in the course of a grievance proceeding under this part does not constitute retaliation prohibited under this section, provided, however, that a determination regarding responsibility, alone, is not sufficient to conclude that any party made a materially false statement in bad faith.

Complaints alleging retaliation may be filed according to the grievance procedures for sex discrimination set forth in this policy. If a Title IX Coordinator is unavailable, including due to a conflict of interest or other disqualifying reason, the report will be directed to another Title IX Coordinator, if the District has designated another individual to serve in that capacity. If the District has not designated another Title IX Coordinator, the Superintendent will verify that another person with the appropriate training and qualifications is appointed to act as the Title IX Coordinator. All complaints alleging retaliation will be handled in a manner consistent with the District's policies.

Confidentiality

Except where disclosure may be permitted or is required by law, regulation and/or this policy, the District will keep confidential the identity of any individual who has made a report or complaint of sex discrimination; individual who has made a report or filed a formal complaint of sexual harassment; complainant; individual who has been reported to be the perpetrator of sex discrimination; respondent; and witness.

Training

The District will verify that:

- a) All Title IX Coordinators, investigators, decision-makers, or persons who facilitate an informal resolution process receive training on:
 1. The definition of sexual harassment as defined in Title IX;
 2. The scope of the District's education program or activity;

(Continued)

SUBJECT: TITLE IX AND SEX DISCRIMINATION (Cont'd.)

3. How to conduct an investigation and grievance process including appeals and informal resolution processes, as applicable; and
 4. How to serve impartially, including by avoiding prejudgment of the facts at issue, conflicts of interest, and bias.
- b) All decision-makers receive training on issues of relevance of questions and evidence, including when questions and evidence about a complainant's sexual predisposition or prior sexual behavior are not relevant.
 - c) All investigators receive training on issues of relevance to create an investigative report that fairly summarizes relevant evidence.
 - d) All District employees receive training on mandatory reporting obligations and any other responsibilities that they may have relative to Title IX.

Materials used to train Title IX Coordinators, investigators, decision-makers, and any person who facilitates an informal resolution process will not rely on sex stereotypes and will promote impartial investigations and adjudications of formal complaints of sexual harassment. Training materials will be made publicly available on the District's website.

Notification

The District will notify students, parents or legal guardians of students, employees, applicants for employment, and all unions or professional organizations holding collective bargaining or professional agreements with the District of this policy.

Further, the District will prominently publish this policy and the contact information for the Title IX Coordinator(s) on its website and in other publications, including in each handbook or catalog that it makes available to the individuals and parties referenced above.

Additional Documentation Requirements

In each instance, the District must document the basis for its conclusion that its response was not deliberately indifferent, and document that it has taken measures designed to restore or preserve equal access to the District's education program or activity. If the District does not provide a complainant with supportive measures, then it must document the reasons why such a response was not clearly unreasonable in light of the known circumstances. The documentation of certain bases or measures does not limit the District in the future from providing additional explanations or detailing additional measures taken.

Recordkeeping

For a period of seven years, the District will retain the following:
(Continued)

SUBJECT: TITLE IX AND SEX DISCRIMINATION (Cont'd.)

- a) Records of each sexual harassment investigation including any:
 - 1. Determination regarding responsibility;
 - 2. Disciplinary sanctions imposed on the respondent; and
 - 3. Remedies provided to the complainant designed to restore or preserve equal access to the District's education program or activity.
- b) Any appeal and its result.
- c) Any informal resolution and its result.
- d) All materials used to train Title IX Coordinators, investigators, decision-makers, and any person who facilitates an informal resolution process.
- c) Records of any actions, including any supportive measures, taken in response to a report or formal complaint of sexual harassment or if no supportive measures were taken documentation regarding the reasons why such a response was not clearly unreasonable in light of the known circumstances.
- d) Document regarding the District's basis for its conclusion that its response was not deliberately indifferent.
- e) Documentation that the District has taken measures designed to restore or preserve equal access to the District's education program or activity.

20 USC § 1092(f)(6)(A)(v)

20 USC § 1681, et. seq.

34 USC § 12291(a)(8, 10, and 30)

34 CFR Part 106

Education Law § 13

8 NYCRR § 100.2(kk)

NOTE: Refer also to Policies

#3420 - Non-Discrimination and Anti-Harassment In The District

#6120 - Equal Employment Opportunity

#6121 - Sexual Harassment in the Workplace

#7550 - Dignity for All Students

#7551 - Sexual Harassment of Students

The District's Code of Conduct

Adoption Date

SUBJECT: SEXUAL HARASSMENT OF STUDENTS

Overview

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

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

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

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

What Constitutes Sexual Harassment

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

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

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

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

(Continued)

SUBJECT: SEXUAL HARASSMENT OF STUDENTS (Cont'd.)Examples of Sexual Harassment

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

- a) Unwanted physical acts of a sexual nature, such as:
 1. Touching, pinching, patting, kissing, hugging, grabbing, brushing against another person's body, or poking another person's body; and
 2. Rape, sexual battery, molestation, or attempts to commit these assaults.
- b) Engaging in sexual conduct with an individual who is unable to consent due to age, use of drugs or alcohol, intellectual disability or other disability.
- c) Unwanted sexual advances or propositions, such as:
 1. Demanding sexual favors of a student, insinuating that refusal to acquiesce to such favors will adversely affect a student's grades, references, academic or scholastic placement, and/or participation in extracurricular activities; and
 2. Subtle or obvious pressure for unwelcome sexual activities.
- d) Verbal abuse or ridicule, including profanity, innuendoes, stories, and jokes that are sexual in nature and/or gender-related. This might include inappropriate sex-oriented comments on appearance, including dress or physical features.
- e) Asking or commenting about an individual's sexual activities.
- f) Hostile actions taken against an individual because of that individual's sex, sexual orientation, gender identity, and the status of being transgender.
- g) Displaying or distributing pornographic or other sexually explicit materials (print or digital) such as magazines, pictures, cartoons, etc.
- h) Unwelcome staring, leering, or gesturing which is sexually suggestive in nature.
- i) Unwelcome and/or offensive public displays of sexual or physical affection.
- j) Clothing that reflects sexually obscene and/or sexually explicit messages, slogans, or pictures.
- k) Any other unwelcome and unwanted sexually oriented and/or gender-based behavior which is sexually demeaning, belittling, intimidating, or perpetrates sexual stereotypes and attitudes.

(Continued)

SUBJECT: SEXUAL HARASSMENT OF STUDENTS (Cont'd.)**Reporting Allegations of Sexual Harassment**

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

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

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

Grievance Process for Complaints of Sexual Harassment

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

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

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

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

(Continued)

SUBJECT: SEXUAL HARASSMENT OF STUDENTS (Cont'd.)**Prohibition of Retaliatory Behavior (Commonly Known as "Whistle-Blower" Protection)**

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

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

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

Equal Educational Opportunities Act of 1974, 20 USC § 1701 et seq.
Title IV of the Civil Rights Act of 1964, 42 USC § 2000c et seq.
Title IX of the Education Amendments Act of 1972, 20 USC § 1681 et seq.
34 CFR Parts 106 and 270
45 CFR Part 86
Civil Rights Law § 40-c
Education Law §§ 10-18, 313, 2801, and 3201-a
New York State Human Rights Law, Executive Law § 290 et seq.
8 NYCRR § 100.2
9 NYCRR § 466 et seq.

NOTE: Refer also to Policies #3410 -- Code of Conduct
#3420 -- Non-Discrimination and Anti-Harassment in the District
#3421 -- Title IX and Sex Discrimination
#7550 -- Dignity for All Students
#7553 -- Hazing of Students
District *Code of Conduct*

Adoption Date

**SUBJECT: Notification of Sex Offenders / Conditions on Sex Offender
Access to School District Property**

Notification

It is the policy of the Board of Education to notify parents, guardians and district employees, when reasonably possible, when District officials are notified by law enforcement that a convicted sex offender is presently residing within school district boundaries.

Staff members must inform their immediate supervisor if they observe within a school building, on school or District grounds, or at school activities, any individual whose description matches the information which was provided to the District by local law enforcement authorities.

Conditions on Sex Offender Access to School District Property

To protect the safety of children on school district property, the Superintendent may establish specific conditions for regulating the conduct of registered sex offenders on school district property. A registered sex offender, who is not otherwise legally prohibited from entering school district property, must notify the Superintendent of Schools of their status as a registered sex offender, and abide by any conditions or limitations on access to school district property as imposed by the Superintendent.

For the purpose of this policy, a registered sex offender (hereinafter "sex offender") is any person who is currently registered as a Level 1, Level 2 or Level 3 offender under New York State's Sex Offender Registration Act ("SORA"), who is listed on a similar registry of sex offenders in any other state, or who has ever been listed on any such New York or state registry whose conviction involved a crime committed against an individual under the age of eighteen (18) years of age. "School district property" means in or within any building, structure, athletic playing field, playground, parking lot or land contained within the real property boundary line of the schools and other facilities of the District.

The Superintendent shall notify the sex offender of conditions and/or limitations being imposed, and give the sex offender the opportunity to discuss with the Superintendent the conditions, when practical under the circumstances. The Superintendent shall give written notice of the conditions/limitations to the sex offender, including (where appropriate) notice that the sex offender will be subject to removal from school premises and/or arrest for trespassing, if they are believed by District officials and/or staff to be in violation of such conditions/limitations.

Any and all conditions/limitations imposed by the Superintendent shall apply whenever the sex offender is permitted to be on school district property for legitimate reasons, such as:

- 1) the school is the sex offender's polling place and they seek to enter solely to vote;

**SUBJECT: Notification of Sex Offenders / Conditions on Sex Offender
Access to School District Property (Con't)**

- 2) the sex offender is the parent or guardian of a child enrolled in the District and the sex offender is on school district property for reasons such as attendance at a school event in which the child will participate; attendance at an open house or other school event to which parents or guardians of students are invited; transporting the child to or from school; or conferring by appointment with teachers or other school personnel concerning the child; or
- 3) the sex offender is on school district property to attend an event open to the public at large, such as an athletic contest, a performance, a learning fair, an art show, a public hearing, a school board meeting or an election.

The conditions/limitations imposed by the Superintendent on the sex offender's access to school district property may include, but are not necessarily limited to:

- 1) that the sex offender is restricted to entering and remaining on school premises only at certain times;
- 2) that the sex offender check in and check out with a particular school official;
- 3) that the sex offender must be accompanied by an authorized person; or
- 4) that the sex offender is restricted to entering and remaining only at certain places within school district property.

The Superintendent may, at their discretion, impose such other or further restrictions as they may deem to be appropriate, taking into consideration both the need to protect the safety of children on school district property and the need/desire of the sex offender to be on school district property for legitimate reasons.

The Superintendent is authorized to prohibit from entering or remaining on school district property any sex offender who is deemed by the Superintendent to present in imminent risk of harm to students and/or staff members and/or who fails or refuses to comply with conditions/limitations imposed by the Superintendent pursuant to this policy. Where practical under the circumstances, the Superintendent shall notify the sex offender of their intent to prohibit them from entering or remaining on school district property and give the sex offender the opportunity to discuss with the Superintendent. If the Superintendent decides to prohibit the sex offender from accessing school district property, the Superintendent shall give written notice of the prohibition to the sex offender, including notice that the sex offender will be subject to arrest for trespassing if found in violation of the prohibition.

POLICY

2021

7560
1 of 3

Students

**SUBJECT: Notification of Sex Offenders / Conditions on Sex Offender
Access to School District Property (Con't)**

This policy shall not supersede the provisions of the Penal Law or Executive Law with respect to any sex offender who is subject to a mandatory condition of probation or conditional discharge that such offender shall refrain from knowingly entering into or upon any school grounds except with the written authorization of the offender's parole officer and the Superintendent of Schools, as provided by such laws.

Correction Law Article 6-C
Executive Law 259-c(14)
Penal Law 65.10(4-a)

Adopted:

NORTH ROSE-WOLCOTT CENTRAL SCHOOL DISTRICT
 BOARD OF EDUCATION REGULAR MEETING
 January 27, 2022 6:00 PM via Zoom

PRESENT:

BOE Members: Lucinda Collier, John Boogaard, Linda Eygnor, Tina Reed, Jasen Sloan, Paul Statskey, Izetta Younglove

Superintendent: Michael Pullen

Assistant Superintendent for Instruction and School Improvement: Megan Paliotti

Acting Assistant Superintendent for Business and Operations: Gary Barno

District Clerk: Tina St. John

Approximately 24 students, staff and guests via Zoom

1. Call to Order/Pledge of Allegiance

President, Lucinda Collier called the meeting to order at 6:02 p.m.

Approval of Agenda:

Motion for approval was made by Izetta Younglove and seconded by Linda Eygnor with the motion approved 7-0.

Be it resolved that the Board of Education, upon recommendation of the Superintendent of Schools and pursuant to Education Law, approves the agenda of January 27, 2022.

2. Presentations:

- Common Ground Health – Wade Norwood
 - Wade Norwood, CEO of Common Ground Health, presented data on health and poverty in Wayne County and the Finger Lakes region. He discussed Common Ground Health’s work in facilitating collaboration and gathering and analyzing data on regional health issues. Norwood highlighted barriers to improving physical and mental health in the region and how schools help to improve community health. He answered questions from board members.
- Budget Presentation – Gary Barno
 - Gary Barno, Acting Assistant Superintendent for Business and Operations presented and answered questions regarding the 2022-23 budget Process.

3. Reports and Correspondence:

- North Rose-Wolcott High School – Scott Bradley, Amy Suss and Amanda Johnson
 - Information was presented and questions answered for the future approval of the Gay/Straight Alliance Club.
- North Rose-Wolcott Directors –Bridgette Barr, Sara McLean, Fred Prince
 - The Directors presented the fall update of the School Improvement Plan and answered questions.
- Policy Committee – Paul Statskey, John Boogaard, Linda Eygnor
 - The following policy was submitted for a first reading. Chairman Paul Statskey indicated that there will be several policies submitted for a first reading at the next Board of Education meeting.

7000	Students	
7313	Suspension of Students	Revised

4. Public Access to the Board:

- No one addressed the Board of Education

5. Consent Agenda:

A motion for approval of the following items as listed under the CONSENT AGENDA is made by Tina Reed and seconded by Jasen Sloan with the motion approved 7-0.

a) Board of Education Meeting Minutes

RESOLUTION

Be it resolved that the Board of Education, upon recommendation of the Superintendent of Schools and pursuant to Education Law, approves the Meeting Minutes of January 13, 2022.

b) Recommendations from CSE and CPSE

RESOLUTION

Be it resolved that the Board of Education, upon recommendation of the Superintendent of Schools and pursuant to Education Law, approves the recommendations for the Committee on Special Education dated January 4, 5, 7 and 11, 2022;; and instructs the Superintendent to implement the recommendations on behalf of the following individuals identified by student number:

14352	14517	12325	12402	14367	13304	14466
13292	14480	13083				

c) Substitute Teachers and Substitute Service Personnel

RESOLUTION

Be it resolved that the Board of Education, upon recommendation of the Superintendent of Schools and pursuant to Education Law, approves the individuals named on the substitute lists, which are on file with the District Clerk.

d) Personnel Items:

1. Letter of Resignation – Jamie Smith-Bundy

RESOLUTION

Be it resolved that the Board of Education, upon recommendation of the Superintendent of Schools and pursuant to Education Law accepts the resignation of Jamie Smith-Bundy as a Teacher Aide, contingent upon her appointment as Clerk/Typist, effective January 23, 2022.

2. Letter of Resignation –William Bonville

RESOLUTION

Be it resolved that the Board of Education, upon recommendation of the Superintendent of Schools and pursuant to Education Law accepts the resignation of William Bonville, Director of Facilities, effective January 26, 2022.

3. Provisionally Appoint Clerk/Typist –Jamie Smith-Bundy

RESOLUTION

Be it resolved that the Board of Education, upon recommendation of the Superintendent of Schools and pursuant to Education Law, approves the provisional appointment of Jamie Smith-Bundy as a Clerk/Typist, conditional upon a criminal history record check according to Commissioners Regulation §80 1.11 and Part 87 at a rate of \$15.87/hour effective January 24, 2022.

4. Appoint Teacher – Joseph Sarratori

RESOLUTION

Be it resolved that the Board of Education, upon recommendation of the Superintendent of Schools and pursuant to Education Law, approves the four year probationary appointment of Joseph Sarratori as a

Science Teacher conditional upon a criminal history record check according to Commissioners Regulation §80 1.11 and Part 87 as follows:

Certification: Biology and General Science, 7-12 - Permanent

Tenure Area: Science

Probationary Period: January 20, 2022-January 19, 2026

Salary: Step D \$50,038

The expiration date is tentative and conditional only. In order to be eligible for and considered for tenure, the teacher must meet all requirements of the educational law and corresponding regulations.

5. Appoint Teacher –Bethany Bemis

RESOLUTION

Be it resolved that the Board of Education, upon recommendation of the Superintendent of Schools and pursuant to Education Law, approves the four year probationary appointment of Bethany Bemis as a Music Teacher conditional upon a criminal history record check according to Commissioners Regulation §80 1.11 and Part 87 as follows:

Certification: Music, Initial

Tenure Area: Music

Probationary Period: January 25, 2022-January 24, 2026

Salary: Step J \$52,569

The expiration date is tentative and conditional only. In order to be eligible for and considered for tenure, the teacher must meet all requirements of the educational law and corresponding regulations.

6. Appoint School Nurse – Aubrey Conti

RESOLUTION

Be it resolved that the Board of Education, upon recommendation of the Superintendent of Schools and pursuant to Education Law, approves the 52 week probationary appointment of Aubrey Conti conditional upon a criminal history record check according to Commissioners Regulation §80 1.11 and Part 87 as follows:

License: Registered Nurse

Probationary Period: January 24, 2022-January 23, 2023

Salary: Step I \$40,197

7. Amend Appointment of Director of Business Operations and Finance – Madelynn Wisnowski

RESOLUTION

BE IT RESOLVED, that the January 13, 2022 resolution approving the appointment of Madelynn Wisnowski as Director of Business Operations & Finance is hereby amended retroactive to January 13, 2022 to provide as follows:

BE IT RESOLVED, that the Board of Education of the North Rose-Wolcott Central School District hereby appoints Madelynn Wisnowski to a four (4) year probationary appointment as Director of Business Operations & Finance, effective February 14, 2022 with such probationary period ending on January 30, 2026 (a position in the Director of Business Operations & Finance Tenure Area); and

BE IT FURTHER RESOLVED, that Madelynn Wisnowski shall be supervised by the Superintendent of Schools and has met all the requirements to hold an Internship Certificate as a School District Business Leader by the Commissioner of Education; and

BE IT FURTHER RESOLVED, that the Board of Education approves the Terms and Conditions Agreement for the Director of Business Operations & Finance, effective February 14, 2022 and ending

June 30, 2022.

8. Coaching and Athletic Department Appointments

RESOLUTION

Be it resolved that the Board of Education, upon recommendation of the Superintendent of Schools and pursuant to Education Law, approves the following coaching appointments for the 2021-22 school year, conditional upon a criminal history record check according to Commissioners Regulation §80-1.11 and Part 87, and successful completion of all required First Aid/CPR and Child Abuse courses.

Position	Name	Step	Years	Salary
Sports Monitor	Mark Williams			\$13.20/hour

9. Correction from January 13, 2022 - Appoint Teaching Assistant – Kaitlyn Bouwens

Scott Bradley recommends Kaitlyn Bouwens to fill a Teaching Assistant position.

RESOLUTION

Be it resolved that the Board of Education, upon recommendation of the Superintendent of Schools and pursuant to Education Law, approves the ~~four~~ *three* year probationary appointment of Kaitlyn Bouwens as a Teaching Assistant conditional upon a criminal history record check according to Commissioners Regulation §80 1.11 and Part 87 as follows:

Certification: Physical Education, Initial

Tenure Area: Teaching Assistant

Probationary Period: January 18, 2022-January 17, ~~2026~~-2025

Salary: Step H \$24,222

The expiration date is tentative and conditional only. In order to be eligible for and considered for tenure, the teacher must meet all requirements of the educational law and corresponding regulations.

10. Written Agreement between the Superintendent and an Employee of the District

RESOLUTION

Resolved, that the Board of Education of the North Rose-Wolcott Central School District approves the written agreement between the Superintendent of Schools and an employee of the District, executed on January 21, 2022, and the resignation of such employee, effective January 21, 2022.

Superintendent Update – Superintendent Michael Pullen did not provide an update.

Good News:

- Various Newspaper Articles

Board Member Requests/Comments/Discussion:

- Jasen Sloan discussed the use of electric buses. The Board of Education members voted unanimously to have Superintendent Pullen gather information regarding electric buses.

Informational Items:

- Claims Auditor Reports

Executive Session

A motion was requested to enter executive session to discuss a legal matter.

The motion was made by Izetta Younglove and seconded by Linda Eygnor with motion approved 7-0.

Time entered: 8:08 p.m.

Return to regular session at 9:18 p.m.

Adjournment:

A motion was requested to adjourn the regular meeting.

Motion for approval was made by Tina Reed and seconded by Izetta Younglove with motion approved 7-0.

Time adjourned: 9:19 p.m.

Tina St. John, Clerk of the Board of Education

UNOFFICIAL

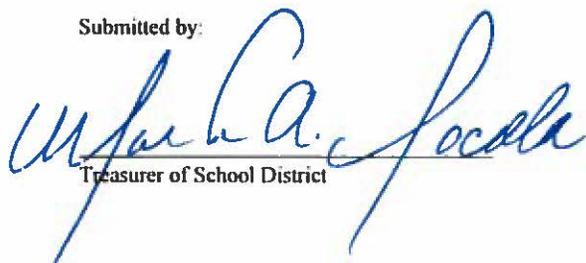
NORTH ROSE-WOLCOTT CENTRAL SCHOOL DISTRICT

TREASURER'S REPORT

FOR THE MONTH ENDING NOVEMBER 30, 2021

- 1 CASH SUMMARY REPORT (ALL FUNDS)
- 2 CASH ANALYSIS REPORT (ALL FUNDS)
- 3 REVENUE STATUS REPORTS
 - a) General Fund
 - b) School Lunch Fund
 - c) Miscellaneous Special Revenue Fund
 - d) Special Aid Fund
 - e) Capital Fund
 - f) Trust Custodial Fund
 - g) Debt Service Fund
- 4 BUDGET STATUS REPORTS
 - a) General Fund
 - b) School Lunch Fund
 - d) Special Aid Fund
 - e) Capital Fund
 - f) Trust Custodial Fund
 - g) Debt Service Fund

Submitted by:



Treasurer of School District

**NORTH ROSE-WOLCOTT CENTRAL SCHOOL DISTRICT
CASH SUMMARY
FOR THE PERIOD ENDING NOVEMBER 30, 2021**

CASH	GENERAL	SCHOOL	MISC SPECIAL	SPECIAL AID	CAPITAL	TRUST	DEBT SERVICE	DISTRICT
	FUND	LUNCH FUND	REVENUE FUND	FUND	FUND	CUSTODIAL FUND	FUND	TOTALS
Checking / Savings	\$ 7,396,330.96	\$ 107,178.41	\$ 75,187.01	\$ 199,616.79	\$ 590,973.44	\$ 189,733.42	\$ 1,633,181.10	\$ 10,192,201.13
Money Market	14,476.92	-	-	-	-	-	\$ -	14,476.92
LIQUID Investments \ NYCLASS	5,656,948.95	-	60,004.24	-	1,450,089.96	-	\$ -	7,167,023.15
Fund Totals	\$ 13,067,756.83	\$ 107,178.41	\$ 135,191.25	\$ 199,616.79	\$ 2,041,043.40	\$ 189,733.42	\$ 1,633,181.10	\$ 17,373,701.20
RESERVE FUNDS								
Workers' Compensation Reserve	\$ 150,560.08	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -	\$ 150,560.08
Unemployment Insurance Reserve	31,259.43	-	-	-	-	-	-	31,259.43
ERS Retirement Contribution Reserve	1,549,729.14	-	-	-	-	-	-	1,549,729.14
Retirement Contribution Reserve - TRS Subfund	406,539.14	-	-	-	-	-	-	406,539.14
Liability Reserve	967,486.75	-	-	-	-	-	-	967,486.75
Tax Certiorari Reserve	42,863.54	-	-	-	-	-	-	42,863.54
Employee Benefit Reserve	97,808.25	-	-	-	-	-	-	97,808.25
Capital Building Reserve	3,037,089.75	-	-	-	-	-	-	3,037,089.75
Capital Bus Reserve - 2019	1,239,531.58	-	-	-	-	-	-	1,239,531.58
Debt Service Reserve	-	-	-	-	-	-	1,633,181.10	1,633,181.10
Reserve Fund Totals	\$ 7,522,867.66	\$ -	\$ -	\$ -	\$ -	\$ -	\$ 1,633,181.10	\$ 9,156,048.76

**NORTH ROSE-WOLCOTT CENTRAL SCHOOL DISTRICT
ANALYSIS OF CHANGE IN CASH
FOR THE PERIOD ENDING NOVEMBER 30, 2021**

	GENERAL FUND	SCHOOL LUNCH	MISC SPECIAL REVENUE FUND	SPECIAL AID FUND	CAPITAL FUND	TRUST CUSTODIAL FUND	DEBT SERVICE FUND	DISTRICT TOTALS
Cash Balances - Beginning of Month	\$ 10,981,271.94	\$ 128,100.88	\$ 134,538.91	\$ 47,373.43	\$ 2,383,516.57	\$ 190,204.63	\$ 1,633,167.87	15,498,174.23
Add: Cash Receipts								
School Taxes / Penalties / PILOTS	778,041.78	-	-	-	-	-	-	778,041.78
State Aid	1,482,350.58	-	-	-	-	-	-	1,482,350.58
BOCES Aid	740,441.60	-	-	-	-	-	-	740,441.60
Meal Sales	-	140.00	-	-	-	-	-	140.00
Grant Aid	1,166,357.00	-	-	296,627.00	-	-	-	1,462,984.00
School Lunch Aid	1,708.00	67,733.00	-	-	-	-	-	69,441.00
Interest Earnings	205.83	-	2.34	-	45.40	-	13.23	266.80
Memorial Awards / Scholarships	-	-	650.00	-	-	-	-	650.00
Miscellaneous Receipts	36,552.95	130.00	-	-	-	-	-	36,682.95
Total Cash Receipts	\$ 4,205,657.74	\$ 68,003.00	\$ 652.34	\$ 296,627.00	\$ 45.40	\$ -	\$ 13.23	\$ 4,570,998.71
Less: Cash Disbursements								
Payroll Transfers & Disbursements	1,053,339.74	28,878.72	-	125,774.73	-	(2,522.42)	-	1,205,470.77
Check Disbursements	1,083,227.39	58,030.74	-	3,230.64	342,518.57	2,993.63	-	1,490,000.97
Debt Service Payments	-	-	-	-	-	-	-	-
Total Cash Disbursements	\$ 2,136,567.13	\$ 86,909.46	\$ -	\$ 129,005.37	\$ 342,518.57	\$ 471.21	\$ -	\$ 2,695,471.74
Net Transfers In (Out)	\$ 17,394.28	\$ (2,016.01)	\$ -	\$ (15,378.27)	\$ -	\$ -	\$ -	\$ (0.00)
Cash Balances - End of Month	\$ 13,067,756.83	\$ 107,178.41	\$ 135,191.25	\$ 199,616.79	\$ 2,041,043.40	\$ 189,733.42	\$ 1,633,181.10	\$ 17,373,701.20
Bank Reconciliation								
Outstanding Checks	42,528.33	125.00	600.00	1,193.67	-	-	-	44,447.00
Items in Transit	(1,128.28)	(15.00)	-	(14,625.00)	-	-	-	(15,768.28)
Bank Statement Balances	\$ 13,109,156.88	\$ 107,288.41	\$ 135,791.25	\$ 186,185.46	\$ 2,041,043.40	\$ 189,733.42	\$ 1,633,181.10	\$ 17,402,379.92

North Rose-Wolcott Central School Dist

Revenue Status Report As Of: 11/30/2021

Fiscal Year: 2022

Fund: A GENERAL FUND

Revenue Account	Subfund	Description	Original Estimate	Adjustments	Current Estimate	Year-to-Date	Anticipated Balance	Excess Revenue
1001.000		Real Property Tax Items	10,117,584.00	0.00	10,117,584.00	9,008,675.75	1,108,908.25	
1081.000		Oth. Paymts in Lieu of Ta	13,273.00	0.00	13,273.00	0.00	13,273.00	
1085.000		STAR Reimbursement	0.00	0.00	0.00	1,108,908.25		1,108,908.25
1090.000		Int. & Penal. on Real Pro	20,000.00	0.00	20,000.00	9,406.56	10,593.44	
1120.001		Sales Tax Revenue	440,000.00	0.00	440,000.00	0.00	440,000.00	
1335.000		Oth Student Fee/Charges (3,000.00	0.00	3,000.00	0.00	3,000.00	
1489.010		Other Charges-AM Swim	0.00	0.00	0.00	29.00		29.00
1489.011		Other Charges- Swim	2,500.00	0.00	2,500.00	1,853.50	646.50	
1489.050		Other Charges- Summ Drive Ed	0.00	0.00	0.00	-200.00	200.00	
1489.070		Other Charges-Driving Range	750.00	0.00	750.00	2,328.00		1,578.00
1489.080		Other Charges-Fitness Center M	2,000.00	0.00	2,000.00	645.00	1,355.00	
2308.000		Trans for BOCES	40,000.00	0.00	40,000.00	-1,115.83	41,115.83	
2401.000		Interest & Earnings	25,000.00	0.00	25,000.00	808.10	24,191.90	
2650.000		Sale Scrap & Excess Material	0.00	0.00	0.00	1,810.15		1,810.15
2680.000		Insurance Recoveries-Othe	0.00	0.00	0.00	4,590.37		4,590.37
2701.000		BOCES Svs Aprve for Aid-R	200,000.00	0.00	200,000.00	0.00	200,000.00	
2701.001		Refund PY exp-payables	8,000.00	0.00	8,000.00	125.18	7,874.82	
2703.000		Other-Not Transp-Ref PrYr	0.00	0.00	0.00	2,449.05		2,449.05
2705.000		Gifts and Donations	0.00	3,515.00	3,515.00	3,515.00		
2770.000		Other Unclassified Rev.(S	10,000.00	0.00	10,000.00	2,567.93	7,432.07	
3101.000		Basic Formula Aid-Gen Aid	18,174,513.00	0.00	18,174,513.00	2,432,064.64	15,742,448.36	
3101.010		Basic Formula Aid-Excess	605,935.00	0.00	605,935.00	0.00	605,935.00	
3102.000		Lottery Aid (Sect 3609a E	0.00	0.00	0.00	1,388,013.01		1,388,013.01
3102.010		Lottery Grant	0.00	0.00	0.00	219,286.05		219,286.05
3103.000		BOCES Aid (Sect 3609a Ed	1,785,358.00	0.00	1,785,358.00	0.00	1,785,358.00	
3260.000		Textbook Aid (Incl Txtbk/	64,403.00	0.00	64,403.00	0.00	64,403.00	
3262.000		Computer Software Aid	34,724.00	0.00	34,724.00	0.00	34,724.00	
3263.000		Library A/V Loan Program	6,906.00	0.00	6,906.00	0.00	6,906.00	
4601.000		Medic.Ass't-Sch Age-Sch Y	150,000.00	0.00	150,000.00	7,646.40	142,353.60	
5050.000		Interfund Trans. for Debt	45,000.00	0.00	45,000.00	0.00	45,000.00	
Subfund Subtotal			31,748,946.00	3,515.00	31,752,461.00	14,193,406.11	20,285,718.77	2,726,663.88
Total GENERAL FUND			31,748,946.00	3,515.00	31,752,461.00	14,193,406.11	20,285,718.77	2,726,663.88

* Estimated revenue for Carryover Encumbrances from the prior fiscal year will not be realized.
These are estimates to balance the budget

North Rose-Wolcott Central School Dist

Revenue Status Report As Of: 11/30/2021

Fiscal Year: 2022

Fund: C SCHOOL LUNCH FUND

Revenue Account	Subfund	Description	Original Estimate	Adjustments	Current Estimate	Year-to-Date	Anticipated Balance	Excess Revenue
1440.000		Sale of A Lunch	0.00	0.00	0.00	553.50		553.50
1445.000		Other Cafeteria Sales	0.00	0.00	0.00	5,142.39		5,142.39
2770.000		Misc Rev Local Sources (S	0.00	0.00	0.00	90.03		90.03
3190.010		State Reimburse-Brk	0.00	0.00	0.00	2,952.00		2,952.00
3190.020		State Reimburse-Lnch	0.00	0.00	0.00	2,172.00		2,172.00
3190.060		Sum Food Svs Prog for Chi	0.00	0.00	0.00	784.00		784.00
4190.000		Emer Oper Cost Reimb Prog	0.00	0.00	0.00	704.00		704.00
4190.010		Fed Reimbursement-Brk	0.00	0.00	0.00	71,693.00		71,693.00
4190.020		Fed Reimbursement-Lnch	0.00	0.00	0.00	147,834.00		147,834.00
4190.040		Fed Reimbursement (Snack)	0.00	0.00	0.00	1,929.00		1,929.00
4192.000		Sum Food Svs Prog for Chi	0.00	0.00	0.00	22,148.00		22,148.00
Total SCHOOL LUNCH FUND			0.00	0.00	0.00	256,001.92	0.00	256,001.92

Selection Criteria

Criteria Name: Last Run
As Of Date: 11/30/2021
Suppress revenue accounts with no activity
Sort by: Fund
Printed by Norma Lewis

* Estimated revenue for Carryover Encumbrances from the prior fiscal year will not be realized.

These are estimates to balance the budget

North Rose-Wolcott Central School Dist

Revenue Status Report As Of: 11/30/2021

Fiscal Year: 2022

Fund: CM MISC SPECIAL REVENUE FUND

Revenue Account	Subfund	Description	Original Estimate	Adjustments	Current Estimate	Year-to-Date	Anticipated Balance	Excess Revenue
SCH-2401.000	SCH	Interest and Earnings	0.00	0.00	0.00	7.17		7.17
SCH-2705.000	SCH	Gifts and Donations	0.00	0.00	0.00	650.00		650.00
SCH Subfund Subtotal			0.00	0.00	0.00	657.17	0.00	657.17
Total MISC SPECIAL REVENUE FUND			0.00	0.00	0.00	657.17	0.00	657.17

* Estimated revenue for Carryover Encumbrances from the prior fiscal year will not be realized.
These are estimates to balance the budget

North Rose-Wolcott Central School Dist

Revenue Status Report As Of: 11/30/2021

Fiscal Year: 2022

Fund: F SPECIAL AID FUND

Revenue Account	Subfund	Description	Original Estimate	Adjustments	Current Estimate	Year-to-Date	Anticipated Balance	Excess Revenue
E22-4289.018	E22	MKV BASELINE	45,000.00	0.00	45,000.00	9,000.00	36,000.00	
ESR-4289.000	ESR	Other Federal Aid	281.62	0.00	281.62	1,076,347.38		1,076,065.76
F22-4289.018	F22	MKV ENHANCED	20,000.00	0.00	20,000.00	4,000.00	16,000.00	
G22-4289.018	G22	NRE 21ST CCLC ELEM	1,200,000.00	0.00	1,200,000.00	240,000.00	960,000.00	
H22-3289.015	H22	Sec 4408-Sch Age JI/Ag-Su	343,486.00	0.00	343,486.00	5,689.35	337,796.65	
I22-4256.018	I22	Indiv. w/Disab	0.00	0.00	0.00	74,940.00		74,940.00
J22-4256.018	J22	Indiv. w/Disab	0.00	0.00	0.00	3,796.00		3,796.00
R21-4289.019	R21	MHAT-Sodus-1	0.00	0.00	0.00	7,876.03		7,876.03
S21-4289.019	S21	MHAT-Lyons-2	0.00	0.00	0.00	13,824.00		13,824.00
SVP-3289.100	SVP	Miscellaneous State Aid	0.00	0.00	0.00	87,500.00		87,500.00
W21-4289.000	W21	Other Federal Aid	1,132.60	0.00	1,132.60	1,565.83		433.23
X21-4289.000	X21	Other Federal Aid	1,681.65	0.00	1,681.65	57,249.93		55,568.28
Y21-4289.000	Y21	Other Federal Aid	0.00	0.00	0.00	1,857.43		1,857.43
Z21-4289.021	Z21	Other Federal Aid	0.00	0.00	0.00	14,625.00		14,625.00
Total SPECIAL AID FUND			1,611,581.87	0.00	1,611,581.87	1,598,270.95	1,349,796.65	1,336,485.73

Selection Criteria

Criteria Name: Last Run
 As Of Date: 11/30/2021
 Suppress revenue accounts with no activity
 Sort by: Fund
 Printed by Norma Lewis

* Estimated revenue for Carryover Encumbrances from the prior fiscal year will not be realized.

These are estimates to balance the budget

North Rose-Wolcott Central School Dist

Revenue Status Report As Of: 11/30/2021

Fiscal Year: 2022

Fund: H CAPITAL FUND

Revenue Account	Subfund	Description	Original Estimate	Adjustments	Current Estimate	Year-to-Date	Anticipated Balance	Excess Revenue
CAP-5031.080	CAP	Interfund Transfers	100,000.00	0.00	100,000.00	0.00	100,000.00	
CAP Subfund Subtotal			100,000.00	0.00	100,000.00	0.00	100,000.00	0.00
Total CAPITAL FUND			100,000.00	0.00	100,000.00	0.00	100,000.00	0.00

* Estimated revenue for Carryover Encumbrances from the prior fiscal year will not be realized.
These are estimates to balance the budget

North Rose-Wolcott Central School Dist

Revenue Status Report As Of: 11/30/2021

Fiscal Year: 2022

Fund: TC CUSTODIAL FUND

Revenue Account	Subfund	Description	Original Estimate	Adjustments	Current Estimate	Year-to-Date	Anticipated Balance	Excess Revenue
SDP-2770.000	SDP	Unclassified Revenues	0.00	0.00	0.00	10,472.64		10,472.64
	SDP Subfund Subtotal		0.00	0.00	0.00	10,472.64	0.00	10,472.64
Total CUSTODIAL FUND			0.00	0.00	0.00	10,472.64	0.00	10,472.64

* Estimated revenue for Carryover Encumbrances from the prior fiscal year will not be realized.
These are estimates to balance the budget

North Rose-Wolcott Central School Dist

Revenue Status Report As Of: 11/30/2021

Fiscal Year: 2022

Fund: V DEBT SERVICE

Revenue Account	Subfund	Description	Original Estimate	Adjustments	Current Estimate	Year-to-Date	Anticipated Balance	Excess Revenue
2401.000		Interest and Earnings	0.00	0.00	0.00	340.79		340.79
	Subfund Subtotal		0.00	0.00	0.00	340.79	0.00	340.79
Total DEBT SERVICE			0.00	0.00	0.00	340.79	0.00	340.79

Selection Criteria

Criteria Name: Last Run
As Of Date: 11/30/2021
Suppress revenue accounts with no activity
Sort by: Fund/Subfund
Printed by Norma Lewis

* Estimated revenue for Carryover Encumbrances from the prior fiscal year will not be realized.
These are estimates to balance the budget

North Rose-Wolcott Central School Dist

Budget Status Report As Of: 11/30/2021

Fiscal Year: 2022

Fund: A GENERAL FUND

Budget Account	Description	Initial Appropriation	Adjustments	Current Appropriation	Year-to-Date Expenditures	Encumbrance Outstanding	Unencumbered Balance
1 GENERAL SUPPORT							
1010	Board Of Education	35,200.00	22,701.00	57,901.00	12,145.66	30,741.91	15,013.43
1040	District Clerk	7,467.00	0.00	7,467.00	2,673.80	3,743.20	1,050.00
1060	District Meeting	5,200.00	3,800.00	9,000.00	0.00	5,250.00	3,750.00
1240	Chief School Administrator	273,475.00	-980.00	272,495.00	111,111.50	143,840.35	17,543.15
1310	Business Administration	514,176.00	-27,695.00	486,481.00	180,219.93	227,371.62	78,889.45
1320	Auditing	25,732.00	13,275.00	39,007.00	10,751.50	27,652.10	603.40
1325	Treasurer	600.00	0.00	600.00	308.67	128.00	163.33
1330	Tax Collector	15,408.00	500.00	15,908.00	7,398.21	6,952.69	1,557.10
1345	Purchasing	52,340.00	7,750.00	60,090.00	23,473.80	33,347.22	3,268.98
1420	Legal	109,344.00	150,000.00	259,344.00	66,298.27	185,651.73	7,394.00
1430	Personnel	104,825.00	0.00	104,825.00	29,519.47	47,223.03	28,082.50
1480	Public Information and Services	115,247.00	41,100.00	156,347.00	40,115.59	113,880.06	2,351.35
1620	Operation of Plant	1,680,616.00	127,129.51	1,807,745.51	554,318.04	1,064,555.21	188,872.26
1621	Maintenance of Plant	278,736.00	-40,223.64	238,512.36	20,129.62	68,953.04	149,429.70
1670	Central Printing & Mailing	50,000.00	0.00	50,000.00	0.00	0.00	50,000.00
1680	Central Data Processing	339,853.00	6,868.34	346,721.34	121,586.41	210,134.93	15,000.00
1910	Unallocated Insurance	145,000.00	0.00	145,000.00	65,704.00	0.00	79,296.00
1920	School Association Dues	11,000.00	0.00	11,000.00	9,054.00	200.00	1,746.00
1950	Assessments on School Property	22,000.00	0.00	22,000.00	0.00	0.00	22,000.00
1964	Refund on Real Property Taxes	1,000.00	0.00	1,000.00	2,421.67	0.00	-1,421.67
1981	BOCES Administrative Costs	196,701.00	7,000.00	203,701.00	66,007.08	137,690.18	3.74
Subtotal of 1 GENERAL SUPPORT		3,983,920.00	311,225.21	4,295,145.21	1,323,237.22	2,307,315.27	664,592.72
2 INSTRUCTION							
2010	Curriculum Devel and Suprvsn	313,177.00	-8,930.00	304,247.00	122,601.42	135,615.32	46,030.26
2020	Supervision-Regular School	775,606.00	9,112.13	784,718.13	315,730.40	442,668.96	26,318.77
2070	Inservice Training-Instruction	149,352.00	0.00	149,352.00	42,035.70	44,403.30	62,913.00
2110	Teaching-Regular School	6,409,108.00	-94,822.06	6,314,285.94	1,638,477.88	4,091,480.32	584,327.74
2250	Prg For Sdnts w/Disabil-Med Elgble	5,103,977.00	195,579.91	5,299,556.91	1,385,943.32	3,842,984.62	70,628.97
2280	Occupational Education(Grades 9-12)	615,285.00	0.00	615,285.00	184,585.50	430,699.50	0.00
2330	Teaching-Special Schools	204,598.00	-20,500.00	184,098.00	58,957.01	100,219.45	24,921.54
2610	School Library & AV	258,969.00	36.12	259,005.12	45,418.83	119,670.78	93,915.51
2630	Computer Assisted Instruction	1,329,273.00	62,696.30	1,391,969.30	437,617.49	772,559.08	181,792.73
2810	Guidance-Regular School	334,009.00	14,029.83	348,038.83	110,589.73	232,517.02	4,932.08
2815	Health Svcs-Regular School	145,084.00	2,763.92	147,847.92	34,309.63	102,627.87	10,910.42
2820	Psychological Svcs-Reg Schl	221,016.00	3,500.00	224,516.00	59,570.52	162,934.48	2,011.00
2825	Social Work Svcs-Regular School	62,015.00	1,000.00	63,015.00	15,733.50	47,200.50	81.00
2850	Co-Curricular Activ-Reg Schl	95,610.00	0.00	95,610.00	-1,115.00	45,805.00	50,920.00
2855	Interscholastic Athletics-Reg Schl	473,702.00	39,424.00	513,126.00	170,575.01	164,477.64	178,073.35
Subtotal of 2 INSTRUCTION		16,490,781.00	203,890.15	16,694,671.15	4,621,030.94	10,735,863.84	1,337,776.37

North Rose-Wolcott Central School Dist

Budget Status Report As Of: 11/30/2021

Fiscal Year: 2022

Fund: A GENERAL FUND

Budget Account	Description	Initial Appropriation	Adjustments	Current Appropriation	Year-to-Date Expenditures	Encumbrance Outstanding	Unencumbered Balance
5 PUPIL TRANSPORTATION							
5510	District Transport Svcs-Med Elgble	1,386,211.00	1,735.01	1,387,946.01	411,482.19	745,449.34	231,014.48
5530	Garage Building	62,400.00	0.00	62,400.00	825.24	7,274.85	54,299.91
5581	Transportation from Boces	10,000.00	0.00	10,000.00	2,848.16	7,151.84	0.00
Subtotal of 5 PUPIL TRANSPORTATION		1,458,611.00	1,735.01	1,460,346.01	415,155.59	759,876.03	285,314.39
7 COMMUNITY SERVICES							
7310	Youth Program	138,572.00	0.00	138,572.00	0.00	47,525.02	91,046.98
8060	Civic Activities	82,876.00	360.00	83,236.00	9,872.15	1,445.00	71,918.85
Subtotal of 7 COMMUNITY SERVICES		221,448.00	360.00	221,808.00	9,872.15	48,970.02	162,965.83
9 UNDISTRIBUTED							
9010	State Retirement	455,983.00	0.00	455,983.00	165,019.60	276,936.85	14,026.55
9020	Teachers' Retirement	1,035,785.00	0.00	1,035,785.00	246,585.84	579,607.72	209,591.44
9030	Social Security	962,451.00	0.00	962,451.00	271,022.50	607,030.23	84,398.27
9040	Workers' Compensation	150,540.00	0.00	150,540.00	75,270.00	0.00	75,270.00
9045	Life Insurance	3,600.00	0.00	3,600.00	0.00	0.00	3,600.00
9050	Unemployment Insurance	100,000.00	0.00	100,000.00	0.00	0.00	100,000.00
9060	Hospital, Medical, Dental Insurance	3,921,915.00	-145,000.00	3,776,915.00	1,762,609.44	0.00	2,014,305.56
9089	Other (specify)	63,600.00	2,000.00	65,600.00	24,365.57	0.00	41,234.43
9711	Serial Bonds-School Construction	3,178,042.00	0.00	3,178,042.00	0.00	0.00	3,178,042.00
9901	Transfer to Other Funds	117,270.00	0.00	117,270.00	0.00	0.00	117,270.00
9950	Transfer to Capital Fund	100,000.00	0.00	100,000.00	0.00	0.00	100,000.00
Subtotal of 9 UNDISTRIBUTED		10,089,186.00	-143,000.00	9,946,186.00	2,544,872.95	1,463,574.80	5,937,738.25
Total GENERAL FUND		32,243,946.00	374,210.37	32,618,156.37	8,914,168.85	15,315,599.96	8,388,387.56

North Rose-Wolcott Central School Dist

Budget Status Report As Of: 11/30/2021

Fiscal Year: 2022

Fund: C SCHOOL LUNCH FUND

Budget Account	Description	Initial Appropriation	Adjustments	Current Appropriation	Year-to-Date Expenditures	Encumbrance Outstanding	Unencumbered Balance
160 Noninstructional Sal		320,200.00	0.00	320,200.00	105,135.61	183,537.79	31,526.60
200 Equipment		2,500.00	0.00	2,500.00	0.00	1,000.00	1,500.00
400 Contractual SFSP		5,150.00	339.77	5,489.77	678.49	4,726.15	85.13
414 Food		486,975.00	0.00	486,975.00	104,396.09	172,003.87	210,575.04
419 Net Cost of Food Used		70,000.00	0.00	70,000.00	700.15	0.00	69,299.85
450 Materials & Supplies SFSP		49,250.00	0.00	49,250.00	8,454.73	23,211.49	17,583.78
800 Employee Benefits		98,275.00	0.00	98,275.00	32,455.16	14,040.63	51,779.21
802 ERS		33,500.00	0.00	33,500.00	12,265.02	21,089.02	145.96
Total SCHOOL LUNCH FUND		1,065,850.00	339.77	1,066,189.77	264,085.25	419,608.95	382,495.57

North Rose-Wolcott Central School Dist

Budget Status Report As Of: 11/30/2021

Fiscal Year: 2022

Fund: F SPECIAL AID FUND

Budget Account	Description	Initial Appropriation	Adjustments	Current Appropriation	Year-to-Date Expenditures	Encumbrance Outstanding	Unencumbered Balance
A22 21st Century Grant		212,700.00	0.00	212,700.00	54,247.33	70,481.56	87,971.11
ARP American Rescue Plan Act		2,419,704.00	0.00	2,419,704.00	0.00	0.00	2,419,704.00
C22 4 Year Old UPK Grant		608,588.00	0.00	608,588.00	136,782.73	280,437.67	191,367.60
E22 McKinney-Vento Baseline		45,000.00	0.00	45,000.00	4,847.14	17,958.23	22,194.63
ESR CRRSA ESSER 2		281.62	0.00	281.62	0.00	0.00	281.62
F22 McKinney-Vento Enhanced		20,000.00	0.00	20,000.00	0.00	6,500.00	13,500.00
G22 21st CCLC Elem		1,200,000.00	0.00	1,200,000.00	111,964.85	740,577.50	347,457.65
H22 July/Aug Summer School		343,486.00	30,600.00	374,086.00	112,475.70	26,572.65	235,037.65
I22 Section 611		374,702.00	0.00	374,702.00	104,258.45	190,604.89	79,838.66
J22 Section 619		18,983.00	0.00	18,983.00	3,569.84	4,658.70	10,754.46
M21 Title IV 2020-21		9,712.00	0.00	9,712.00	0.00	0.00	9,712.00
M22 Title IV 2021-22		24,213.00	0.00	24,213.00	0.00	0.00	24,213.00
MHG Mental Hlth Awareness Tra		125,000.00	0.00	125,000.00	0.00	2,349.00	122,651.00
N21 Title I A&D Improv		56,236.67	0.00	56,236.67	0.00	0.00	56,236.67
N22 Title I A&D Improv		366,115.00	0.00	366,115.00	114,774.12	217,217.17	34,123.71
O21 Title IIA, Teach/Pr		8,330.67	0.00	8,330.67	0.00	0.00	8,330.67
O22 Title IIA, Teach/Pr		53,209.00	0.00	53,209.00	18,469.98	28,370.02	6,369.00
OHI Optimal Health Initiative		52,800.00	0.00	52,800.00	11,443.54	36,029.92	5,326.54
PPR Primary Project		14,985.00	0.00	14,985.00	4,238.65	8,925.43	1,820.92
R21 MHAT-Sodus-1		7,876.03	0.00	7,876.03	7,876.03	0.00	0.00
S21 MHAT-Lyons-2		13,824.00	0.00	13,824.00	13,824.00	0.00	0.00
SVP School Violence Preventio		350,000.00	0.00	350,000.00	30,433.01	49,858.59	269,708.40
W21 Title IIIA Newcomers		1,132.60	0.00	1,132.60	1,093.50	0.00	39.10
W22 Title IIIA Newcomers		3,000.00	0.00	3,000.00	251.43	0.00	2,748.57
X21 Full Serv Comm Sch- Sodus		60,634.93	0.00	60,634.93	58,953.28	0.00	1,681.65
X22 Full Serv Comm Sch- Sodus		65,000.00	0.00	65,000.00	16,209.32	56,146.32	-7,355.64
Y21 Mental Hlth Demo Grant- S		1,930.43	0.00	1,930.43	1,857.40	0.00	73.03
Y22 Mental Hlth Demo Grant- S		0.00	0.00	0.00	1,288.12	8,221.49	-9,509.61
Z21 School Safety Grant-Sodus		14,625.00	0.00	14,625.00	14,624.02	0.00	0.98
Z22 School Safety Grant-Sodus		14,625.00	0.00	14,625.00	0.00	0.00	14,625.00
Total SPECIAL AID FUND		6,486,693.95	30,600.00	6,517,293.95	823,482.44	1,744,909.14	3,948,902.37

North Rose-Wolcott Central School Dist

Budget Status Report As Of: 11/30/2021

Fiscal Year: 2022

Fund: H CAPITAL FUND

Budget Account	Description	Initial Appropriation	Adjustments	Current Appropriation	Year-to-Date Expenditures	Encumbrance Outstanding	Unencumbered Balance
BUS CAPITAL BUS							
	0000 Building level	480,032.94	0.00	480,032.94	0.00	480,032.94	0.00
Subtotal of BUS CAPITAL BUS		480,032.94	0.00	480,032.94	0.00	480,032.94	0.00
CAP CAPITAL PHASE							
	CO22 2022 CAPITAL OUTLAY PROJECT	100,000.00	0.00	100,000.00	0.00	8,000.00	92,000.00
	PR17 Capital Project Vote 2-28-17 \$30,590,000	0.00	5,232,338.52	5,232,338.52	1,166,478.70	4,150,862.17	-85,002.35
	SSBA Smart Schools Bond Act	0.00	44,861.45	44,861.45	43,552.58	42,597.01	-41,288.14
Subtotal of CAP CAPITAL PHASE		100,000.00	5,277,199.97	5,377,199.97	1,210,031.28	4,201,459.18	-34,290.49
Total CAPITAL FUND		580,032.94	5,277,199.97	5,857,232.91	1,210,031.28	4,681,492.12	-34,290.49

North Rose-Wolcott Central School Dist

Budget Status Report As Of: 11/30/2021

Fiscal Year: 2022

Fund: TC CUSTODIAL FUND

Budget Account	Description	Initial Appropriation	Adjustments	Current Appropriation	Year-to-Date Expenditures	Encumbrance Outstanding	Unencumbered Balance
<hr/>							
SDP Self-insured Dental Plan							
	9089 Other Employee Benefits	0.00	0.00	0.00	12,160.85	0.00	-12,160.85
Subtotal of SDP Self-Insured Dental Plan		0.00	0.00	0.00	12,160.85	0.00	-12,160.85
Total CUSTODIAL FUND		0.00	0.00	0.00	12,160.85	0.00	-12,160.85

North Rose-Wolcott Central School Dist

Budget Status Report As Of: 11/30/2021

Fiscal Year: 2022

Fund: V DEBT SERVICE

Budget Account	Description	Initial Appropriation	Adjustments	Current Appropriation	Year-to-Date Expenditures	Encumbrance Outstanding	Unencumbered Balance
9901 Interfund Transfers		0.00	0.00	0.00	0.00	0.00	0.00
Total DEBT SERVICE		0.00	0.00	0.00	0.00	0.00	0.00



NORTH ROSE - WOLCOTT CENTRAL SCHOOL DISTRICT

Academics 🐾 Commitment 🐾 Excellence

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Gary Barno
Acting Assistant Superintendent
for Business and Operations

Michael L. Pullen
Superintendent of Schools

Megan C. Paliotti
Assistant Superintendent
for Instruction and School Improvement

TO: Mr. Michael Pullen, Superintendent
Board of Education

FROM: Gary Barno, Acting Ass't Superintendent for Business and Operations

SUBJECT: 2020-21 Audit - Corrective Action Plan

DATE: December 14, 2021

We have recently received our audit of the 2020-21 Basic Financial Statements along with their letter of "Communicating Internal Control Related Matters" by our independent auditor, Mengel, Metzger, Barr & Co, LLP. The management letter and the attached CAP have been reviewed and discussed with our Audit Committee on December 14, 2021. The auditors' findings have been noted as shown below together with my responses:

Finding: Cyber Risk Management –

The audit examination recommends the District should continue to document our cyber risk assessment in writing to include the risk assessment process, the frequency of the risk assessment, and how the process is communicated to management and monitored.

Corrective Action Planned: *The District has begun to address and document our cyber risk assessment process as indicated.*

Contact Person: Gary Barno, Acting Ass't Superintendent for Business and Operations

Anticipated Completion Date: June 30, 2022

Finding: Federal Programs –

The audit examination referenced recent guidance pertaining to documenting into a written procedural manual that is more detailed and specific to each federal program compliance requirement.

Corrective Action Planned: *The District is in the process of developing a more specific written manual addressing all federal program compliance requirements.*

Contact Person: Gary Barno, Acting Ass't Superintendent for Business and Operations

Anticipated Completion Date: June 30, 2022

(Continued)

Finding: GASB Statement 87 Leases –

The auditors have informed the District of new information pertaining to leases to be reported in the District's financials beginning with the 2021-22 school year

Corrective Action Planned: *The District will take steps to help ensure the information needed to satisfy the reporting requirements of GASB 87 are met.*

Contact Person: Gary Barno, Acting Ass't Superintendent for Business and Operations

Anticipated Completion Date: June 30, 2022

No further findings were noted

SUBJECT: SUSPENSION OF STUDENTS

The Superintendent 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.

SuspensionFive School Days or Less

The Superintendent or the principal of the school where the student attends has the power to suspend a student for a period not to exceed five school days. In the absence of the principal, the designated "acting principal" may then suspend a student for a period of five school days or less.

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

When suspension of a student for a period of five school days or less is proposed, the Superintendent or principal will also immediately notify the parent or person in parental relation in writing that the student *may be* suspended from school.

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

The notice will provide a description of the incident(s) for which suspension is proposed and will inform the student and the parent or 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 will be in the dominant language or mode of communication used by the parents or persons in parental relation. At the informal conference, the student and/or parent or person in parental relation will have the opportunity to present the student's version of the event(s) and to ask questions of the complaining witnesses.

(Continued)

Students

SUBJECT: SUSPENSION OF STUDENTS (Cont'd.)

The notice and opportunity for informal conference will 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 will take place as soon after the suspension as is reasonably practical.

Teachers will 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.

More Than Five School Days

In situations where the Superintendent determines that a suspension in excess of five school days may be warranted, the student and parent or person in parental relation, upon reasonable notice, will have an opportunity for a fair hearing. At the hearing, the student has protected due-process rights such as the right to be represented by counsel, the right to question witnesses against him or her, and the right to present witnesses and other evidence on his or 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 will not be barred from considering the admissibility of the weapon, instrument or appliance as evidence, notwithstanding a determination by a court in a criminal or juvenile delinquency proceeding that the recovery of the weapon, instrument or appliance was the result of an unlawful search or seizure.

Minimum Periods of Suspension

In accordance with law, Commissioner's regulations and the District's *Code of Conduct*, minimum periods of suspension will 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 firearm to school or possessed a firearm on school premises will be suspended for a period of not less than one 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 the 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" is set forth in Commissioner's regulations.

(Continued)

Students

SUBJECT: SUSPENSION OF STUDENTS (Cont'd.)

- c) A minimum suspension period for acts that would qualify the student to be defined as a violent student in accordance with Education Law Section 3214(2-a)(a), provided that the suspending authority may reduce the period on a case-by-case basis to be consistent with any other state and federal law.

Suspension of Students with Disabilities

Generally, disciplinary action against a student with a disability or presumed to have a disability will 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).

For suspensions or removals up to ten school days in a school year that do not constitute a disciplinary change in placement, students with disabilities must be provided with alternative instruction or services on the same basis as non-disabled students of the same age.

If suspension or removal from the current educational placement constitutes a disciplinary change in placement because it is for more than ten consecutive school days or is a pattern of removals which constitutes a change of placement, a manifestation determination must be made. The District determines on a case-by-case basis whether a pattern of removals constitutes a change of placement. This determination is subject to review through due process and judicial proceedings.

Manifestation Determinations

A review of the relationship between the student's disability and the behavior subject to disciplinary action to determine if the conduct is a manifestation of the disability must be made by a manifestation team immediately, if possible, but in no case later than ten school days after a decision is made:

- a) By the Superintendent to change the placement to an interim alternative educational setting (IAES);
- b) By an Impartial Hearing Officer (IHO) to place the student in an IAES; or
- c) By the Board, District Superintendent, Superintendent or building principal to impose a suspension that constitutes a disciplinary change of placement.

The manifestation team will include a representative of the District knowledgeable about the student and the interpretation of information about child behavior, the parent and relevant members of the CSE as determined by the parent and the District. The parent must receive written notice prior to the meeting to ensure that the parent has an opportunity to attend. This notice must include the purpose of the meeting, the names of those expected to attend and notice of the parent's right to have relevant members of the CSE participate at the parent's request.

(Continued)

SUBJECT: SUSPENSION OF STUDENTS (Cont'd.)

The manifestation team will review all relevant information in the student's file including the student's individualized education program (IEP), any teacher observations, and any relevant information provided by the parents to determine if: the conduct in question was caused by or had a direct and substantial relationship to the student's disability; or the conduct in question was the direct result of the District's failure to implement the IEP. If the team determines the conduct in question was the direct result of failure to implement the IEP, the District must take immediate steps to remedy those deficiencies.

Finding of Manifestation

If it is determined, as a result of this review, that the student's behavior is a manifestation of his or her disability the CSE will conduct a functional behavioral assessment (FBA), if one has not yet been conducted, and implement or modify a behavioral intervention plan (BIP).

An FBA is the process of determining why the student engages in behaviors that impede learning and how the student's behavior relates to the environment. An FBA must be developed consistent with the requirements of Commissioner's regulations Section 200.22(a) and will include, but not be limited to, the identification of the problem behavior, the definition of the behavior in concrete terms, the identification of the contextual factors that contribute to the behavior (including cognitive and affective factors) and the formulation of a hypothesis regarding the general conditions under which a behavior usually occurs and probable consequences that serve to maintain it.

BIP is a plan that is based on the results of a functional behavioral assessment and, at a minimum, includes a description of the problem behavior, global and specific hypotheses as to why the problem behavior occurs and intervention strategies that include positive behavioral supports and services to address the behavior.

Unless the change in placement was due to behavior involving serious bodily injury, weapons, illegal drugs or controlled substances, the student must be returned to the placement from which the student was removed unless the parent and the District agree to a change of placement as part of the modification of the BIP.

No Finding of Manifestation

If it is determined that the student's behavior is not a manifestation of his or her disability, the relevant disciplinary procedures applicable to students without disabilities may be applied to the student in the same manner and for the same duration for which they would be applied to students without disabilities, subject to the right of the parent or 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 the student.

(Continued)

SUBJECT: SUSPENSION OF STUDENTS (Cont'd.)**Provision of Services Regardless of the Manifestation Determination**

Regardless of the manifestation determination, students with a disability will be provided the services necessary for them to continue to participate in the general education curriculum and progress toward meeting the goals set out in their IEP as delineated below:

- a) During suspensions or removals for periods of up to ten school days in a school year that do not constitute a disciplinary change in placement, students with disabilities of compulsory attendance age will be provided with alternative instruction on the same basis as nondisabled students. Students with disabilities who are not of compulsory attendance age will be entitled to receive services during suspensions only to the extent that services are provided to nondisabled students of the same age who have been similarly suspended.
- b) During subsequent suspensions or removals for periods of ten consecutive school days or less that in the aggregate total more than ten school days in a school year but do not constitute a disciplinary change in placement, students with disabilities will be provided with services necessary to enable the student to continue to participate in the general education curriculum and to progress toward meeting the goals set out in the student's IEP and to receive, as appropriate, an FBA, behavioral intervention services and modifications that are designed to address the behavior violation so it does not recur. School personnel, in consultation with at least one of the student's teachers, will determine the extent to which services are needed, so as to enable the student to continue to participate in the general education curriculum, although in another setting, and to progress in meeting the goals set out in the student's IEP.
- c) During suspensions or other disciplinary removals, for periods in excess of ten school days in a school year which constitute a disciplinary change in placement, students with disabilities will be provided with services necessary to enable the student to continue to participate in the general education curriculum, to progress toward meeting the goals set out in the student's IEP, and to receive, as appropriate, an FBA, behavioral intervention services and modifications that are designed to address the behavior violation so it does not recur. The IAES and services will be determined by the CSE.

Interim Alternative Educational Setting (IAES)

Students with disabilities who have been suspended or removed from their current placement for more than ten school days may be placed in an IAES which is a temporary educational setting other than the student's current placement at the time the behavior precipitating the IAES placement occurred.

Additionally, an Impartial Hearing Officer in an expedited due process hearing may order a change in placement of a student with a disability to an appropriate IAES for up to 45 school days if the Hearing Officer determines that maintaining the current placement is substantially likely to result in injury to the students or others.

(Continued)

SUBJECT: SUSPENSION OF STUDENTS (Cont'd.)

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 possesses a weapon to or at school, on school premises, or to or at a school function under the jurisdiction of the District; or
- b) Where a student knowingly possesses or uses illegal drugs or sells or solicits the sale of a controlled substance while at school, on school premises, or at a school function under the jurisdiction of the District; or
- c) Where a student has inflicted serious bodily injury upon another person while at school, on school premises, or at a school function under the jurisdiction of the District. 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. Protracted and obvious disfigurement or protracted loss or impairment of the function of a bodily member, organ or mental faculty.

School function means a school-sponsored or school-authorized extracurricular event or activity regardless of where the event or activity takes place, including any event or activity that may take place in another state.

School premises means in or within any building, structure, athletic playing field, playground, parking lot or land contained within the real property boundary line of a public elementary or secondary school.

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.

In all cases, the student placed in an IAES will:

- a) Continue to receive educational services so as to enable the student to continue to participate in the general education curriculum, although in another setting, and to progress towards the goals set out in the student's IEP, and
- b) Receive, as appropriate, an FBA and behavioral intervention services and modifications that are designed to address the behavior violation so that it does not recur.

(Continued)

SUBJECT: SUSPENSION OF STUDENTS (Cont'd.)

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 school days when student behavior warrants that action.

In-School Suspension

In-school suspension will be used as a lesser discipline to avoid an out-of-school suspension. The student will be considered present for attendance purposes. The program is used to keep each student current with his or her class work while attempting to reinforce acceptable behavior, attitudes and personal interaction.

BOCES Activities

BOCES activities, such as field trips and other activities outside the building itself, are considered an extension of the school program. Therefore, an infraction handled at BOCES will 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 designee.

Exhaustion of Administrative Remedies

If a parent or person in parental relation wishes to appeal the decision of the building principal or Superintendent to suspend a student from school, regardless of the length of the student's suspension, the parent or person in parental relation must appeal to the Board before commencing an appeal to the Commissioner of Education. Any appeal to the Board must be commenced within ~~30~~ 15 days from the date of the Superintendent's decision. To be timely, the appeal must be received by the District Clerk within this ~~30~~ 15 day period.

Procedure After Suspension

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

When a student has been suspended, the suspension may be revoked by the Board of Education whenever it appears to be for the best interest of the school and the student to do so. The Board of Education may also condition a student's early return to school and suspension revocation on the student's voluntary participation in counseling or specialized classes, including anger management or dispute resolution, where applicable.

(Continued)

Students

SUBJECT: SUSPENSION OF STUDENTS (Cont'd.)

Individuals with Disabilities Education Improvement Act of 2004 [Public Law 108-446 § 615(k)(1)]
18 USC § 921

Individuals with Disabilities Education Act (IDEA), 20 USC § 1400 et seq.

20 USC § 7151, as reauthorized by the No Child Left Behind Act of 2001

34 CFR Part 300

Education Law §§ 310, 2801(1), 3214 and 4402

Penal Law § 265.01

8 NYCRR §§ 100.2(1)(2), 200.4(d)(3)(i), 200.22, 275.16, and Part 201

NOTE: Refer also to Policy #7361 -- Weapons in School and the Gun-Free Schools Act

