



Letter to the Board

Michael Havens

Superintendent of Schools

Phone: 315-524-1001

Fax: 315-524-1049

June 30, 2006

"Diamonds are only lumps of coal that stuck to their jobs."

*--B.C. Forbes, founder of
Forbes Magazine*

Greetings from Wayne Central. Below are a few items of interest.

Board Letter:

1. **Board Vacancy Committee:** Amy has put an article together for the newspaper regarding the Board vacancy. For the weeks after the initial article, we will pay for an ad. The committee may also wish to consider sending information out to the Parent/Teacher groups.
2. **Ripples Magazine:** Enclosed is a copy of the "Ripples" magazine published through BOCES showcasing student creative writing & drawing. We just received these and are very proud of the work the students do. I know the student look forward to being published as well. This publication is gaining popularity with the students and staff as it grows in size every year.
3. **Aerial Photo:** We now have Aerial photos of all the schools buildings and grounds. These will be useful for a variety of purposes. We can use them in several artistic venues, like the calendar for example, and on plaques and awards, and on display in each school. A local pilot and father of Wayne graduates took the photos.
4. **Graduation:** Enclosed are a few pictures from graduation which Amy took. It really was a wonderful night.
5. **Changing Times:** Just to show you how things are changing in schools this year, here are a few excerpts from an article in USA Today about banning certain childhood games;

Some traditional childhood games are disappearing from school playgrounds because educators say they're dangerous.

Elementary schools in Cheyenne, Wyo., and Spokane, Wash., banned tag at recess this year. Others, including a suburban Charleston, S.C., school, dumped contact sports such as soccer and touch football.

In other cities, including Wichita; San Jose, Calif.; Beaverton, Ore.; and Rancho Santa Fe., Calif., schools took similar actions earlier.

The bans were passed in the name of safety, but some children's health advocates say limiting exercise and free play can inhibit a child's development.

Groups such as the National School Boards Association don't keep statistics on school games. But several experts, including Donna Thompson of the National Program for Playground Safety, verify the trend. Dodge ball has been out at some schools for years, but banning games such as tag and soccer is a newer development.

"It's happening more," Thompson says. Educators worry about "kids running into one another" and getting

hurt, she says.

In January, Freedom Elementary School in Cheyenne prohibited tag at recess because it "progresses easily into slapping and hitting and pushing instead of just touching," Principal Cindy Farwell says.

Contact sports were banned from recess at Charles Pinckney Elementary early this year, says Charleston County schools spokeswoman Mary Girault, because children suffered broken arms and dislocated fingers playing touch football and soccer.

Some schools that ban games at recess allow children to play them in gym class under supervision.

Critics of the bans say playing freely helps kids learn to negotiate rules and resolve disputes

It certainly is a changing world.

6. **Energy Project:** SED approval has not been received yet though they are reviewing it.
7. **Whistleblower Policy:** We located the policy and have attached it for your reference. It is #5500 and it is called "Disclosure of Wrongful Conduct and Protection From Reprisal"
8. **Summer, Summer:** I don't know about you, but I can honestly say that I am happy for the summer recess. It was time. So a few reminders. The District Office is on summer hours starting this week which means the office closes at 3:00 p.m. Our maintenance staff puts on its summer student workers and begins the major cleaning, painting and repair projects in every building. This year the high school has kept 2 people on third shift but the mid-day (B shift) shift is gone. All other maintenance staff works days.
9. **Vacation:** I will be off next week on vacation, except for one day to put the board packet together. I am not going far and you should be able to reach me on my cell phone should you need to (315 576-0228).
10. **Upcoming Events:**

July 3 & 4 – School offices closed for Independence Day holiday.
July 5 – Summer Reading Camp Begins
July 13 – Organizational Meeting – District Office – 7:00 p.m.
11. **Attachments:**
 - a. Policy 5500
 - b. Ripples Magazine

NON INSTRUCTIONAL OPERATIONS

DISCLOSURE OF WRONGFUL CONDUCT AND PROTECTION FROM REPRISAL

The Board of Education has adopted this policy to provide direction to school board members, school board officers and school employees of their responsibilities to disclose wrongful conduct and to protect the good faith disclosure by said school board members, school board officers or school employees of alleged wrongful conduct in the school district to a designated officer of the Board of Education or public body or official.

The Board of Education encourages employees to disclose serious breaches of conduct covered by policies or regulations of the school district or violations of law such as theft or fraud. The Board of Education further protects employees from reprisal by adverse employment action as a result of disclosing wrongful conduct and will provide individuals who believe they are subject to any such reprisal with a fair process to seek relief from retaliatory acts.

STANDARDS OF CONDUCT & BEHAVIOR

The Board of Education has developed policies, regulations and procedures for standards of conduct and behavior. Members of the Board of Education, school board officers and school district employees are expected to abide by applicable state and federal laws.

A member of the Board of Education, school board officer or school district employee can not be compelled by a supervisor or school district official to violate a school district policy, regulation, public policy or applicable law.

In the interests of the school district, a member of the Board of Education, school board officer or school district employee who has particular knowledge of specific acts which he or she reasonably believes constitute wrongful conduct should disclose the conduct to the appropriate school district official or appointee as defined in this policy.

If an adverse employment action is taken against a school district employee in knowing retaliation for his or her good faith disclosure of information to a designated school board appointee concerning alleged wrongful conduct, as defined in this policy, and if the employee's work performance or behavior did not warrant the adverse action, the school district shall take remedial action for the employee and corrective action against the supervisor.

HANDLING DISCLOSURES AND COMPLAINTS

The superintendent of schools, or his or her designee, shall develop regulations and administrative procedures for handling disclosures and for responding to complaints of reprisal or retaliation that conform with guidelines established in this policy. Each school district employee will receive a copy of this policy and related regulations at the time of their employment.

Adopted: April 27, 2005

Each school district employee who has responsibilities for fiscal accounting and/or handling cash or school funds will receive a copy of this policy and related regulations on an annual basis at the time of their appointment to such positions. Additional notifications of this policy and related regulations will include employee handbooks, postings in employee lounges and workplaces and on electronic outlets such as the district web page.

REVIEW OF POLICY & PROCEDURES

Within two (2) years of adoption of this policy, and not later than three (3) years after such adoption, the Board of Education shall convene a committee to review the effectiveness of the policy and procedures. The committee will include school board officers, school district officers and school district employees who are responsible for implementation of said policies and procedures. They will make recommendations for revisions or additions to the Board of Education or a designated committee of same.

WRONGFUL CONDUCT

Wrongful conduct is defined in this policy is defined as:

- (1) theft of school district funds, property, resources or authority, or fraud, or the use of school district money, property, resources, or authority for personal gain or other purposes non-related to school district operations except as provided under policies and regulations of the Board of Education.
- (2) a serious violation of school district policy, regulation or procedures
- (3) any violation of applicable state and federal laws

DISCLOSURE & INVESTIGATION OF WRONGFUL CONDUCT

The Board of Education has policies, regulations and procedures for maintaining standards of conduct and the steps to follow for disclosure of violations of those items that include, but are not limited to policies of the school district related to:

- (1) the protection of money, resources and services of the school district, including extra-classroom activity funds,
- (2) conflicts of commitment and interest
- (3) academic integrity in research and publications
- (4) prohibiting sexual harassment
- (5) prohibiting discrimination

In matters relating to wrongful conduct as defined above, mismanagement of school district resources, or abuse or authority, which is not covered by specific policies of the school district, the Board of Education shall appoint the school attorney, the independent auditor or the superintendent of schools, unless the disclosure is against the actions of those individuals, to receive such disclosures and to ensure that an investigation is conducted of the alleged disclosure of wrongful conduct (hereinafter referred to as a "disclosure investigation")

Adopted: April 27, 2005

The appointee of the Board of Education, as defined above, who received an alleged disclosure of wrongful conduct shall:

- (1) keep the identity of the person(s) making the disclosure confidential
- (2) maintain a written record of the allegation
- (3) conduct an investigation or ensure that the appropriate law enforcement or other personnel investigates the disclosure
- (4) notify the Board of Education and appropriate school board officers at a time considered appropriate by the appointee

In matters of disclosure, the appointee of the Board of Education will make all reasonable attempts to maintain the confidentiality of the identity of the employee making the disclosure as long as such confidentiality does not interfere with the conduct of any investigations of the specific allegations or taking corrective action. In the event that the identity of the employee making the disclosure is known, the appropriate designee will, at the conclusion of the investigation, provide written notification to the employee(s) who made the disclosure of the determination and retain a copy of same.,

Where an individual has knowledge that he or she is the subject of an investigation for wrongful conduct, that individual should be notified of the determination of the disclosure investigation at a time considered to be appropriate by the designee so that any notice would not compromise any further actions deemed appropriate by the investigating officer.

It should be noted a disclosure warranting a disclosure investigation is not the same as making a complaint of reprisal for disclosure. Such a complaint for reprisal of disclosure requires an adverse employment action as a result of the disclosure before it can be pursued as a complaint of reprisal.

COMPLAINTS OF REPRISAL

An employee who has been subjected to an adverse employment action based on his or her prior disclosure of an alleged or actual wrongful conduct may contest the action by filing a written complaint of reprisal with the President of the Board of Education. The school board president, or his or her designee, will review the complaint in an expeditious manner to determine whether:

- (1) the complainant made a disclosure of alleged wrongful conduct before an adverse employment action was taken the responding party could reasonably have been construed to have any knowledge of the disclosure and the identity of the disclosing employee
- (2) the complainant has, in fact, suffered an adverse employment action after having made the disclosure
- (3) the complainant alleges that adverse employment action occurred as a result of the disclosure

If the designee determines that all of the above elements are present within thirty (30) days from the receipt of the complaint, the designee should appoint a review officer or panel to investigate the claim and make a recommendation to the school district officer to whom the designee reports.

At the time of the appointment of a review officer or panel, the designee should inform, in written form, the complaining and responding parties of the:

- (1) intent to proceed with an investigation
- (2) specific allegations to be investigated
- (3) appointment of the review officer or panel
- (4) of their opportunity to support or respond to the allegations

Adopted: April 27, 2005

In those situations where the impartiality of the review officer or panel is question, and sufficient factual basis exists to support external review, the designee should request a review by an external party. In this case, the costs are a charge incurred by the school district. The school district can define the standards for the review process.

Once the review officer or panel has conducted a review and considers the investigation as complete, the review officer or panel will notify the designee. From the date of notice of completion, the review officer has thirty (30) day to report his or her findings and make any recommendations he or she deems appropriate to the designee. The designee, in conference with the appropriate administrator, should issue a letter of findings to both the complainant and the respondent.

A decision at this stage is subject to appeal on procedural grounds only.

Nothing in this policy is intended to interfere with legitimate employment decisions.

Adopted: April 27, 2005