

WASHINGTON-SARATOGA-WARREN-HAMILTON-ESSEX  
BOARD OF COOPERATIVE EDUCATIONAL SERVICES

REGULAR MEETING OF THE BOARD OF EDUCATION

GICK ROAD, SARATOGA SPRINGS, NEW YORK  
October 10, 2018 6:30 PM

AGENDA

1. CALL TO ORDER
2. PLEDGE OF ALLEGIANCE
3. BOARD RECOGNITION
4. PUBLIC HEARING
5. MINUTES

Recommend the Board approve the minutes for the September 12, 2018 regular meeting of the Board of Education.

6. COMMUNICATIONS
7. OLD BUSINESS
8. ADMINISTRATIVE REPORTS

**A. 2018 Proposed NYSSBA Bylaw Amendments and Resolutions**

Board discussion to provide guidance to alternate voting delegate, Michael Glass, who will be attending the October 27, 2018 Annual Business Meeting of NYSSBA's 99<sup>th</sup> Annual Convention and Education Expo. **(NO ACTION REQUIRED)**

**B. Board Committee Reports**

1. Budget Committee **(NO ACTION REQUIRED)**
2. Policy Committee
  - a. Recommend the Board adopt **Policy #4090 Use of BOCES Credit Cards.**
  - b. Recommend the Board amend **Policy #5165 Non-Discrimination and Anti-Harassment in the BOCES.**
  - c. Recommend the Board adopt **Policy #6750 Non-Discrimination and Anti-Harassment of Students in the BOCES.**

**C. Legislative Update**

Linda King, the Board's legislative representative, will be presenting a report.  
**(NO ACTION REQUIRED)**

**D. District Superintendent Items (NO ACTION REQUIRED)**

**9. NEW BUSINESS**

**A. 2019-2020 Budget Calendar**

<b><u>DATE</u></b>	<b><u>ACTIVITY</u></b>
October 10, 2018	Budget Committee meeting Adoption of budget calendar by Board of Education
October 12, 2018	Access to budget development worksheets
November 15, 2018	Fringe benefits % determined
December 3, 2018	O&M preliminary/final budget Administrative Services 600 COSER series and cross contract budgets
December 12, 2018	Buildings and Grounds Committee and Budget Committee review capital budgets
December 14, 2018	Service Guide finalized
December 20, 2018	Administrative charges from School Support Services IT/SSS required leased facilities and recommended program transfers
January 9, 2019	Budget Committee review – administrative budget Building & Grounds Committee review – capital projects
January 11, 2019	Preliminary administrative budget completed
January 18, 2019	IT/SSS will submit tentative program budgets
February 13, 2019	Board Workshop 2019-20 Budget Approve 2019-20 Capital Plan
February 15, 2019	Preliminary budget summary submitted to District Superintendent
February 22, 2019	Pricing Guide finalized
March 13, 2019	Budget Committee final review administrative budget Adopt 2019-20 administrative budget

March 15, 2019	Fiscal Plan Document Complete
	BOCES Final Service Request forms mailed to CSO's and SBO's
March 15 & March 25, 2019	Advertise for Annual Meeting (8 & 16 days prior)
April 3, 2019	BOCES Annual Meeting ( <b>SAEC</b> )
April 30, 2019	Component school district vote on 2019-20 administrative budget and Board elections
May 3, 2019	2019-20 Final Service Request forms due from component school districts
May 8, 2019	Adoption of 2019-20 budget by Board of Education

**B. Donation**

Recommend the Board accept the following vehicle donation for the Automotive Technology class:

- 2001 Mercedes-Benz E-class donated by Sarah Goodwin

**C. Memorandum of Agreement**

Recommend the Board approve a Memorandum of Agreement between the Washington-Saratoga-Warren-Hamilton-Essex Counties Board of Cooperative Educational Services and the Saratoga Adirondack BOCES Employees Faculty and SRP Units for Diane Fana, effective October 10, 2018.

**10. PERSONNEL**

**A. Position Changes**

1. Recommend the Board create the positions listed below, pending enrollment and/or district request:

**CLASSIFIED POSITION(S)**

<b><u>POSITION</u></b>	<b><u>EFFECTIVE DATE</u></b>	<b><u>PROGRAM/LOCATION</u></b>
Coordinator of Personnel Development, Full-time	October 16, 2018	Burgoyne
Teacher Aide Full-time	September 1, 2018- June 30, 2019	Dorothy Nolan
Teacher Aide Full-time	September 10, 2018- June 30, 2019	Dorothy Nolan
Teacher Aide Full-time	September 1, 2018- June 30, 2019	Southern Adirondack Education Center

Teacher Aide Part-time (50%)	September 1, 2018- June 30, 2019	Southern Adirondack Education Center
Teacher Aide Part-time (50%)	September 6, 2018- June 30, 2019	Southern Adirondack Education Center
Teacher Aide Part-time (50%)	September 18, 2018- June 30, 2019	Southern Adirondack Education Center

2. Recommend the Board abolish one (1) full-time position in the Head Custodian area and create one (1) full time position in the Assistant Building and Grounds Supervisor 1 area effective September 24, 2018.
3. Recommend the Board decrease one (1) position from part-time (90%) in the Practical Nursing Area to part-time (80%) effective September 1, 2018 through June 30, 2019.
4. Recommend the Board increase one position in the Physical Education area from part-time (70%) to part-time (90%) up to full time, effective September 10, 2018.

Further, recommend the Board approve a change of employment status for Krista Britt increasing her from a part-time (70%) to part-time (90%), position in the Physical Education area effective September 10, 2018.

5. Recommend the Board approve a change of employment status for David Coonradt, from (50%) Machine Tool Technology tenure area and (50%) Welding tenure area to a full-time Machine Tool Technology tenure area effective September 1, 2018.
6. Recommend the Board decrease one position in the Practical Nursing area from part-time (90%) to part-time (80%), effective September 1, 2018 through June 30, 2019.

Further, recommend the Board approve a change in employment status for Denise Altenburger decreasing her from a part-time (90%) to a part-time (80%) position in the Practical Nursing area effective September 1, 2018 through June 30, 2019.

7. Recommend the Board approve a change in employment status for Jaclyn Sarnelli decreasing her from full-time to part-time (50%) in the Teacher Aide area effective September 1, 2018.
8. Recommend the Board approve a change in start date for Ronald Rushia Jr., Physical Education, from October 3, 2018 to October 1, 2018 and adjust his probationary period date effective from October 3, 2018 through October 2, 2022 to October 1, 2018 through September 30, 2022.
9. Recommend the Board approve a change of employment status for Carrie VanTassel from a full-time, 10-month provisional appointment to a full-time, 10-month permanent position with a 26-week probationary period in the Enrichment Resource Center Program Manager area, effective August 17, 2018 through February 15, 2019.

10. Recommend the Board approve a change of employment status for Nico Paniccia from a full-time, 12-month provisional appointment to a full-time, 12-month permanent position with a 26-week probationary period in the MicroComputer Specialist area, effective September 24, 2018 through March 25, 2019.
11. Recommend the Board approve a change of employment status for Eric Triola from a full-time, 12-month provisional appointment to a full-time, 12-month permanent position with a 26-week probationary period in the MicroComputer Specialist area, effective October 1, 2018 through April 1, 2019.
12. Recommend the Board approve a change of employment status for Shane Walsh from a full-time, 12-month provisional appointment to a full-time, 12-month permanent position with a 26-week probationary period in the MicroComputer Specialist area, effective October 8, 2018 through April 8, 2019.
13. Recommend the Board approve a change of employment status for Jackie Hunt from a full-time, 12-month provisional appointment to a full-time, 12-month permanent position with a 26-week probationary period in the MicroComputer Specialist area, effective October 15, 2018 through April 15, 2019.
14. Recommend the Board approve a change of appointment for the staff listed below from Advisor to Lead Advisor, for 2018-2019 school year at the annual rate of \$2,000, unless otherwise noted. Payment upon conclusion of activities for 2018-2019 school year.

<u>Name</u>	<u>Position/Location</u>
Hoffman, Bruce	(50%) SkillsUSA/Youth Activities (Shared with J.Rescott, \$1000)
Rescott, Jeffrey	(50%) SkillsUSA/Youth Activities (Shared with B.Hoffman, \$1000)

15. Recommend the Board approve a change in dates worked for the staff listed below, at the Washington County Fair, for preparing and presenting demonstrations, from August 20, 2018 through August 26, 2018 to June 18, 2018 through August 26, 2018:

Corey, Clay	Jones, John
Foldi, David	Moy, Kris

16. Recommend the Board approve a change in hours for staff listed below at the Washington County Fair, for preparing and presenting demonstrations, effective August 8, 2018 through August 26, 2018:

<u>Name</u>	<u>From</u>	<u>To</u>
Corey, Clay	6 hrs	8 hrs
David, Celeste	15 hrs	29 hrs
Hamilton, Ian	11 hrs	22 hrs
Vandermark, Chris	12 hrs	13 hrs

17. Recommend the Board approve a correction in effective date for Diane Balog, Adult Practical Nursing Program Supervisor from August 23, 3018 to August 23, 2018.
18. Recommend the Board rescind the appointment of Paul Piotrowski from Team Leader, effective September 1, 2018.

## **B. Staff Resignations/Leave of Absences**

1. Recommend the Board accept the resignation of Barry Venne from a full-time position in the Teacher Aide area, effective August 14, 2018.
2. Recommend the Board accept the resignation of Tammy Baker from a full-time position in the Teacher Aide area, effective September 1, 2018.
3. Recommend the Board accept the resignation of Amy Campbell from an Attending Principal position, effective September 1, 2018.
4. Recommend the Board accept the resignation of Jessica Cuva from a BoysTown Store Manager position, effective September 11, 2018.
5. Recommend the Board accept the resignation of Stacey Kelly from a full-time position in the Teacher Aide area, effective September 22, 2018.
6. Recommend the Board accept the resignation of Jarret Babcock from a full-time position in the Welding tenure area effective October 5, 2018.
7. Recommend the Board accept the resignation of Helen Rebisz from a full-time position in the English 7-12 tenure area effective October 12, 2018.
8. Recommend the Board approve a leave of absence without pay for Katherine Ketchum from a full-time position in the Literacy tenure area effective September 1, 2018 through November 2, 2018.
9. Recommend the Board approve a leave of absence without pay for Brenda Petteys from a full-time position in the Senior Clerk area effective October 15, 2018 until she attains permanent status in the Personnel Assistant title.
10. Recommend the Board approve a leave of absence without pay for Katelynn Attanasio from a full-time position in the Human Resources Generalist area effective October 16, 2018 until she attains permanent status in the Coordinator for Personnel Development title.
11. Recommend the Board approve a leave of absence without pay for Patti Shepard from a part-time position in the Health Occupations area effective November 1, 2018 through December 20, 2018.

## **C. Permanent Appointments**

1. Recommend the Board appoint **Katelynn Attanasio** to permanent status in the Human Resources Generalist area, effective October 15, 2018.
2. Recommend the Board appoint **Mary VanDerwerken** to permanent status in the Benefits Specialist area, effective October 15, 2018.
3. Recommend the Board appoint **Dolores Nolet** to permanent status in the Network Analyst area, effective October 22, 2018.
4. Recommend the Board appoint **Jennifer Crouse** to permanent status in the Physical Therapy area, effective November 5, 2018.

5. Recommend the Board appoint **Donna Venezia** to permanent status in the Principal Account Clerk Typist area, effective November 20, 2018.

**D. Staff Appointments**

1. Recommend the Board appoint Jared Davis to a full-time, 12-month, administrative position in the Principal for CTE Programs tenure area with a four (4) year probationary period effective October 15, 2018 through October 14, 2022. Mr. Davis has a Professional certificate valid August 30, 2018 in the School Building Leader area. His salary will be prorated based on-\$85,000 (Administrators Association).
2. Recommend the Board appoint Nicholas Weigand to a full-time, 12-month position in the Instructional Support Specialist for Professional Development tenure area with a four (4) year probationary period effective October 1, 2018 through September 30, 2022, Mr. Weigand has an Initial certificate valid through August 31, 2019 in the Social Studies 7-12 area. His salary will be prorated based on step 3 of the salary schedule-\$39,486.
3. Recommend the Board appoint Angela Stathopoulos to a full-time, school calendar position in the Math tenure area with a four (4) year probationary period effective September 24, 2018 through September 23, 2022 contingent upon achievement of effective or highly effective APPR ratings necessary to receive tenure throughout her probationary period consistent with the requirements of Education Law Section 3012 and 3014. Ms. Stathopoulos has an Initial certificate valid through August 31, 2023 in the Math 7-12 area. Her salary will be prorated based on step 2 of the salary schedule-\$38,713.
4. Recommend the Board appoint McKenzie Regan to a part-time (60%), school calendar, term position in the Math area effective October 9, 2018 through June 30, 2019. Ms. Regan has a Transitional B certificate valid through January 31, 2022 in the Math 7-12 area. Her salary will be prorated based on step 1 of the salary schedule-\$37,953.
5. Recommend the Board appoint Derek Bushnell to a full-time, temporary long-term substitute position in the Special Education area effective September 10, 2018 through June 30, 2019, as needed. His salary will be prorated based on step 1 of the salary schedule-\$37,953.
6. Recommend the Board appoint Rosemary Christle-Renaud to a part-time (40%), temporary position in the Elementary area assigned to teach Gifted Education, effective September 1, 2018 through June 30, 2019, as needed. Ms. Christle-Renaud has a permanent certificate valid September 1, 1986 in the Elementary Education N-6 area. Her salary will be prorated based on step 4 of the salary schedule-\$40,277.
7. Recommend the Board appoint Ellen Hoffer to a full-time, school calendar, position in the Teaching Assistant tenure area with a four (4) year probationary period effective September 1, 2018 through August 31, 2022. Ms. Hoffer has a pending Level 1 certificate in the Teaching Assistant area. Her salary will be prorated based on step 4 of the salary schedule-\$15,635.

8. Recommend the Board appoint Valeria Orozco to a full-time, school calendar, position in the Teaching Assistant tenure area with a four (4) year probationary period effective September 1, 2018 through August 31, 2022. Ms. Orozco has a pending Level 1 certificate in the Teaching Assistant area. Her salary will be prorated based on step 4 of the salary schedule-\$15,635.
9. Recommend the Board appoint Katharine Sarro to a full-time, school calendar, position in the Teaching Assistant tenure area with a four (4) year probationary period effective September 1, 2018 through August 31, 2022. Ms. Sarro has an Initial certificate valid through August 31, 2022 in the Childhood Education 1-6 area. Her salary will be prorated based on step 8 of the salary schedule-\$17,929.
10. Recommend the Board appoint Rebecca Thomas to a full-time, school calendar, position in the Teaching Assistant tenure area with a four (4) year probationary period effective September 1, 2018 through August 31, 2022. Ms. Thomas has a pending Level 1 certificate in the Teaching Assistant area. Her salary will be prorated based on step 4 of the salary schedule-\$15,635.
11. Recommend the Board appoint Christine Formolo to a full-time, school calendar, position in the Teaching Assistant tenure area with a four (4) year probationary period effective September 10, 2018 through September 9, 2022. Ms. Formolo has a Level 1 certificate valid through August 31, 2020 in the Teaching Assistant area. Her salary will be prorated based on step 4 of the salary schedule-\$15,635.
12. Recommend the Board appoint Jaclyn Sarnelli to a part-time (50%), school calendar, term position in the Teaching Assistant area effective September 1, 2018. Ms. Sarnelli has a Level 1 certificate valid through January 31, 2021 in the Teaching Assistant area. Her salary will be prorated based on step 3 of the salary schedule-\$15,107.
13. Recommend the Board appoint Peyton Gould to a full-time, school calendar, term position in the Teacher Aide area effective September 10, 2018 through June 30, 2019. Her salary will be prorated based on step 6 of the salary schedule-\$14,218.
14. Recommend the Board appoint Kelly Pratt to a part-time (50%), school calendar, term position in the Teacher Aide area effective September 1, 2018 through June 30, 2019. Her salary will be prorated based on step 8 of the salary schedule-\$15,068.
15. Recommend the Board appoint Katelynn Attanasio to a full-time, 12-month, provisional position in the Coordinator for Personnel Development area (pending civil service qualification) effective October 16, 2018. Her salary will be prorated based on-\$49,000. (Non-Unit Group 1)
16. Recommend the Board appoint Brenda Petteys to a full-time, 12-month, provisional position in the Personnel Assistant area (pending civil service qualification) effective October 15, 2018. Her salary will be prorated based on-\$40,486.75. (Non-Unit Group 1)



17. Recommend the Board appoint Tracy Bocchi to a full-time, 12-month, provisional position in the Senior Information Processing Specialist area (pending civil service qualification) effective September 10, 2018. Her salary will be prorated based on step 15 of the salary schedule-\$41,200.
18. Recommend the Board appoint Terry LaLonde to a full-time, 12-month, provisional position in the Building Maintenance Mechanic area (pending civil service qualification) effective September 18, 2018. His salary will be prorated based on step 10 of the salary schedule-\$29,986.
19. Recommend the Board appoint Andrew Behan to a full-time, 12-month, provisional position in the IT Procurement Specialist area (pending civil service qualification) effective October 15, 2018. His salary will be prorated based on-\$37,000.
20. Recommend the Board appoint Monty McNeill to a full-time, provisional position in the School Safety Officer area (pending civil service qualification) effective October 1, 2018. His salary will be prorated based on step 11 of the salary schedule-\$38,531.

Further, recommend the Board authorizes the District Superintendent of Schools to submit a Section 211 waiver application subject to the approval of the NYS Commissioner of Education.

21. Recommend the Board appoint Colleen Yeager to a full-time, 12-month, permanent position with a 26-week probationary period in the Clerk area, effective October 1, 2018 through April 1, 2019. Her salary will be prorated based on step 11 of the salary schedule-\$24,381.
22. Recommend the Board appoint Duffy Nelson as Attending Principal, effective August 1, 2018 through June 30, 2020 at the annual rate \$1,500.
23. Recommend the Board appoint Stacy Bobbie as Attending Teacher, effective August 1, 2018 through June 30, 2020 at the annual rate of \$4500 (25%- split with Attending Teachers Gadaway, Villa, Cutaiar)

**E. Other**

1. Recommend the Board approve per diem employment at the applicable **2018-19** hourly/per diem rate (unless otherwise noted) for the staff listed below:

<u>Name</u>	<u>Program</u>	<u>Maximum Hours/Days</u>
Amodeo, Christine	Adult Literacy (Article 19) Extension of service	up to 2 days 07/05/18-07/31/18
Bates, Peter	School Bus Driver Safety and Trips	up to 150 hrs 09/17/18-06/26/19
Brown, Kelsi	Special Education Teacher Classroom Preparation	up to 1 day 08/29/18
Clements, Beth	Principal Account Clerk SLO Preparation and Testing	up to 8 hrs 09/11/18-09/30/18

David, Celeste	Culinary Teacher Opening Day	up to 6 hrs 09/04/18-09/05/18
Evans, Matt	School Bus Driver Safety and Trips	up to 150 hrs 09/10/18-06/26/19
Goodsell, Cynthia	Secretary to the Principal Office Coverage	up to 2.5 hrs/week 09/01/18-10/30/18
Hulka, Kent	School Bus Driver Safety and Trips	up to 150 hrs 09/17/18-06/26/19
McDonald, Pam	School Bus Driver Safety and Trips	up to 150 hrs 09/17/18-06/26/19
Sherwood, Edward	School Bus Driver Safety and Trips	up to 150 hrs 09/12/18-06/26/19
Shinn, Kathy	School Bus Driver Safety and Trips	up to 150 hrs 09/17/18-06/26/19
Taft, Diane	Sr. IPS Opening Day Preparation	up to 50 hrs 08/13/18-09/30/18
VanTassel, Carrie	Program Manager Program Preparation	up to 7.5 hrs 08/31/18
Viehmann, Deborah	Principal Account Clerk SLO Preparation and Testing	up to 5 hrs 09/13/18-09/21/18
Weeks, Leonard	School Bus Driver Safety and Trips	up to 150 hrs 09/17/18-06/26/19

2. Recommend the Board appoint staff listed below, to the **2018-2019** Gifted and Talented Enrichment Program (contingent upon funding and enrollment) with the maximum number of hours indicated below as needed, at the indicated rate:

**STEM Integration Program**  
**Instructional and Curriculum Rate of \$30 per hour**

<b><u>Name</u></b>	<b><u>Program</u></b>	<b><u>Max # of Hours</u></b>	<b><u>Dates</u></b>
Jacko, Joel	Contraptions	up to 42 hrs	09/04/18-01/31/19
Selsey, Adam	Introduction to Robot C With VexIQ	up to 18 hrs	09/04/18-01/31/19

**PTECH Summer STEM Program-SUNY Wilton**  
**Instructional and Curriculum Rate of \$30 per hour**

<b><u>Name</u></b>	<b><u>Max # of Hours</u></b>	<b><u>Dates</u></b>
Cioffi, Jan	up to 7.5 hrs	08/06/18-08/10/18

**PTECH**  
**Instructional and Curriculum Rate of \$30 per hour**

<b><u>Name</u></b>	<b><u>Max # of Hours</u></b>	<b><u>Dates</u></b>
Stathopoulos, Angela	up to 75 hrs	07/01/18-06/30/19

**Young Scholars**  
**Curriculum Development rate of \$34 per hour**

<u>Name</u>	<u>Max # of Hours</u>	<u>Dates</u>
Christle-Renaud, Rosemary	up to 13 hrs	09/04/18-01/31/19

**Think Series Enrichment Program**  
**Instruction and Curriculum Rate of \$30 per hour**

<u>Name</u>	<u>Program</u>	<u>Max# Of Hours</u>	<u>Dates</u>
DeMarco, Amanda	Paint & Sip	up to 15 hrs	09/04/18-01/31/19
Jacko, Joel	Design in Action	up to 45 hrs	09/04/18-01/31/19
Sanchez, Anita	Nature Art	up to 45 hrs	09/04/18-01/31/19
Sheeran, Linda	French	up to 15 hrs	09/04/18-01/31/19
Welch, Kathryn	Mars	up to 45 hrs	09/04/18-01/31/19

3. Recommend the Board appoint the staff listed below for CTE New Teacher Training for up to 7.5 hours, effective August 16, 2018 through August 23, 2018 at the rate of \$34 per hour:

Babcock, Jarret	Ross, Julie
David, Celeste	Somma, Robert
Eaddy, Lendell	

4. Recommend the Board appoint staff listed below for Washington County Fair preparation and presentation of demonstrations for up to the hours listed below effective August 19, 2018 through August 26, 2018, at the rate of \$34 per hour:

Flynn, Dennis (4 hrs)

5. Recommend the Board appoint Bethellen Mannix, On-Site Coordinator for up to 15 hours, effective October 1, 2018 through December 17, 2018, at the rate of \$27 per hour.

6. Recommend the Board appoint the staff listed below for Mandatory ERC Meetings, for up to 1.5 hours, effective September 20, 2018 at the rate of \$27 per hour:

<u>Name</u>	<u>Course Title</u>
Chou, Lee-hua(Marie)	Chinese
Miller, Carolina	Animal Prints
Phillips, Paul	Mystery Solved 2018

7. Recommend the Board appoint staff listed below ELD Instructors, for Curriculum Development for up to 10 hours, effective September 11, 2018 through June 30, 2019, at the rate of \$34 per hour:

Moran, Monica	Bull, Georgianna
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8. Recommend the Board appoint staff listed below to Team Leader positions for the 2018-2019 school year at the annual rate of \$3,716:

<u>Name</u>	<u>Position/Location</u>
Landrey, Owen	ELA/SS

9. Recommend the Board appoint the staff listed below to a Head Teacher position for the 2018-2019 school year at the annual rate of \$1500:

<u>Name</u>	<u>Location</u>
Piotrowski, Paul	SAEC-Spec. Ed

10. Recommend the Board appoint staff listed below to BoysTown Consultant positions for the 2018-2019 school year, effective September 1, 2018 through June 30, 2019, at the annual rate of \$1,000. Payment upon conclusion of activities for 2018-19 school year.

**Name**

Piotrowski, Paul  
Sander, Amanda

11. Recommend the Board appoint staff listed below to BoysTown Store Manager positions for the first semester of the 2018-2019 school year, effective September 1, 2018, at the rate of \$300 per semester, unless otherwise noted. Payment upon conclusion of the semester.

**Name**

Valastro, Pamela

12. Recommend the Board appoint the staff listed below to act as Teacher Mentors effective September 1, 2018 through June 30, 2019 at the annual rate of \$1,238, prorated as appropriate:

**Mentor**

Ackerman, Susan  
Baker, Mary  
Bazarnick, Joseph  
Bromley, Claire  
Brooks, Susan  
Curley, Mary Jo  
DeCaprio, Kelly  
DuFrain, Lori  
Forsyth, Maureen  
Furman, Babette  
Gates, Andrew  
Griego, Anthony  
Hall, Cindy  
Hilker, Emily  
Hilker, Emily  
Mann, Robert  
Piotrowski, Paul  
Purvis, Jessica  
Sheppard, Kelly  
Spencer, Bonnie  
Vandenbergh, John  
VanVoorhis, Kimberly

**Intern**

Giunta, Christian  
Desmond, Diane  
Britt, Krista  
Gaudio, Gina  
Zelenkewich, Holly  
Sobieski, Emily  
Farrell, Joy  
Bowers, Erin  
Gibb, Erin  
Crouse, Jennifer  
Bushnell, Derek  
Walser, Michael  
Goss, Crystal  
Johnston, Vanessa  
Smith, Ashley  
Gordon, Gary  
Ives, Vanessa  
Cangemi, Angela  
Towne, Stephanie  
Fleck, Shawna  
Crosby, Timothy  
Brown, Kelsi

13. Recommend the Board appoint the staff listed below, for Regents Review, Queensbury Middle and High School, for up to 4 hours of Proctoring and/or Scoring, effective August 16, 2018 through August 20, 2018, at the rate of \$25 per hour:

Combs, Garrett  
Trimarchi, Michelle

Rogge, Patricia

14. Recommend the Board appoint Lauren Beaulieu, Regents Review, Queensbury Regional Summer School, for up to 3 hours of Proctoring and Scoring, effective August 16, 2018 through August 20, 2018 at the rate of \$25 per hour.

15. Recommend the Board appoint Julie Ross, New Visions Health Instructor, for up to 90 hours for program preparation of the New Visions Health program, as needed effective July 2, 2018 through August 31, 2018 at the rate of \$34 per hour.
16. Recommend the Board appoint Lorna Snapp, Retiree Consultant, for up to 3 days for SLO Support effective September 7, 2018 through September 14, 2018 at the rate of \$265 per day.
17. Recommend the Board appoint Jeffrey Rescott, HVAC Instructor, for up to 30 hours for program preparation of HVAC classroom, effective August 27, 2018 through August 31, 2018 at the rate of \$34 per hour.
18. Recommend the Board appoint Karen August, Secretary to the Principal, for up to 30 days for clerical mentoring for Serah Lundgren, effective August 29, 2018 through September 29, 2018, at the rate of \$119.
19. Recommend the Board appoint Cindy Hall as Dean of Students, teacher on special assignment with additional duties, effective for the 18-19 year, at the annual additional stipend rate of \$8,000. Ms. Hall will continue to accrue seniority credit in the Math 7-12 tenure area.
20. Recommend the Board appoint Nicole Mabey as Dean of Students, teacher on special assignment with additional duties, effective for the 18-19 year, at the annual additional stipend rate of \$8,000. Ms. Mabey will continue to accrue seniority credit in the English tenure area.
21. Recommend the Board appoint Ruth Shippee as Dean of Students, teacher on special assignment with additional duties, effective for the 18-19 year, at the annual additional stipend rate of \$8,000. Ms. Shippee will continue to accrue seniority credit in the Social Studies tenure area.
22. Recommend the Board appoint Kathleen Burns, NYSAA Trainer, for up to 15 days effective July 1, 2017 through June 30, 2018 for training at the rate of \$400 per day.
23. Recommend the Board appoint Kathleen Burns, NYSAA Trainer, for up to 10 days effective July 1, 2018 through June 30, 2019 for training at the rate of \$400 per day.
24. Recommend the Board approve the Retiree Employment Agreement by and between the Washington-Saratoga-Warren-Hamilton-Essex BOCES and Susan Meybaum, Practical Nursing, effective September 6, 2018 through December 20, 2018, as needed on a per diem basis and authorizes the Board President to execute said Employment Agreement.

**11. FINANCIAL**

**A. Audit Committee Report (NO ACTION REQUIRED)**

**B. Cash Disbursements**

Recommend the Board approve the cash disbursements for the month of September 2018.

**C. Financial Reports**

None

**D. School District 2017-18 BOCES State Aid Disbursement**

Recommend the Board authorize the Treasurer to distribute \$10,106,695.70 of BOCES State Aid.

**E. Copier Purchase (BOCES)**

Recommend the Board approve a proposal for 48 months at \$130.62 per month for a Ricoh MP 4055SP Copier for Building C at the Southern Adirondack Education Center. The estimated cost for the equipment is \$6,269.76. Black and white copies are \$0.0058. This equipment is being purchased through a Deferred Payment Plan through Eastern Suffolk BOCES Bid#2017-044-0421.

**F. Disposal of Surplus Property**

Recommend the Board declare surplus and authorize disposal pursuant to Board Policy 4070: Personal Property Accountability as follows:

Qty.	Description	BOCES ID Number
1	Robinair Refrigerant System	6598/003053
1	Refrigerant Recycling Machine	6488/000618
2	Refrigeration Trainers	7374; 6597/000619
1	MSC Mill	000850
1	Atlas Lathe (#1) 67-A	000631
1	Bridgeport Mill Serial #J-97033	000082
1	Eiki LC-XB 24 Projector	41859 41858
1	Dell Latitude	41636
1	Cisco Switch	11149
1	Brother Printer	72561
1	Plasma TV	40865
7	Eiki LC-XB31 Projector	42274 44511 42279 42275 42269 42262 42265
1	Eiki LC-XB23 Projector	70068
1	Eiki LC-XB22 Proj	70075
1	Eiki LC-XB26M Projector	52181
2	HP LJ 4600 Printer	1525 13487
3	Copier	2545 48608 50053
1	Quasar TV	10639
3	Smartboard	001696 44878 48705
1	Mitsubishi Proj	18242
1	Cisco Router	11166
7	Cisco Switch	42805 41932 42808 47388 45327 02177 44927

**12. OTHER**

**A. October 16, 2018 ~**

F. Donald Myers Education Center Open House; 6:00-8:00 PM

**B. October 18, 2018 ~**

Southern Adirondack Education Center Open House; 6:00-8:00 PM

**C. October 25-27, 2018 ~**

NYSSBA Annual Convention, NYC

(Attendees: James Dexter, Tony Muller, Maribeth Macica, Michael Glass, Frank Grimaldi, Naomi Marsh, David Petruska, John Rieger, Jeffery Smith, and Stephen Smoller)

**D. November 3, 2018 ~**

Fiduciary Training for New Board Members; Gick Road Conference Center;  
9:00 AM to 3:30 PM

**E. November 5, 2018 ~**

Saratoga County School Boards Association Meeting  
Holiday Inn, 232 Broadway, Saratoga Springs; 6:00 PM

**F. November 14, 2018 ~**

Regular meeting of the Board of Education at the **Cambridge Central School District;**  
**24 South Park Street, Cambridge;** 6:30 PM

**G. Board Member Comments**

**14. ANTICIPATED EXECUTIVE SESSION**

Recommend the Board go into Executive Session to discuss the medical, financial, credit, or employment history of a particular person or corporation, or matters leading to the appointment, employment, promotion, demotion, discipline, suspension, dismissal, or removal of a particular person or corporation.

**15. ADJOURNMENT**

**SUBJECT: USE OF BOCES CREDIT CARDS****GASOLINE CREDIT CARDS**

BOCES staff members who are employed as couriers or messengers, or who are routinely assigned BOCES owned vehicles for their business use each work day may be issued one (1) gasoline credit card upon the approval of the District Superintendent.

Gasoline credit cards will be available at the Myers Education Center, Southern Adirondack Education Center, Burgoyne Avenue and **BOCES Conference Center Gick Road** for use by BOCES staff members who receive permission to drive a BOCES owned vehicle for an approved activity.

BOCES gasoline credit cards are for the purchase of gasoline or other supplies and services for BOCES owned vehicles only. The District Superintendent will develop administrative regulations to implement this policy.

**~~TELEPHONE CREDIT CARDS~~**

~~Upon the recommendation of their immediate supervisor and approval by the appropriate Assistant Superintendent and District Superintendent of Schools, a member of the Council of Administrators and Supervisors may be issued a BOCES telephone credit card, to be used for BOCES business purposes only.~~

~~In the absence of an Assistant Superintendent staff, members may be issued a telephone credit card on a temporary or permanent basis upon the approval of the District Superintendent.~~

**ADMINISTRATIVE CREDIT CARD**

The District Superintendent **and Deputy District Superintendent** ~~are is~~ authorized to use a BOCES bank credit card with a maximum credit line of **\$5,000** ~~\$2,500~~ each.

**LIMITED USE CREDIT CARDS**

The Director of **Personnel Development and Improvement Human Resource Services** will be issued **one two** limited use credit cards with a maximum credit line of \$10,000 each. ~~This These~~ limited use credit cards will be used at **the Burgoyne Avenue Offices two BOCES sites** for the sole purpose of electronic payment to the New York State Education Department for fingerprinting BOCES and school district employees, in accordance with Part 87 of the Regulations of the Commissioner of Education and the Safe Schools Against Violence in Education (SAVE) Legislation (Chapter 180 of the Laws of 2000 and all subsequent updates.)



**Adopted: February 13, 2002**  
**Revised: May 14, 2008**

**SUBJECT: NON-DISCRIMINATION AND ANTI-HARASSMENT IN THE BOCES**

The Board of Education affirms its commitment to non-discrimination and recognizes its responsibility to provide an environment that is free of harassment and intimidation as required by federal and state law. Harassment is a violation of law and stands in direct opposition to BOCES policy. Therefore, the Board prohibits and condemns all forms of discrimination and harassment in its employment and admission to programs and activities as applicable, on the basis of actual or perceived race, color, creed, religion, national origin, political affiliation, sex, gender, gender identity or the status of being transgender, sexual orientation, age, marital status, military status, veteran status, disability, use of a recognized guide dog, hearing dog or service dog, domestic violence victim status or other classifications protected under federal or state law by employees, BOCES volunteers, students, and non-employees such as contractors and vendors as well as any third parties who are participating in, observing, or otherwise engaging in activities subject to the supervision and control of the BOCES. Furthermore, the BOCES provides equal access to the Boy Scouts of America and other designated youth groups. The Board further contends that administration shall be responsible for maintaining compliance with Standards Governing Civil Rights in Vocational Education Programs.

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

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

For purposes of this policy, harassment shall mean communication (verbal, written or graphic) and/or physical conduct based on an individual's actual or perceived race, color, creed, religion, national origin, political affiliation, sex, gender, gender identity or the status of being transgender, sexual orientation, age, marital status, military status, veteran status, disability, use of a recognized guide dog, hearing dog or service dog, domestic violence victim status or other classifications protected under federal or state law when:

- a) Submission to such conduct is made, either explicitly or implicitly, a term or condition of an individual's employment or access to education at the BOCES;
- b) Submission to or rejection of such conduct by an individual is used as the basis for employment decisions affecting such individual;
- c) Submission to or rejection of such conduct by a student is a basis for academic decisions related to the student or a condition of the student's successful completion of any course of study or educational or extracurricular activity, including the acceptance into or rejection from such course or activity;
- d) Such conduct has the purpose or effect of substantially or unreasonably interfere with an individual's work performance and/or creates an intimidating, hostile or offensive work environment;
- e) Such conduct has the purpose or effect of substantially or unreasonably interfering with a student's academic performance, completion of a course of study, or participation in an educational or extracurricular activity, or creates an intimidating, hostile or offensive learning environment, and/or effectively bars the student's access to an educational opportunity or benefit.

With respect to sexual harassment, a sexually harassing hostile work environment includes, but is not limited to, words, signs, jokes, pranks, intimidation or physical violence which are of a sexual nature, or which are directed at an individual because of that individual's sex. Sexual harassment also consists of any unwanted verbal or physical advances, sexually explicit derogatory statements or sexually discriminatory remarks made by someone which are offensive or objectionable to the recipient, which cause the recipient discomfort or humiliation, which interfere with the recipient's job performance. Sexual harassment also occurs when a person in authority tries to trade job benefits for sexual favors. This can include hiring, promotion, continued employment or any other terms, conditions or privileges of employment. This is also called "quid pro quo" harassment. Any employee who feels harassed should report so that any violation of this policy can be corrected promptly. Any harassing conduct, even a single incident, can be addressed under this policy. such actions include conduct such as unwelcome sexual advances, requests for sexual favors and unwelcome verbal or physical conduct of a sexual nature, including the posting of obscene pictures or use of lewd jokes.

The following describes some of the types of acts that may be unlawful sexual harassment and that are strictly prohibited:

- Physical acts of a sexual nature, such as:
  - Touching, pinching, patting, kissing, hugging, grabbing, brushing against another employee's body or poking another employee's body;
  - Rape, sexual battery, molestation or attempts to commit these assaults.
  
- Unwanted sexual advances or propositions, such as:
  - Requests for sexual favors accompanied by implied or overt threats concerning the target's job performance evaluation, a promotion or other job benefits or detriments;
  - Subtle or obvious pressure for unwelcome sexual activities.
  
- Sexually oriented gestures, noises, remarks, jokes or comments about a person's sexuality or sexual experience, which create a hostile work environment.
  
- Sex stereotyping occurs when conduct or personality traits are considered inappropriate simply because they may not conform to other people's ideas or perceptions about how individuals of a particular sex should act or look.
  
- Sexual or discriminatory displays or publications anywhere in the workplace, such as:
  - Displaying pictures, posters, calendars, graffiti, objects, promotional material, reading materials or other materials that are sexually demeaning or pornographic. This includes such sexual displays on workplace computers or cell phones and sharing such displays while in the workplace.
  
- Hostile actions taken against an individual because of that individual's sex, sexual orientation, gender identity and the status of being transgender, such as:
  - Interfering with, destroying or damaging a person's workstation, tools or equipment, or otherwise interfering with the individual's ability to perform the job;
  - Sabotaging an individual's work;
  - Bullying, yelling, name-calling

Sexual harassment can occur between any individuals, regardless of their sex or gender. New York Law protects employees, paid or unpaid interns, and non-employees, including independent contractors, and those employed by companies contracting to provide services in the workplace. Harassers can be a superior, a subordinate, a coworker or anyone in the workplace including an independent contractor, contract worker, vendor, client, customer or visitor.

Unlawful sexual harassment is not limited to the physical workplace itself. It can occur while employees are traveling for business or at employer sponsored events or parties. Calls, texts, emails, and social media usage by employees can constitute unlawful workplace harassment, even if they occur away from the workplace premises, on personal devices or during non-work hours.

## **Complaints by Employees**

Any employee who believes that he/she has been subjected to unlawful discrimination or harassment shall report all incidents of such conduct to the BOCES designated Compliance Officer(s) through informal and/or formal complaint procedures developed by the BOCES. For formal complaints, the BOCES encourages employees to use the Complaint Form that is part of Administrative Regulation 5165 2120, Complaints Concerning Discrimination or Harassment Concerning School Personnel and/or Students. In the event the Compliance Officer(s) is the alleged offender, the complainant shall report his/her complaint to the District Superintendent. All BOCES personnel shall have the opportunity to present their discrimination and/or harassment complaints free from interference, coercion, restraint, discrimination or reprisal.

~~Complaints of discrimination and/or harassment shall be handled and resolved, whenever possible, as close to their origin as possible. The District Superintendent is responsible for implementing regulations for the redress of complaints through proper administrative channels.~~

## **Complaints by Students**

~~Any student who believes that he/she has been subjected to unlawful discrimination or harassment shall report all incidents of such conduct to the BOCES designated Compliance Officer(s) through informal and/or formal complaint procedures developed by the BOCES. For formal complaints, the BOCES encourages students to use the Complaint Form that is part of Administrative Regulation 2120, Complaints Concerning School Personnel and/or Students. While students have the responsibility to abide by the policies and regulations of the BOCES, \_\_\_\_\_ they shall also be afforded opportunity to present complaints of discrimination and/or harassment free from interference, coercion, restraint, discrimination or reprisal.~~

Administration shall be responsible for establishing rules and regulations for the redress of complaints of discrimination and/or harassment through proper administrative channels. In addition, the administration shall be responsible for developing an appeals process, ensuring that students have full understanding and access to these regulations and procedure, and providing prompt, thorough and equitable consideration and determination of student complaints through BOCES established procedures.

## **Investigation of Complaints**

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

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discrimination or harassment. The BOCES will designate, at a minimum, two (2) Compliance Officers, one of each gender.

In order for the Board to enforce this policy, and to take corrective measures as may be necessary, it is essential that any employee, student, or other member of the above named group who believes he/she has been a victim of discrimination or harassment in the BOCES environment and/or at programs, activities and events under the control and supervision of the BOCES, as well as any individual who is

aware of and/or who has knowledge of, or witnesses any possible occurrence of discrimination or harassment, immediately report such alleged discrimination or harassment; such report shall be directed to or forwarded to the BOCES designated Compliance Officer(s) through informal and/or formal complaint procedures as developed by the BOCES. Such complaints are recommended to be in writing, although verbal complaints of alleged discrimination or harassment will also be promptly investigated in accordance with the terms of this policy. In the event that the Compliance Officer is the alleged offender, the report will be directed to the next level of supervisory authority. Supervisors are required to report any complaints they receive, or any harassment they observe, to a Compliance Officer. In addition to being subject to discipline if they engaged in sexually harassing conduct themselves, supervisors will be subject to discipline for failing to report suspected sexual harassment or to otherwise allow sexual harassment to continue.

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

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

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

The Board prohibits any retaliatory behavior directed against complainants, victims, witnesses, and/or any other individuals who participated in the investigation of a complaint of discrimination or harassment. Follow-up inquiries shall be made to ensure that discrimination or harassment has not resumed and that all those involved in the investigation of the discrimination or harassment complaint have not suffered retaliation. The BOCES will not tolerate such retaliation against anyone who, in good faith, reports or provides information about suspected sexual harassment. Any person who believes he or she has been subject to such retaliation should inform a Compliance Officer immediately. Any person who believes he or she may have been a victim of such retaliation may also seek compensation in other available forums, as explained below in the section on Legal Protections.

### **Finding That Harassment Did Not Occur**

At any level/stage of investigation of alleged discrimination or harassment, if a determination

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is made that discrimination or harassment did not occur, the Compliance Officer(s) will so notify the complainant, the alleged offender and the District Superintendent of this determination. Such a finding does not preclude the complainant from filing an appeal pursuant to BOCES policy or regulation and/or pursuing other legal avenues of recourse.

However, even if a determination is made that discrimination or harassment did not occur, the District Superintendent/designee reserves the right to initiate staff awareness and training, as applicable, to help ensure that the BOCES community is not conducive to fostering discrimination or harassment in the workplace.

In all cases, the District Superintendent will inform the Board of Education of the results of each investigation involving a finding that discrimination or harassment did not occur.

### **Knowingly Making False Accusations**

Employees and/or students who *knowingly* make false accusations against another individual as to allegations of discrimination or harassment may also face appropriate disciplinary action.

### **Privacy Rights**

As part of any investigation, the BOCES has the right to search all BOCES property and equipment including BOCES computers. Rooms, desks, cabinets, lockers, computers, etc. are provided by the BOCES for the use of staff and students, but the users do not have exclusive use of these locations or equipment and should not expect that materials stored therein will be private.

### **Civil Rights Compliance Officer (Title IX/Section 504/ADA Compliance Officer)**

The Civil Rights Compliance Officers are the Executive Director for Educational and Support Programs and the Chief Financial Officer designated by the Board. BOCES prominently displays the name(s) of compliance officer(s) and contact information on appropriate materials and on the BOCES website. The Board shall ensure compliance with Title IX of the Educational Amendments of 1972, Section 504 of the Rehabilitation Act of 1973 and The Americans with Disabilities (ADA). The District Superintendent shall designate Civil Rights Compliance Officers as the Title IX/Section 504/ADA Coordinators and shall implement regulations and procedures to resolve complaints of discrimination or harassment based on sex or disability. The Civil Rights Compliance Officers shall be responsible for providing information, including complaint procedures, and for handling complaints relative to civil rights (e.g., Title IX of the Education Amendments of 1972, Section 504 of the Rehabilitation Act of 1973, and the Americans with Disabilities Act of 1990) for any student, parent, employee or employment applicant.

Prior to the beginning of each school year, the BOCES shall issue an appropriate public announcement which advises students, parents/guardian, employees and the general public of the BOCES established procedures for resolving complaints of discrimination or harassment based on sex or disability. Included in such announcement will be the name(s), address(es) and telephone number(s) of the Civil Rights Compliance Officer(s).

The Civil Rights Compliance Officers shall also be responsible for handling complaints regarding discrimination or harassment based on race, color, creed, religion, national origin, political affiliation, gender, gender identity or the status of being transgender, sexual orientation, age, military status, veteran status, marital status,

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predisposing genetic characteristics, use of a recognized guide dog, hearing dog or service dog, domestic violence victim status, or access to facilities by the Boy Scouts of America or other youth group, or other classifications protected under federal and state law.

Complaints may also be filed with the New York State Division of Human Rights and the Federal Office for Civil Rights. Each agency has its own procedures and deadlines for filing complaints.

### **Development and Dissemination of Administrative Regulations**

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

BOCES established procedures for resolving complaints regarding discrimination or harassment covered under this policy, specifically, Administrative Regulation 2120, shall be disseminated to

adequately inform students, parents and employees of the existence of such procedures.

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

A copy of this policy (5165) and its accompanying regulations ([AR5165\\_2120](#)) will be available upon request and may be posted at various locations in each BOCES building. The BOCES policy and regulations on non-discrimination and anti-harassment will be published in appropriate BOCES publications such as teacher/employee handbooks, student handbooks, and/or BOCES calendars.

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

## **Public Notification**

The BOCES shall issue an appropriate public announcement which advises students, parents, employees and the general public that all employment and educational opportunities, including

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those in Career and Technical Education, will be offered without regard to actual or perceived race, color, creed, religion, national origin, political affiliation, sex, gender, [gender identity or the status of being transgender](#), sexual orientation, age, marital status, military status, veteran status, disability, use of a recognized guide dog, hearing dog or service dog, domestic violence victim status or other classifications protected under federal or state law. Included in such announcement will be the name, address, and telephone number of the person(s) designated to coordinate Title IX/Section 504 activities.

## **Legal Protections and External Remedies**

Aside from the internal processes at the BOCES, employees may also choose to pursue legal remedies for unlawful discrimination and harassment with the following governmental entities. While a private attorney is not required to file a complaint with a governmental agency. An employee may seek the legal advice of an attorney. In addition to those outlined below, employees in certain industries may have additional legal protections.

### **New York State Human Rights Law**

The Human Rights Law (HRL), codified as N.Y. Executive Law, art. 15, § 290 et seq., applies to all employers in New York State with regard to form of harassment, including sexual harassment, and protects employees, paid or unpaid interns and non-employees regardless of immigration status. A complaint alleging violation of the Human Rights Law may be filed either with the New York State Division of Human Right ("DHR") or in New York State Supreme Court. Complaints with DHR may be filed any time **within one year** of the harassment. If an individual did not file at DHR, he or she can sue directly in state court under the HRL, **within three years** of the alleged discrimination. An individual may not file with DHR if they have already filed a HRL complaint in state court. Complaining

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

An employee does not need an attorney to file a complaint with DHR, and there is no cost to file with DHR. DHR will investigate a complaint and determine whether there is probable cause to believe that discrimination has occurred. Probable cause cases are forwarded to a public hearing before an administrative law judge. If discrimination is found after a hearing, DHR has the power to award relief, which varies but may include requiring the BOCES to take action to stop the harassment, or redress the damage caused, including paying monetary damages, attorney's fees and civil fines.

DHR's main office contact information is: NYS Division of Human Rights, One Fordham Plaza, Fourth Floor, Bronx, New York 10458, You may call (718) 741-8400 or visit [www.dhr.ny.gov](http://www.dhr.ny.gov). You may contact DHR at (888) 392-3644 or visit [dhr.ny.gov/complaint](http://dhr.ny.gov/complaint) for more information about filing a complaint. The website has a complaint form that can be downloaded, filled out, notarized and mailed to DHR. The website also contains contact information for DHR's regional offices across New York State.

#### Civil Rights Act of 1984

The United States Equal Employment Opportunity Commission ("EEOC") enforces federal anti-discrimination laws, including Title VII of the 1964 federal Civil Rights Act (codified as 42 U.S.C. § 2000e et seq.). An individual can file a complaint with the EEOC anytime within 300 days from the harassment. There is no cost to file a complaint with the EEOC. The EEOC will investigate the complaint, and determine whether there is reasonable cause to believe that discrimination has occurred, at which point the EEOC will issue a Right to Sue letter permitting the individual to file a complaint in federal court. The EEOC does not hold hearings or award relief, but may take other action including pursuing cases in federal court on behalf of complaining parties. Federal courts may award remedies if discrimination is found to have occurred. In general, private employers must have at least 15 employees to come within the jurisdiction of the EEOC.

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

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

#### Local Protections

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

#### Local Police Departments

If the harassment involves unwanted physical touching, coerced physical confinement or coerced sex acts, the conduct may constitute a crime. In those cases and employee should contact the local police department.

#### References:

Age Discrimination in Employment Act of 1975, 29 United States Code (USC) Section 621  
Americans With Disabilities Act of 1990, 42 United States Code (USC) Section 12101 et seq.  
Prohibits discrimination on the basis of disability.



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

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

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

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

Equal Employment Opportunity Commission Policy Guidance

Boy Scouts of America Equal Access Act

New York State Human Rights Law

Civil Rights Law Section 40-c

Prohibits discrimination on the basis of race, creed, color, national origin, sex, sexual orientation, marital status or disability.

Civil Service Law Section 75-B

Education Law Section 2801(1)

Executive Law Section 290 et seq.

Prohibits discrimination on the basis of age, race, creed, color, national origin, sex, sexual orientation, disability, military status, marital status, use of a recognized guide dog, hearing dog or service dog, or domestic violence victim status.

Military Law Sections 242 and 243

Education Law Sections 2045(2) and 4601

Commissioner's Regulations Sections 100.2(h) and 141 et seq.

**Adopted: January 9, 2008**

**Revised: September 9, 2009**

**Revised: January 11, 2012**

**Revised: January 11, 2017**

**Revised: December 20, 2017**

**Revised: September 12, 2018**

**Revised: October \_\_, 2018**

**SUBJECT: NON-DISCRIMINATION AND ANTI-HARASSMENT OF STUDENTS IN THE BOCES**

The Board of Education affirms its commitment to non-discrimination and recognizes its responsibility to provide an environment that is free of harassment and intimidation as required by federal and state law. Harassment is a violation of law and stands in direct opposition to BOCES policy. Therefore, the Board prohibits and condemns all forms of discrimination and harassment in its employment and admission to programs and activities as applicable, on the basis of actual or perceived race, color, creed, religion, national origin, political affiliation, sex, gender, gender identity or the status of being transgender, sexual orientation, age, marital status, military status, veteran status, disability, use of a recognized guide dog, hearing dog or service dog, domestic violence victim status or other classifications protected under federal or state law by employees, BOCES volunteers, students, and non-employees such as contractors and vendors as well as any third parties who are participating in, observing, or otherwise engaging in activities subject to the supervision and control of the BOCES. Furthermore, the BOCES provides equal access to the Boy Scouts of America and other designated youth groups. The Board further contends that administration shall be responsible for maintaining compliance with Standards Governing Civil Rights in Vocational Education Programs.

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

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

For purposes of this policy, harassment shall mean communication (verbal, written or graphic) and/or physical conduct based on an individual's actual or perceived race, color, creed, religion, national origin, political affiliation, sex, gender, gender identity or the status of being transgender, sexual orientation, age, marital status, military status, veteran status, disability, use of a recognized guide dog, hearing dog or service dog, domestic violence victim status or other classifications protected under federal or state law when:

- a) Submission to such conduct is made, either explicitly or implicitly, a term or condition of an individual's employment or access to education at the BOCES;
- b) Submission to or rejection of such conduct by an individual is used as the basis for employment decisions affecting such individual;
- c) Submission to or rejection of such conduct by a student is a basis for academic decisions related to the student or a condition of the student's successful completion of any course of study or educational or extracurricular activity, including the acceptance into or rejection from such course or activity;
- d) Such conduct has the purpose or effect of substantially or unreasonably interfere with

an individual's work performance and/or creates an intimidating, hostile or offensive work environment;

- e) Such conduct has the purpose or effect of substantially or unreasonably interfering with a student's academic performance, completion of a course of study, or participation in an educational or extracurricular activity, or creates an intimidating, hostile or offensive learning environment, and/or effectively bars the student's access to an educational opportunity or benefit.

With respect to sexual harassment, such actions include conduct such as unwelcome sexual advances, requests for sexual favors and unwelcome verbal or physical conduct of a sexual nature, including the posting of obscene pictures or use of lewd jokes.

### **Complaints by Employees**

~~Any employee who believes that he/she has been subjected to unlawful discrimination or harassment shall report all incidents of such conduct to the BOCES designated Compliance Officer(s) through informal and/or formal complaint procedures developed by the BOCES. For formal complaints, the BOCES encourages employees to use the Complaint Form that is part of Administrative Regulation 2120, Complaints Concerning School Personnel and/or Students. In the event the Compliance Officer(s) is the alleged offender, the complainant shall report his/her complaint to the District Superintendent. All BOCES personnel shall have the opportunity to present their discrimination and/or harassment complaints free from interference, coercion, restraint, discrimination or reprisal.~~

~~Complaints of discrimination and/or harassment shall be handled and resolved, whenever possible, as close to their origin as possible. The District Superintendent is responsible for implementing regulations for the redress of complaints through proper administrative channels.~~

### **Complaints by Students**

Any student who believes that he/she has been subjected to unlawful discrimination or harassment shall report all incidents of such conduct to the BOCES designated Compliance Officer(s) through informal and/or formal complaint procedures developed by the BOCES. For formal complaints, the BOCES encourages students to use the Complaint Form that is part of Administrative Regulation ~~\_\_\_\_\_~~67502120, Complaints Concerning School Personnel and/or Students. While students have the responsibility to abide by the policies and regulations of the BOCES, they shall also be afforded opportunity to present complaints of discrimination and/or harassment free from interference, coercion, restraint, discrimination or reprisal.

Administration shall be responsible for establishing rules and regulations for the redress of complaints of discrimination and/or harassment through proper administrative channels. In addition, the administration shall be responsible for developing an appeals process, ensuring that students have full understanding and access to these regulations and procedure, and providing prompt, thorough and equitable consideration and determination of student complaints through BOCES established procedures.

### **Investigation of Complaints**

The BOCES will act to promptly investigate all complaints, either verbal or written, formal or informal, of allegations of discrimination or harassment based on any of the characteristics

described above; and will promptly take appropriate action to protect individuals from further discrimination or harassment. The BOCES will designate, at a minimum, two (2) Compliance Officers, one of each gender.

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

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

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

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

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

### **Finding That Harassment Did Not Occur**

At any level/stage of investigation of alleged discrimination or harassment, if a determination

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is made that discrimination or harassment did not occur, the Compliance Officer(s) will so notify the complainant, the alleged offender and the District Superintendent of this determination. Such

a finding does not preclude the complainant from filing an appeal pursuant to BOCES policy or regulation and/or pursuing other legal avenues of recourse.

However, even if a determination is made that discrimination or harassment did not occur, the District Superintendent/designee reserves the right to initiate staff awareness and training, as applicable, to help ensure that the BOCES community is not conducive to fostering discrimination or harassment in the workplace.

In all cases, the District Superintendent will inform the Board of Education of the results of each investigation involving a finding that discrimination or harassment did not occur.

### **Knowingly Making False Accusations**

Employees and/or students who *knowingly* make false accusations against another individual as to allegations of discrimination or harassment may also face appropriate disciplinary action.

### **Privacy Rights**

As part of any investigation, the BOCES has the right to search all BOCES property and equipment including BOCES computers. Rooms, desks, cabinets, lockers, computers, etc. are provided by the BOCES for the use of staff and students, but the users do not have exclusive use of these locations or equipment and should not expect that materials stored therein will be private.

### **Civil Rights Compliance Officer (Title IX/Section 504/ADA Compliance Officer)**

The Civil Rights Compliance Officers are the Executive Director for Educational and Support Programs and the Chief Financial Officer designated by the Board. BOCES prominently displays the name(s) of compliance officer(s) and contact information on appropriate materials and on the BOCES website. The Board shall ensure compliance with Title IX of the Educational Amendments of 1972, Section 504 of the Rehabilitation Act of 1973 and The Americans with Disabilities (ADA). The District Superintendent shall designate Civil Rights Compliance Officers as the Title IX/Section 504/ADA Coordinators and shall implement regulations and procedures to resolve complaints of discrimination or harassment based on sex or disability. The Civil Rights Compliance Officers shall be responsible for providing information, including complaint procedures, and for handling complaints relative to civil rights (e.g., Title IX of the Education Amendments of 1972, Section 504 of the Rehabilitation Act of 1973, and the Americans with Disabilities Act of 1990) for any student, parent, employee or employment applicant.

Prior to the beginning of each school year, the BOCES shall issue an appropriate public announcement which advises students, parents/guardian, employees and the general public of the BOCES established procedures for resolving complaints of discrimination or harassment based on sex or disability. Included in such announcement will be the name(s), address(es) and telephone number(s) of the Civil Rights Compliance Officer(s).

The Civil Rights Compliance Officers shall also be responsible for handling complaints regarding discrimination or harassment based on race, color, creed, religion, national origin, political affiliation, gender, gender identity or the status of being transgender, sexual orientation, age, military status, veteran status, marital status,

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predisposing genetic characteristics, use of a recognized guide dog, hearing dog or service dog,

domestic violence victim status, or access to facilities by the Boy Scouts of America or other youth group, or other classifications protected under federal and state law.

Complaints may also be filed with the New York State Division of Human Rights and the Federal Office for Civil Rights. Each agency has its own procedures and deadlines for filing complaints.

### **Development and Dissemination of Administrative Regulations**

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

BOCES established procedures for resolving complaints regarding discrimination or harassment covered under this policy, specifically, Administrative Regulation 2120, shall be disseminated to adequately inform students, parents and employees of the existence of such procedures.

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

A copy of this policy ([67505165](#)) and its accompanying regulations ([67502120](#)) will be available upon request and may be posted at various locations in each BOCES building. The BOCES policy and regulations on non-discrimination and anti-harassment will be published in appropriate BOCES publications such as teacher/employee handbooks, student handbooks, and/or BOCES calendars.

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

### **Public Notification**

The BOCES shall issue an appropriate public announcement which advises students, parents, employees and the general public that all employment and educational opportunities, including

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-those in Career and Technical Education, will be offered without regard to actual or perceived race, color, creed, religion, national origin, political affiliation, sex, gender, gender identity or the status of being transgender, sexual orientation, age, marital status, military status, veteran status, disability, use of a recognized guide dog, hearing dog or service dog, domestic violence victim status or other classifications protected under federal or state law. Included in such announcement will be the name, address, and telephone number of the person(s) designated to coordinate Title IX/Section 504 activities.

### References:

Age Discrimination in Employment Act of 1975, 29 United States Code (USC) Section 621  
Americans With Disabilities Act of 1990, 42 United States Code (USC) Section 12101 et seq.

Prohibits discrimination on the basis of disability.

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

Prohibits discrimination on the basis of disability.

Title VI of the Civil Rights Act of 1964, 42 United States Code (USC) Section 2000d et seq.

Prohibits discrimination on the basis of race, color or national origin.

Title VII of the Civil Rights Act of 1964, 42 United States Code (USC) Section 2000e et seq.

Prohibits discrimination on the basis of race, color, religion, sex or national origin.

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

Prohibits discrimination on the basis of sex.

Equal Employment Opportunity Commission Policy Guidance

Boy Scouts of America Equal Access Act

New York State Human Rights Law

Civil Rights Law Section 40-c

Prohibits discrimination on the basis of race, creed, color, national origin, sex, sexual orientation, marital status or disability.

Civil Service Law Section 75-B

Education Law Section 2801(1)

Executive Law Section 290 et seq.

Prohibits discrimination on the basis of age, race, creed, color, national origin, sex, sexual orientation, disability, military status, marital status, use of a recognized guide dog, hearing dog or service dog, or domestic violence victim status.

Military Law Sections 242 and 243

Education Law Sections 2045(2) and 4601

Commissioner's Regulations Sections 100.2(h) and 141 et seq.

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**Revised: January 11, 2012**

**Revised: January 11, 2017**

**Revised: December 20, 2017**

**Revised: September 12, 2018**

**Revised: October , 2018**

District Name	Total BOCES AID 2017-18 Final 8/28/18	October 2018 Payment
ARGYLE CSD	601,662	287,594.95
BALLSTON SPA CSD	2,016,570	1,133,551.05
BOLTON CSD	104,960	47,232.00
CAMBRIDGE CSD	561,546	259,598.20
CORINTH CSD	571,474	266,334.55
FORT ANN CSD	376,830	172,707.95
FORT EDWARD UFSD	507,731	233,213.90
GALWAY CSD	631,540	289,127.05
GLENS FALLS CITY SD	1,012,227	469,770.25
GLENS FALLS COMN SD	137,032	73,216.60
GRANVILLE CSD	1,119,878	513,032.20
GREENWICH CSD	503,845	235,520.90
HADLEY-LUZERNE CSD	380,229	179,455.90
HARTFORD CSD	538,228	246,189.00
HUDSON FALLS CSD	1,854,183	855,634.35
INDIAN LAKE CSD	85,128	38,307.60
JOHNSBURG CSD	147,597	66,418.65
LAKE GEORGE CSD	471,003	236,431.85
MECHANICVILLE CITY SD	764,290	355,367.75
MINERVA CSD	58,432	26,294.40
NEWCOMB CSD	85,630	38,533.50
NORTH WARREN CSD	170,280	93,577.00
QUEENSBURY UFSD	1,359,382	638,130.15
SALEM CSD	424,568	195,166.30
SARATOGA SPRINGS CITY SD	1,640,019	765,554.20
SCHUYLERVILLE CSD	1,169,387	540,863.50
SOUTH GLENS FALLS CSD	1,993,771	924,330.65
STILLWATER CSD	641,575	296,753.05
WARRENSBURG CSD	481,528	221,450.05
WATERFORD-HALFMOON UFSD	429,167	199,923.15
WHITEHALL CSD	441,011	207,685.05
	21,280,703	10,106,965.70