

**ROSLYN UNION FREE SCHOOL DISTRICT  
Meeting of the Board of Education**

**Tuesday, May 21, 2019**

**9:30 P.M.**

**Roslyn High School – North Gymnasium**

**BUSINESS MEETING IMMEDIATELY FOLLOWING ELECTION RESULTS**

Preliminary Announcements  
Emergency Procedures  
Cell Phones

**Pledge of Allegiance**

**Board President's Comments**

**Superintendent's Comments**

**Student Delegate's Comments**

**PUBLIC COMMENT #1 Limited to Agenda Items ONLY**

(Will be limited to ½ hour, no more than 2 minutes per speaker).

Though not required by law, the Roslyn Board of Education invites public comment during its meetings. Citizens will be recognized by the presiding officer. Please state your name and address before speaking and direct all comments to the Board. This is not a time for citizen to citizen exchanges. We ask that comments not include the names of students or staff members, and comments are not permitted with respect to confidential matters. Please also be reminded that Board meetings are designed by law to facilitate the school district's business and provide for public Board deliberations. Thank you

**ACTION ITEMS**

Action may be taken for each individual resolution or by the titled subgroups. Bracketed information following resolutions is not part of the Board's official action and does not become part of the official record.

**PERSONNEL:**

**ALL PERSONNEL APPOINTMENTS LISTED ARE FUNDED IN THE  
CURRENT BUDGET UNLESS OTHERWISE NOTED**

**P.1.** It is the recommendation of the Superintendent of Schools that the following resolution be adopted:

**RESOLVED**, that the Roslyn Board of Education approves the appointments, resignations, terminations, elimination of positions, transfers, and leaves of absence as detailed in the Personnel Action Reports attached as **(Attachment P.1 Professional)**

**P.2.** It is the recommendation of the Superintendent of Schools that the following resolution be adopted:

**RESOLVED**, that the Roslyn Board of Education approves the appointments, resignations, terminations, elimination of positions, transfers, and leaves of absence as detailed in the Personnel Action Reports attached as **(Attachment P.2 Classified)**

**P.3** Recommendation to approve the Adult Education Instructor Salaries attached as **(Attachment P.3)**

**BUSINESS/FINANCE:**

**ALL ITEMS ON THE BUSINESS/FINANCE PORTION OF THE AGENDA ARE WITHIN THE BUDGET UNLESS OTHERWISE SPECIFIED**

**B.1.** Recommendation to approve the following contracts and to authorize the Board of Education President to execute (those contracts marked with an asterisk have been prepared pursuant to a previous award of an RFP or bid):

- (i) Contractor: Westbury Union Free School District  
Services: Health and Welfare Services for 9 students attending out of district schools for the 2018-2019 school year.  
Fees: \$968.59 per student  
Total estimated to be \$8,717.31

Recommendation to **amend** the following contract (ii) which was approved by the Board of Education on April 16, 2019 (item B.8.) to include estimated finance charges at 3.5% over five years:

- (ii) Recommendation to approve the five-year agreement between Roslyn School District and BOCES (Project # 9-683458) finding that
  - i. the use of the Equipment and the District's participation the project is essential to the District's proper, efficient and economic operation of its education program to be supported by the Equipment, and is necessary to maintain the District's educational program; and that
  - ii. the expenses arising under this Agreement constitute ordinary, contingent expenses necessary for providing educational services and the transaction is in the best financial interests of the School District because it enables the District to utilize the equipment in a cost effective and economic manner

and to approve an assignment of CO-Ser Agreement between the Roslyn School District and BOCES of Nassau County arising under the agreement for technology program project # 9-683458 to replace obsolete computer equipment at the Roslyn Administration Building and each

of the Roslyn School Buildings, at a total cost of ~~\$191,696.89~~  
\$208,953.18.

and further, to authorize the Board President to sign the appropriate assignment and such other documents and agreements as may be necessary to effect the transaction subject to legal counsel review.

**B.2.** Recommendation to approve **2018-19** general fund appropriation requests:

<u>FROM BUDGET CODE</u>		<u>AMOUNT</u>
1621-428-03-9000-310	MAINT GASOLINE	\$2,000.00
1620-200-03-9000-310	OPER EQUIP DIST	\$2,677.65
1620-200-06-9000-310	OPER EQPT HTS	\$1,457.86
1620-200-07-9000-310	OPER EQPT-HH	\$1,567.08
1620-200-08-9000-310	OPER EQPT HS	\$2,664.49
1620-200-09-9000-310	OPER EQPT-MS	\$10,222.74
1620-423-04-9000-310	FUEL OIL-EH	\$1,039.19
1620-423-07-9000-310	FUEL OIL-HH	\$90.81
1620-423-09-9000-310	FUEL OIL-MS	\$20,800.00
1620-423-08-9000-310	FUEL OIL-HS	\$6,280.18
1621-434-03-9000-310	ADV / LEGAL NOTICES	\$1,000.00
1621-435-03-9000-310	MAINT POSTAGE	\$1,000.00
1621-440-03-9000-310	MAINT TRAINING	\$1,475.99
1621-443-03-9000-310	MAINT PROF/TECH SVCES	\$1,796.10
<b>Subtotal</b>		<b>\$54,072.09</b>
<u>TO BUDGET CODE</u>		<u>AMOUNT</u>
1621-450-03-9000-310	MAINT SUPPLIES – DIST	\$2,000.00
1621-446-03-9000-310	MAIN-DIST-BUILDING REP	\$4,000.00
1621-430-03-9000-310	MAINT CONT SVCES – DIST	\$40,000.00
1620-421-03-9000-310	CARTING – DIST	\$8,072.09
<b>Subtotal</b>		<b>\$54,072.09</b>

REASON FOR TRANSFER REQUEST: To cover the costs of plumbing supplies, roofing repairs, elevator repairs, cesspool repairs, HVAC controls, and TONH waste and Jamaica Ash invoices.

**CURRICULUM AND INSTRUCTION:**

**C&I.1** Recommendation to accept the confidential stipulations of the CPSE for the dates listed below as well as the implementation plans for the corresponding special education programs, services and parent notification as previously approved by the Committee on March 19, 25 and 28, 2019; April 1, 8, 10 and 18, 2019; May 2, 3, 6 and 8, 2019.

**C&I.2** Recommendation to accept the confidential stipulations of the CSE for the dates listed below as well as the implementation plans for the corresponding special education programs, services and parent notification as previously approved by the Committee on February 27, 2019; March 13, 14, 15, 19, 20, 21, 22, 25, 28 and 29, 2019; April 1, 3, 8, 17 and 29, 2019; May 3, 6, 8 and 10, 2019.

**C&I.3** Recommendation to approve Scott Segal and 5 Roslyn High School students from the Junior Varsity Quiz Bowl Team to attend the 37<sup>th</sup> Annual National Academic Championship in Washington D.C. from May 30, through June 2, 2019 at an estimated cost to the district of ~~\$3,658.42~~ \$5,093.22. [Total cost of trip is ~~\$5,010.02~~ \$6,444.82; student contribution \$1,351.60; district contribution ~~\$3,658.42~~ \$5,093.22.] (*Trip approved at the May 9, 2019 BOE meeting, Item C&I.4*)

**C&I.4** Recommendation to approve Allison Brown to attend the New York State Council of School Superintendents (NYSCOSS) 2019 Fall Leadership Summit in Saratoga, New York from September 22 through 24, 2019 at an estimated cost to the district of \$1,600.00.

#### **BOARD OF EDUCATION:**

**BOE.1 BE IT RESOLVED** that the Board of Education of the Roslyn Public Schools hereby ***abolishes the following policies:*** 2240 Board/Superintendent Relationship, 2270 School Attorney, 2280 Consultants to the Board, 4329 Youth Center, 4332 Travel Study, 4334 Advanced College Placement, 4340 Adult Education Programs (**Attachment BOE. 1**) **The third reading of these policies was held on November 1, 2018.**

**BOE.2** Recommendation to conduct the *Third reading* of the Board of Education Policies:

8635 Information Security Breach and Notification  
9140 Staff Complaints and Grievances  
9200 School Volunteers (**Attachment BOE.2**)

**BOE.3 BE IT RESOLVED** that the Board of Education of the Roslyn Public Schools hereby ***adopts the following policies:***

8635 Information Security Breach and Notification  
9140 Staff Complaints and Grievances  
9200 School Volunteers

**BOE.4** Recommendation to conduct the *Second reading* of the Board of Education Policies:

5110 Designated Schools of Attendance  
6680 Internal Audit Function  
6690 Audit Committee  
8130 School Safety Plans and Teams  
8134 Emergency Closings/Delays

8140 Unsafe School Transfer Choice  
8336 Use of Surveillance Cameras  
9012 Family and Medical Leave (**Attachment BOE.4**)

**BOE.5** Recommendation to conduct the *Second reading* to abolish Board of Education policy:  
4810 Teaching about Controversial Issues (**Attachment BOE.5**)

**BOE.6** Recommendation to conduct the first reading of the Board of Education policy:  
5605 Voter Registration for Students  
And the first reading to abolish Board of Education policies:  
2271 Litigation Procedures (**Attachment BOE.6**)

## **ANNUAL BUDGET VOTE & ELECTION:**

DISTRICT CLERK:

EDUCATION LAW REQUIRES THAT THE BOARD OF EDUCATION ADOPT A RESOLUTION TO ACCEPT THE RESULTS OF THE ANNUAL MEETING WITHIN 24 HOURS OF THE CLOSING OF THE POLLS.

Annual Budget Vote and Election of Trustees

Tuesday, May 21, 2019

In accordance with the NOTICE duly published for four weeks in The Roslyn News and Long Island Business News, the vote upon the budget, and selection of two members of the Board of Education was held at the Roslyn High School on Tuesday, May 21, 2019 from 7:00 a.m. to 9:00 p.m. (Copy of OFFICIAL BALLOT is attached to the official minutes of this meeting.)

Meryl Waxman Ben-Levy and Clifford Saffron were appointed by the Board of Education to be the Chairpersons of the Meeting. \_\_\_\_\_ opened the polls at 7:00 a.m. and \_\_\_\_\_ announced the closing of the polls at 9:00 p.m. The results of the vote on Propositions 1, 2, 3 and 4 were as follows:

### **Proposition #1:**

BE IT RESOLVED that the proposed budget of expenditures adopted by the Board of Education of the Roslyn Union Free School District for the 2019-2020 school year in the amount of \$113,190,196 be approved, and the amount thereof shall be raised by a levy of a tax upon the taxable property of the school district, after first deducting the monies available from State Aid and other sources as provided by law.

#### VOTES

Yes

No

### **Proposition #2**

BE IT RESOLVED that the proposed budget of the Bryant Library in the amount of \$5,117,969 as prepared by the Trustees of said Library for the 2019-2020 school year and that the amount of 5,064,369 be raised by the levy of a tax upon the taxable real property in the Roslyn Union Free School District be and hereby are approved.

#### VOTES

Yes

No

### **Proposition #3:**

Shall the Board of Education be authorized to (a) purchase various school buses and vans for use by the District, including related equipment and apparatus, and to expend therefor, including preliminary costs and costs incidental thereto and to the financing thereof, an amount not to exceed the estimated total cost of \$457,014.08; (b) that a tax

is hereby voted in the aggregate amount of not to exceed \$457,014.08 to pay such cost, said tax to be levied and collected in installments in such years and in such amounts as shall be determined by said Board of Education; (c) that in anticipation of said tax, bonds of the District are hereby authorized to be issued in the principal amount of not to exceed \$457,014.08 and a tax is hereby voted to pay the interest on said bonds as the same shall become due and payable, and (d) that, in lieu of bonds, the District is authorized to enter into one or more installment purchase contracts for the purchase of some or all of said buses and vans, for a term not to exceed five (5) years; and a tax is hereby voted to pay each installment on any such contract

VOTES

Yes

No

**Proposition #4**

SHALL the Board of Education be authorized to expend a sum not to exceed \$7,400,000 from the 2015 Construction Capital Reserve Fund established in May 2015 for the purpose of performing the following projects: Renovations to playgrounds and surfaces at Harbor Hill and Heights Elementary Schools, High School Science Rooms Renovations, High School Girls Locker Room Renovation, Middle School Interior Doors, Building Exterior Doors, Heights Elementary School Gymnasium Renovation, Gymnasium Ceilings and Lighting at High School Main Gymnasium, Upgrades to the HVAC system at Harbor Hill School, Site work at the Harbor Hill and Heights Elementary Schools fields, including drainage, irrigation and associated remediation work, and all labor, materials, equipment, apparatus, and incidental costs associated therewith.

VOTES

Yes

No

**MEMBERS OF THE BOARD OF EDUCATION**

Two (2) -Three (3) year terms commencing July 1, 2019 and expiring June 30, 2022

The results of the Election of Trustees as announced by the Chairperson of the Meeting were:

Steven B. Litvack (    )

Bruce G. Valauri (    )

Write –In (       )

WITH A QUORUM OF THE BOARD BEING PRESENT AT THIS TIME, I ASK THAT THE FOLLOWING RESOLUTION BE ADOPTED BY A ROLL CALL VOTE OF THE TRUSTEES PRESENT:

**BE IT HEREBY RESOLVED** that the Board of Education of the Roslyn Union Free School District hereby accepts the results of the **May 21, 2019 Budget Vote and Board Trustee Election.**

**Meryl W. Ben-Levy** \_\_\_\_\_  
**Clifford Saffron** \_\_\_\_\_  
**David Dubner** \_\_\_\_\_  
**Michael Levine** \_\_\_\_\_  
**Steven Litvack** \_\_\_\_\_  
**David Seinfeld** \_\_\_\_\_  
**Bruce Valauri** \_\_\_\_\_

CO-CHAIRPERSONS: **Meryl W. Ben-Levy and Clifford Saffron**

Nancy Carney Jones  
District Clerk

**Adjournment**

Personnel Action Report  
Professional

P.1  
May 21, 2019

Item	Name	Action	Position/Replacing	Location	From	To	Tenure Area	Certification/Class/Step/Salary
1	Sharon Minors-McKissick	Resignation for the Purposes of Retirement	Special Education	HH		6/30/19 (last day of employment)		
2	Erika Dannenfelser	Probationary Appointment	Science (I. Tsarevsky)		8/29/19	Prob. Ends 8/28/23*	Science	Physics & General Science, BA/Step 3**, Per RTA Contract
3	Wendy Svitek	Appointment	In-Service Instructor (not to exceed 8 hours)		5/22/19	6/30/19		\$80/hour (paid by Teacher Center Grant)
4	Christina Stadler	Appointment	ABA/SC Planning Teaching Asst. (not to exceed 4 hrs./mo.)	EH	5/22/19	6/30/19		Per RPA Contract, employees' hourly rate
5	Bridget Baccarella	Rescind Substitute Appointment	Paraprofessional Special Ed. 12 Month Program		5/22/19			
6	Diana Sabzevari	Rescind Substitute Appointment	Paraprofessional Special Ed. 12 Month Program		5/22/19			

*\*This individual must receive three (3) annual APPR composite ratings of Effective or Highly Effective, in at least three (3) of the preceding four (4) years.*

*\*\*\*Placement may change subject to verification of education and employment.*

Personnel Action Report  
Classified

P.2  
May 21, 2019

Item	Name	Action	Position / Replacing	Class	Type of Appt	Location	From	To	Certification Class / Step Salary
1	Linda Tortora	Resignation for the Purposes of Retirement	Teacher Center Secretary			HS		6/30/19 (last day of employment)	\$5,700 annual salary (paid by Teacher Center grant)
2	Robert Hardenfelder	Resignation	Substitute Security Aide (hourly)					5/8/19 (last day of employment)	
3	Pamela Geiger	Substitute Appointment	Per Diem Substitute Typist Clerk		Sub		On or about 5/28/19*	6/30/20	\$14.50/Hour
4	Eddie Valazquez	Part-Time Appointment	Part-Time Cleaner (P. White)	Non-comp	p/t	HH	On or about 6/3/19*		\$15.00/hour

\*Pending Civil Service Approval

**Adult Education Instructors – EXTENSION CLASSES 2019– Begins 3/7/19 –6/30/19**

Empl.#	LAST NAME	FIRST NAME	\$ TOTAL	COURSE NAME
3596	Wasserman	Renee	\$307.20	Italian Intermediate
3232	Tzochev	Kiril	\$577.50	Watercolor Painting, Day - H
3596	Wasserman	Renee	\$384.00	French Intermediate

# **ROSLYN UNION FREE SCHOOL DISTRICT**

## **3<sup>rd</sup> Reading of Policies**

**November 1, 2018**

## **POLICIES TO BE ABOLISHED**

**ROSLYN PUBLIC SCHOOLS**  
Roslyn, New York

**POLICY #2240**

**BOARD/SUPERINTENDENT RELATIONSHIP**

The Board of Education believes that the legislation of policies is the most important function of a school Board and that the execution of the policies is the function of the Superintendent of Schools.

Delegation by the Board of its executive powers to the Superintendent provides freedom for the Superintendent to manage the schools within the Board's policies and frees the Board to devote its time to policy making and appraisal functions.

The Board holds the Superintendent responsible for the:

- a. administration of its policies;
- b. execution of Board decisions;
- c. operation of the internal machinery designed to serve the school program; and
- d. keeping the Board informed about school operations and problems.

:FPB

Adopted: 12/1989

**ROSLYN PUBLIC SCHOOLS**  
**Roslyn, New York**

**POLICY #2270**

**SCHOOL ATTORNEY**

Legal Counsel shall be appointed by the Board of Education at the annual reorganization meeting to serve at the pleasure of the Board. Counsel shall:

- a. attend meetings of the Board as requested;
- b. offer the Board such legal advice as he/she may consider to be needed, and such advice and services as the Board may request.

Counsel shall be paid a fee as established by the Board. The Board may authorize additional special fees to Counsel for services of an unusual nature or requiring more than a normal expenditure of time.

The Board may appoint additional special Counsel as they deem necessary, and provide for compensation for such services.

:FPB

Adopted: 12/1989

**ROSLYN PUBLIC SCHOOLS**  
Roslyn, New York

**POLICY #2280**

**CONSULTANTS TO THE BOARD**

The Board of Education may employ annually consultants with special expertise to provide services to the District at a compensation fixed by the Board.

Where the Superintendent of Schools concludes that the District would benefit from the services of a consultant, he/she shall recommend such services to the Board. Each consultant so engaged shall have his/her services reviewed annually.

:FPB

Adopted: 12/1989

**ROSLYN PUBLIC SCHOOLS**  
Roslyn, New York

**POLICY #4329**

**YOUTH CENTER**

The Youth Center Program shall be available to all children who are residents of the District. Youth Center is open to students in grades 6-12, each Friday and Saturday during the school year, from 7:00 p.m. to 10:00 p.m. Youth Center is open during the summer for a maximum of four evenings a week during the same hours.

The program includes basketball, table games, arts and crafts, and a variety of sports and recreational activities. Facilities include the high school gymnasiums, lounges, halls, playgrounds, nearby recreational facilities, and various other sites.

Students using the facilities are expected to behave in a responsible manner.

:FPB

Adopted: 12/1989

Revised: 5/1990

**ROSLYN PUBLIC SCHOOLS**  
**Roslyn, New York**

**POLICY #4332**

**TRAVEL STUDY**

The Board of Education recognizes the value of Travel Study and supports it through American Field Service.

American Field Service, the oldest student exchange program in the country, has an active chapter at Roslyn High School. AFS promotes understanding through individual and group exchanges. These experiences involve both visiting and hosting students from various parts of the United States and the world. AFS holds informational meetings throughout the year and hosts a reception in honor of foreign students.

Foreign exchange students sponsored by American Field Service may attend the schools of the District without the payment of tuition.

:FPB

Adopted: 12/1989

**ROSLYN PUBLIC SCHOOLS**  
Roslyn, New York

**POLICY #4334**

**ADVANCED COLLEGE PLACEMENT**

Courses shall be offered for advanced college placement (AP credit) in various areas at the high school level.

:FPB

Adopted: 12/1989

**ROSLYN PUBLIC SCHOOLS**  
**Roslyn, New York**

**POLICY #4340**

**ADULT EDUCATION PROGRAMS**

The Roslyn School District shall offer a broad range of courses through the Adult Continuing Education Program. The number and type of courses offered will be recommended by the Superintendent of Schools to the Board of Education for approval prior to each semester.

Brochures for the fall and spring semesters are mailed to all District residents.

:FPB

Adopted: 12/1989

# **ROSLYN UNION FREE SCHOOL DISTRICT**

## **New/Revised Policies**

**1st Reading April 16, 2019**

**2nd Reading May 9, 2019**

3rd Reading May 21, 2019

# **POLICY 8635**

## **INFORMATION SECURITY BREACH AND NOTIFICATION**

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### **NEW POLICY**

<b>Policies Being Replaced</b>	<b>NONE</b>
<b>Reason for Revision</b>	<b>Adopt policy concerning security breach</b>

The Board of Education acknowledges the State's concern regarding the rise in identity theft and the need for prompt notification when security breaches occur.

The School District maintains students' private information, personally identifiable information, and education records on its student data management systems and recognizes its responsibility to protect the privacy of student data-including personally identifiable information-and its obligation to notify students and their parents when a data security breach has/may have resulted in the unauthorized disclosure of, or access to, this information. Therefore, the District has implemented privacy and security measures designed to protect student data stored in its student data management systems. These measures include reviewing information systems to identify where personally identifiable information is stored and used, and monitoring data systems to protect against and detect potential breaches. In the event of a breach or suspected breach, the School District will promptly take steps to validate the breach, mitigate any loss or damage, and notify law enforcement, if necessary.

If the School District determines that a security breach has occurred, affected individuals will be provided notice without unreasonable delay. The notification method may vary depending on the type of data breached and the number of individuals affected and the Superintendent will be responsible for implementing an appropriate response. To this end, the Superintendent of Schools or his/her designee, in accordance with appropriate business and technology personnel, will:

- Identify and/or define the types of private information that is to be kept secure.
- Include procedures to identify any breaches of security that result in the release of private information; and
- Include procedures to notify persons affected by the security breach as required by law;

Additionally, pursuant to Labor Law §203-d, the School District will not communicate employee and student "personally identifying information" to the general public. This includes social security number, home address or telephone number, personal electronic email address, Internet identification name or password, parent's surname prior to marriage, or driver's license number. In addition, the School District will protect employee social security numbers in that such numbers shall not: be publicly posted or displayed, be printed on any ID badge, card or time card, be placed in files with unrestricted access, or be used for occupational licensing purposes. Employees with access to such information shall be notified of these prohibitions and their obligations.

Any breach of the School District's computerized data which compromises the security, confidentiality, or integrity of personal information maintained by the School District shall be promptly reported to the Superintendent of Schools and the Board of Education.

### Definitions

“Private information” shall mean personal information (i.e., information such as name, number, symbol, mark or other identifier which can be used to identify a person) in combination with any one or more of the following data elements, when either the personal information or the data element is not encrypted or encrypted with an encryption key that has also been acquired:

- Social security number;
- Driver’s license number or non-driver identification card number; or
- Account number, credit or debit card number, in combination with any required security code, access code, or password which would permit access to an individual’s financial account.

Note: “Private information” does not include publicly available information that is lawfully made available to the general public pursuant to state or federal law or regulation.

“Breach of the security of the system” shall mean unauthorized acquisition or acquisition without valid authorization of computerized data which compromises the security, confidentiality, or integrity of personal information maintained by the School District. Good faith acquisition of personal information by an officer or employee or agent of the School District for the purposes of the School District is not a breach of the security of the system, provided that the private information is not used or subject to unauthorized disclosure.

To successfully implement this policy, the School District shall inventory its computer programs and electronic files to determine the types of personal, private information that is maintained or used by the School District, and review the safeguards in effect to secure and protect that information.

### Procedure for Identifying Security Breaches

In determining whether information has been acquired, or is reasonably believed to have been acquired, by an unauthorized person or a person without valid authorization, the School District shall consider:

1. indications that the information is in the physical possession and control of an unauthorized person, such as a lost or stolen computer, or other device containing information;
2. indications that the information has been downloaded or copied;
3. indications that the information was used by an unauthorized person, such as fraudulent accounts, opened or instances of identity theft reported; and/or

4. any other factors which the School District shall deem appropriate and relevant to such determination.

#### Security Breaches – Procedures and Methods for Notification

Once it has been determined that a security breach has occurred, the following steps shall be taken:

1. If the breach involved computerized data *owned or licensed* by the School District, the School District shall notify those New York State residents whose private information was, or is reasonably believed to have been acquired by a person without valid authorization. The disclosure to affected individuals shall be made in the most expedient time possible and without unreasonable delay, consistent with the legitimate needs of law enforcement, or any measures necessary to determine the scope of the breach and to restore the reasonable integrity of the system.

The School District shall consult with the New York State Office of Cyber Security and Critical Infrastructure Coordination (CSCIC) to determine the scope of the breach and restoration measures.

2. If the breach involved computer data *maintained* by the School District, the School District shall notify the owner or licensee of the information of the breach immediately following discovery, if the private information was or is reasonably believed to have been acquired by a person without valid authorization.

The required notice shall include (a) district contact information, (b) a description of the categories of information that were or are reasonably believed to have been acquired without authorization and (c) which specific elements of personal or private information were or are reasonably believed to have been acquired. This notice shall be directly provided to the affected individuals by either:

1. Written notice;
2. Electronic notice, provided that the person to whom notice is required has expressly consented to receiving the notice in electronic form; and that the School District keeps a log of each such electronic notification. In no case, however, shall the School District require a person to consent to accepting such notice in electronic form as a condition of establishing a business relationship or engaging in any transaction; or
3. Telephone notification, provided that the School District keeps a log of each such telephone notification.

However, if the School District can demonstrate to the State Attorney General that (a) the cost of providing notice would exceed \$250,000; or (b) that the number of persons to be notified exceeds

500,000; or (c) that the School District does not have sufficient contact information, substitute notice may be provided. Substitute notice would consist of all of the following steps:

1. E-mail notice when the School District has such address for the affected individual;
2. Conspicuous posting on the School District's website, if they maintain one; and
3. Notification to major media.

#### Notification of State and Other Agencies

Once notice has been made to affected New York State residents, the School District shall notify the State Attorney General, the Consumer Protection Board, and the State Office of Cyber Security and Critical Infrastructure Coordination as to the timing, content, and distribution of the notices and approximate number of affected persons.

If more than 5,000 New York State residents are to be notified at one time, the School District shall also notify consumer reporting agencies as to the timing, content and distribution of the notices and the approximate number of affected individuals. A list of consumer reporting agencies will be furnished, upon request, by the Office of the State Attorney General.

Ref: State Technology Law §§201-208  
Labor Law §203-d

Adoption date:

# **POLICY 9140**

## **STAFF COMPLAINTS AND GRIEVANCES**

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### **REVISED POLICY**

<b>Policies Being Replaced</b>	<b>Policy 9140.1 Staff Complaints and Grievances</b>
<b>Reason for Revision</b>	<b>Update policy to align with current law</b>

The Board of Education recognizes that staff complaints and grievances regarding work rules arise from time to time. In many instances the complaint process is covered by collective bargaining agreements, and in those instances, the grievance procedure outlined in the agreement shall be used. In order to address staff complaints not covered by bargaining agreements, and/or for those employees not covered by such an agreement, the Board of Education establishes this policy. The Board of Education acknowledges that staff members have the right to present complaints and grievances in accordance with these procedures free from coercion, interference, restraint, discrimination or reprisal.

### Definitions

1. "Grievant" shall mean an employee who alleges a grievance.
2. "Grievance" shall mean any alleged violation, misinterpretation or inequitable application of laws, regulations, rules or governing procedures which relates to employee health or safety, physical facilities, materials or equipment furnished. It does not include complaints regarding compensation, benefits, disciplinary proceedings or any matter which is otherwise reviewable pursuant to law or any rule or regulation having the force and effect of law.
3. "Immediate Supervisor" shall mean the person under whose immediate jurisdiction the grievance occurs.
4. "Representative" shall mean the person or persons designated by the aggrieved employee as his counsel or to act in his behalf.

### Procedures

This policy provides grievance procedures for those employees not covered by collective bargaining agreements or whose negotiated agreements do not include grievance procedures. Grievants shall have the right to representation at all stages of the grievance process. The resolution of staff complaints shall be dealt with in the following manner:

### Stages

#### *A. Stage I – Immediate Supervisor*

1. Within thirty (30) days after the events giving rise to the grievance, the grievant shall present the grievance orally to their immediate supervisor. The supervisor may informally discuss the grievance with the grievant. He/She shall promptly investigate the complaint. All employees of the School District shall cooperate with the supervisor in such investigation. If the immediate supervisor is the subject of the grievance, then the review shall be completed by a designee the Assistant Administrator for Business.

2. The supervisor shall render his/her determination within fifteen (15) days after the grievance was presented to him/her. In the event the supervisor finds that there has been a violation, he/she shall propose a resolution of the complaint. The discussion and resolution of grievances with the supervisor shall be on an oral and informal basis.
3. If the grievant is not satisfied with the finding of the supervisor, or with the proposed resolution of the grievance, the grievant may, within fifteen (15) days after he/she has discussed the determination and/or proposed resolution with the supervisor, file a written request for review by the Superintendent of Schools.

*B. Stage II – Superintendent of Schools*

1. The Superintendent of Schools may request that the grievant and the supervisor present a written statement to him/her setting forth any information that such person has relative to the grievance and the facts surrounding it.
2. At the request of the grievant the Superintendent of Schools shall hold an informal hearing and shall notify all parties concerned as to the time and place when an informal hearing will be held where such parties may appear and present oral and written statements supplementing their position in the case. Such hearing shall be held within fifteen (15) school days of the receipt of the appeal by the Superintendent of Schools.
3. Within fifteen (15) days of receipt of the grievance, or from the hearing, if applicable the Superintendent of Schools shall render his/her determination in writing. If the grievant is not satisfied with the determination of the Superintendent of Schools, the grievant may, within fifteen (15) days after its receipt, file with the District Clerk, a written request for review by the grievance committee as established by the Board of Education.

*C. Stage III – Grievance Committee*

1. The Board of Education shall appoint a committee composed of two representatives to hear the grievance.
2. When a request for review by a grievance committee has been made, the Superintendent of Schools shall submit all written statements and other materials concerning the case to the grievance committee.
3. The grievance committee shall notify all parties concerned of the time and place when a hearing will be held. Such hearing will be held within fifteen (15) school days of the receipt of the request of the grievant. All parties concerned shall have the right to present further statements and testimony at such hearing.

4. The grievance committee shall render a report in writing within fifteen (15) days after the hearing has been concluded. The report of the grievance committee shall contain a statement of the committee's findings of fact, conclusions and advisory recommendations. The grievance committee shall send a copy of its report to each employee involved, his/her representative, if any, and the Superintendent of Schools.

This policy shall be filed with the District Clerk and the State Civil Service Commission within fifteen (15) days of adoption and/or amendment, as required by law.

Cross-ref:      0100, Equal Opportunity and Nondiscrimination  
                     0110, Sexual Harassment

Ref:      General Municipal Law, Article 15-c  
              Civil Service Law, Article 14

Adoption date:

# **POLICY 9200**

## **SCHOOL VOLUNTEERS**

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### **REVISED POLICY**

<b>Policies Being Replaced</b>	<b>4532 School Volunteers</b>
<b>Reason for Revision</b>	<b>Updating substance of policy</b>

The Board of Education recognizes that the use of volunteers in the School District can assist School District employees in providing more individualized and enriched opportunities in instruction. The Board of Education also recognizes that volunteers from all backgrounds and age groups may be willing to share their time, training, experience or personal characteristics to benefit the students of the School District. Individuals who are especially qualified because of training, experience and/or background may be invited to participate in School District activities by speaking, making presentations, or leading discussions in the classroom so that students may benefit from their special expertise.

Volunteers may be involved in many facets of school operations. Volunteers shall not be used (1) to provide transportation for school-sponsored activities and/or (2) to provide coaching for any intramural or interscholastic activity. No volunteer shall be permitted to have unsupervised direct contact with students.

The Superintendent of Schools or his/her designee may approve the use of volunteers by school personnel who are responsible for tasks or projects for which they wish to involve the use of volunteers. In the event the Superintendent of Schools or his/her designee approves the use of volunteers, the employee to whom said approval has been given shall make provisions for adequate supervision and evaluation.

Each Building Principal shall be responsible for maintaining a current and complete list of all active volunteers and their assignments.

Adoption Date:

# **ROSLYN UNION FREE SCHOOL DISTRICT**

## **New/Revised Policies**

**May 9, 2019**

2nd Reading May 21, 2019

# **POLICY 5110**

## **DESIGNATED SCHOOLS OF ATTENDANCE**

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### **NEW POLICY**

Designated schools of attendance (“attendance zones”) shall be established by the Board of Education upon recommendation of the Superintendent of Schools or his/her designee. Separate and distinct attendance areas shall be established and maintained for the district's elementary schools. There shall be a single attendance zone for the School District's middle school and high school. Once adopted, the Superintendent of Schools will see that they are appropriately shown on an official district map, which shall be maintained in the School District’s transportation office. The official district map shall be available to the public. All areas shall be laid out on official district maps.

Pupils shall be assigned to appropriate schools in accordance with established school attendance zones. Elementary school students shall attend the school building in the attendance zone in which their residence is located unless (1) otherwise required as a result of a placement by the Committee on Special Education or (2) the student has been placed in a specialized academic program offered at one of the other elementary schools and/or (3) where it is in the best interest of the student to be placed in a school other than the designated school of attendance.

Upon the request of a parent/guardian to the Superintendent of Schools or his/her designee, a resident student enrolled in Kindergarten through 5<sup>th</sup> grade who moves to a new attendance zone in the District after February 1st may be permitted to complete the school year in the school in which they started the school year. The Superintendent of Schools or his/her designee shall have the sole discretion in determining whether to grant the parent/guardian request taking into account the following factors:

- the placement of the student will result in an increase in the size of the faculty or staff necessary to educate the student;
- when such exclusion is deemed to be in the interests of the School District.

Cross-ref:      5100 Student Attendance  
                      5150 School Admissions  
                      5152 Admission of Non-Resident Students

Adoption Date:

# **POLICY 6680**

## **INTERNAL AUDIT FUNCTION**

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### **NEW POLICY**

The Board of Education recognizes its responsibility to provide for sound fiscal management of the School District. To this end, the Board of Education establishes an internal audit function to carry out the following tasks:

- Develop an annual risk assessment of School District fiscal operations which shall include but not be limited to:
  - a. a review of financial policies and procedures,
  - b. the testing and evaluation of School District internal controls;
- An annual review and update of such risk assessment; and
- Prepare reports, at least annually or more frequently as the Board of Education may direct, which:
  - a. analyze significant risk assessment findings,
  - b. recommend changes for strengthening controls and reducing identified risks, and
  - c. specify timeframes for implementation of such recommendations.

To fulfill this function, the School District may use inter-municipal cooperative agreements, BOCES shared services, or independent contractors as long as such personnel or entities performing the internal audit function comply with the Regulations of the Commissioner and meet professional auditing standards for independence between the auditor and the School District. The School District may also use existing personnel to fulfill this function but only if such persons shall not have any responsibilities for other business operations of the School District while performing such function.

Personnel or entities performing this function shall report directly to the Board of Education. The School District's audit committee shall assist in the oversight of this internal audit function.

Cross-ref: 6010 *et seq.* as appropriate

Ref: Education Law §2116-b

Adoption Date:

# **POLICY 6690**

## **AUDIT COMMITTEE**

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### **NEW POLICY**

The Board of Education will designate and appoint an Audit Committee for purposes of overseeing and carrying out the Board of Education's audit policies and the performance of related duties and responsibilities. The School District's Audit Committee shall consist of three (3) Board of Education members to serve on this Committee. Employees of the School District are prohibited from serving on the committee.

The Audit Committee shall:

- provide recommendations regarding the appointment of the external auditor for the district;
- meet with the external auditor prior to commencement of the audit;
- review and discuss with the external auditor any risk assessment of the School District's fiscal operations developed as part of the auditor's responsibilities under governmental auditing standards for a financial statement audit and federal single audit standards if applicable;
- receive and review the draft annual audit report and accompanying draft management letter and, working directly with the external auditor, assist the Board of Education in interpreting such documents;
- make a recommendation to the Board of Education on accepting the annual audit report;
- review every corrective action plan to be developed by the School District in response to the external audit and assist the trustees or Board of Education in the implementation of such plan; and
- assist in the oversight of the internal audit function including, but not limited to, providing recommendations regarding the appointment of the internal auditor for the School District, the review of significant findings and recommendations of the internal auditor, monitoring of the School District's implementation of such recommendations, and the evaluation of the performance of the internal audit function.

The Audit Committee may conduct an executive session in accordance with law and Commissioner's regulation. Any member of the Board of Education who is not a member of the Audit Committee may be allowed to attend an executive session if authorized by a resolution of the Board of Education.

It is not the intent of the Board of Education that the Audit Committee participate in or be responsible for the day to day operations of the School District or in the decisions that are the responsibility of the Superintendent of Schools or his/her designee, or the other school district administrators.

Ref: Education Law §2116-c

Adoption date:

# **POLICY 8130**

## **SCHOOL SAFETY PLANS AND TEAMS**

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### **REVISED POLICY**

Emergencies and violent incidents in schools are critical issues that must be addressed in an expeditious and effective manner. The Board of Education recognizes its responsibility to adopt and keep current a comprehensive District-wide school safety plan and building-level emergency response plan(s) which address violence prevention, crisis intervention, emergency response and management.

Taken together, the District-wide and building level plans shall provide a comprehensive approach to addressing school safety and violence prevention, and provide the structure where all individuals can fully understand their roles and responsibilities for promoting the safety of the entire school community. The plans shall be designed to endeavor to prevent or minimize the effects of serious violent incidents and emergencies and to facilitate the School District's coordination with local and county resources. The plans shall also address risk reduction/prevention, response and recovery with respect to a variety of types of emergencies and violent incidents in District schools.

In accordance with state law and regulation, the School District shall have the following school safety teams and plans to deal with violence prevention, crisis intervention and emergency response and management:

#### Comprehensive District-wide School Safety Team and Plan

The Board of Education shall annually appoint a District-wide school safety team that includes, but is not limited to, a representative from the following constituencies: the Board of Education, teachers, administrators, and parent organizations, school safety personnel and other school personnel. This team shall be responsible for the development and annual review of a comprehensive District-wide school safety plan. The plan shall cover all School District school buildings and shall address violence prevention (taking into consideration a range of programs and approaches that are designed to create a positive school climate and culture), crisis intervention, emergency response and management including communication protocols, at the School District level. It shall include all those elements required by law and regulation.

The Board of Education, in its discretion, may appoint a student representative to the District-wide school safety team. However, no confidential building-level emergency response plan(s) shall be shared with the student member, nor shall the student member be present during discussion of any confidential building-level emergency response plan(s), or confidential portions of the District-wide emergency response strategy.

The Superintendent of Schools or his/her designee shall be the School District's chief emergency officer and shall coordinate communication between School District staff, law enforcement and first responders.

### Building-level emergency response teams and plans

Each Building Principal shall be responsible for annually appointing an emergency response team. The emergency response team shall be responsible for the development and review of a building-level emergency response plan for each School District building. The plan(s) shall address communication, emergency response (including insuring that local responders have access to floor plans, blueprints, and other appropriate maps of school property and the immediate surrounding area), and evacuation at the building level and shall include all procedures required by law and regulation.

Within each building, the building level emergency response plans shall designate:

- an emergency response team that includes appropriate school personnel, law enforcement officials, fire officials and representatives from local, regional and/or state emergency response agencies to assist the school community in responding to a serious violent incident or emergency;
- other appropriate incident response teams; and
- a post-incident response team that includes appropriate school personnel, medical personnel, mental health counselors and other related personnel to assist the community in coping with the aftermath of a serious violent incident or emergency.

The Building Principal shall be responsible for conducting at least one (1) test every school year of the emergency response procedures under this plan including procedures for sheltering, early dismissal, drills and other exercises to test the components of the plan.

To maintain security and in accordance with law, the building-level emergency response plan(s) shall be confidential and shall not be subject to disclosure under the Freedom of Information Law or any other law.

### Annual Review and Report

Each safety plan shall be reviewed by the appropriate school safety team on at least an annual basis, and updated as needed. In conducting the review, the building-level teams shall consider any changes in personnel, local conditions and other factors including an evaluation of the results of the annual test of the emergency response procedures which may necessitate updating of plans. If the plan requires no changes, then it shall remain in effect. If either plan requires change, then the updated plan shall be submitted to the Board of Education. In the case of the District wide safety plan, the updated plan will be submitted to the Board of Education in time to allow thirty (30) days for public comment and to hold a public hearing which provides for the participation of school personnel, students and other interested parties prior to Board of Education adoption. All plans must be adopted by the Board of Education by September 1.

The Superintendent of Schools or his/her designee shall be responsible for filing the District-level school safety plan and any amendments to the plan with the Commissioner within thirty (30) days after their adoption. The Superintendent of Schools or his/her designee shall be responsible for filing the building-level emergency response plan for each building and any amendments to the plan with the appropriate law enforcement agency and the state police within thirty (30) days after their adoption.

Ref: Education Law §2801-a  
Executive Law §2B  
8 NYCRR Part 155

Adoption date:

**POLICY 8134**

**EMERGENCY**

**CLOSINGS/DELAYS**

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**REVISED POLICY**

The Superintendent of Schools may close the schools in the School District or dismiss early when hazardous weather or other emergencies threaten the health or safety of students and personnel. The Superintendent of Schools may delegate this authority to another staff member in the event of his/her absence.

While it may be prudent, under certain circumstances, to excuse all students from attending school, to delay the opening hour, or to dismiss students early, the Superintendent of Schools has the responsibility to ensure that administrative, supervisory, and operational activity is continued to the extent possible.

In making the decision to close schools, the Superintendent of Schools will consider many factors, including the following principal ones that relate to the safety and health of children:

1. weather conditions, both existing and predicted;
2. driving, traffic, and parking conditions affecting public and private transportation facilities;
3. actual occurrence or imminent possibility of any emergency condition that would make the operation of schools difficult or dangerous; and
4. inability of teaching personnel to report for duty, which might result in inadequate supervision of students.

When schools are closed or delayed for emergency reasons, staff members will follow contractual obligations in reporting for work.

Ref: Education Law §3604(7)

Adoption date:

# **POLICY 8140**

## **UNSAFE SCHOOL TRANSFER CHOICE**

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### **NEW POLICY**

The Board of Education recognizes that, in accordance with law, there may be instances in which it must offer students the choice to transfer to a safe public school within the School District at the same grade level. Such transfer choice must be offered if:

1. the school a student would normally attend is designated a “persistently dangerous school” by the Commissioner of Education; or
2. a student becomes the victim of a “violent criminal offense” that occurs on the grounds of the school the student currently attends.

In accordance with federal and state law and regulations, the option to transfer to a safe school will be available only if there is a safe public school that eligible students can transfer to at the same grade level within the School District. Therefore, the Board of Education directs the Superintendent of Schools or his/her designee to develop a list identifying any school(s) designated by the Commissioner of Education as persistently dangerous that also includes any alternative safe public school(s) within the School District for each grade level to which students may transfer. The list shall be revised annually, as necessary.

### **Notification of Transfer Rights**

The Superintendent of Schools or his/her designee shall notify parents of all students in a school designated as persistently dangerous, and the parents of any student who becomes a victim of a violent criminal offense on school grounds, of their child’s right to transfer out of the school they currently attend. The notice shall:

1. explain that students may transfer only to a safe public school at the same grade level within the School District,
2. identify the school(s) a student may transfer to,
3. explain the procedures for transfer, including the need for parents wanting their child to transfer to inform the Superintendent of Schools or his/her designee of their decision within the time frame stated in the notice.
4. inform parents of their right to request that their child be returned to the school of origin if they later reconsider their decision to allow the transfer.

The required notice shall be sent first class mail within ten (10) days after the School District receives notice from the Commissioner of Education of the school’s designation as persistently dangerous. In the case of a student who is deemed to be the victim of a violent criminal offense on school grounds the notice shall be sent first class mail within twenty-four (24) hours of any such determination by the Superintendent of Schools or his/her designee.

To the extent practicable, the notice will be provided in the dominant language or mode of communication used by the parents.

### **Procedures for Transfer**

The transfer of any student attending a school that is deemed to be persistently dangerous generally will occur within thirty (30) school days after the School District finds out about the designation. The transfer of a student determined to be a victim of a violent criminal offense on school grounds will occur generally within ten (10) calendar days of the determination.

A student transferring from a persistently dangerous school has the right to remain at the safe school he or she transfers to for as long as the school of origin continues to be identified as persistently dangerous. But such a student will remain at the safe school until he or she completes the highest grade level there if it is determined to be in the best educational interest of the student to remain there. The School District will make such a determination based on the student's educational needs and other factors affecting his or her ability to succeed if returned to the school of origin.

A student who transfers because he or she became the victim of a violent criminal offense at his or her school of origin remains at the school transferred to until he or she completes the highest grade level there.

Upon parental request, any student who exercised his or her right to transfer to a safe school may return to the school of origin. Any such transfer back will be effective at the start of classes in the next school year following the request.

### **Transportation**

The School District shall provide transportation to students transferring to a safe school within the transportation limits established under New York's Education Law.

### **Procedures for Determining Whether a Student Has Become the Victim of a Violent Criminal Offense on School Grounds**

In accordance with School District procedures for the reporting of violations that constitute crimes, the Building Principal or designee shall promptly notify both local law enforcement and the Superintendent of Schools or his/her designee of all reports that involve the infliction of a serious physical injury upon another, a sex offense involving forcible compulsion, or any other offense that involves the use or threatened use of a deadly weapon under applicable provisions of New York's Penal Law.

Following receipt of any such report, the Superintendent of Schools or his/her designee shall proceed to determine whether any of the students involved in the reported incident has become the victim of a violent criminal offense on school grounds. In making this determination, the Superintendent of Schools or his/her designee shall:

1. consult with any law enforcement agency investigating the alleged violent criminal offense, and document his or her consultation with law enforcement officials,
2. consider any reports or records provided by law enforcement agencies investigating the situation,
3. consult with the School District's attorney prior to making any final determination, and
4. document his or her findings.

A criminal conviction is not required for the Superintendent of Schools or his/her designee to make a determination that a student indeed has become the victim of a violent criminal offense on school grounds. However, the Superintendent of Schools' determination (or his/her designee's determination) that a violent criminal offense has occurred cannot be used as evidence in any student disciplinary proceeding initiated against either the alleged victim or the perpetrator of the offense.

Upon a finding that a student has become the victim of a criminal violent offense on school grounds, the Superintendent of Schools or his/her designee will provide the student's parents with notice of the student's right to transfer to a safe school in accordance with the notice procedures established by this policy above. The Superintendent of Schools or his/her designee will document compliance with the notification requirements and the procedures followed to carry out the student's transfer if the parents elect to have the student transfer to another school.

#### Appeal of Determination Regarding a Violent Criminal Offense

Parents may appeal to the Board of Education the determination regarding whether their child has become the victim of a violent criminal offense on school grounds.

#### Cross-ref:

Ref: 20 USC §7912(a)  
 Education Law §2802(7)  
 Penal Law §10.00(1), (12)  
 8 NYCRR §120.5

#### Adoption date:

# **POLICY 8336**

## **USE OF SURVEILLANCE CAMERAS**

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### **REVISED POLICY**

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The Board of Education recognizes its responsibility to promote, foster, and ensure the safety of its students, staff, visitors, facilities, and property and ensure a safe and effective learning environment. While the Board of Education recognizes the importance of privacy, after having carefully considered and balanced the rights of privacy with its duty to promote discipline, health, welfare, and safety of staff, students, and the general public, the Board of Education supports the use of surveillance cameras in or on School District property, including facilities, school buses, and/or School District grounds, when necessary. These surveillance cameras will assist in maintaining the overall safety and welfare of School District students, staff, property, and visitors, as well as to deter theft, violence, and other criminal activities.

Surveillance cameras will only be placed in public or common areas, such as stairwells, hallways, cafeterias, parking lots, or playgrounds, and not in private areas such as locker rooms, bathrooms, or other areas in which individuals have a reasonable expectation of privacy.

### **Disciplinary Proceedings**

Video recordings or footage from School District surveillance cameras may be used in student disciplinary proceedings, as appropriate.

### **Signage/Notification**

The School District will place signage at entrances to its campuses or at major entrances into buildings notifying students, staff, and visitors of the use of surveillance cameras. Students and staff will also receive additional notification, as deemed appropriate by the Superintendent of Schools or his/her designee, regarding the use of its surveillance cameras through means such as publication in the School District's calendar, on the School District's website and in such other publications as determined by the Superintendent of Schools or his/her designee.

### **Maintenance of Video Recordings**

Any video surveillance recording (tape, CD, or digital) in School District buildings, on school buses, or on School District property will be the sole property of the School District and stored in its original form and in a secure location to avoid tampering and also to maintain its confidentiality in accordance with relevant law and regulations.

In addition, to the extent that any video images create student or personnel records, the School District will comply with all applicable State and Federal laws related to record retention, record

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maintenance, and record disclosure, including the Family Educational Rights and Privacy Act (FERPA).

Ref: 20 U.S.C. §1232g (Family Educational Rights and Privacy Act)  
Arts & Cultural Affairs Law Art. 57-A  
Public Officers Law §87  
Records Retention & Disposition Schedules for Use by School Districts, Schedule ED-1

Adoption Date:

# **POLICY 9012**

## **FAMILY AND MEDICAL LEAVE**

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### **REVISED POLICY**

Consistent with the federal Family and Medical Leave Act of 1993 as amended, the Board of Education recognizes the right of eligible employees to unpaid family and medical leave for up to twelve (12) workweeks during any twelve (12) month period. For the purposes of family and medical leave, the twelve month period necessary for eligibility shall be a rolling year. A rolling twelve (12) month period is measured backward from the date an employee uses any FMLA leave. The Board of Education shall ensure that all eligible employees who use such leave shall have their health benefits continued and shall be returned to his/her previous position or an equivalent position according to established Board of Education practices, policies and collective bargaining agreements.

To be eligible for family or medical leave, an employee must have been employed for at least twelve (12) months and have worked at least 1,250 hours during the prior twelve (12) months.

### **Basic Leave Entitlement**

Family Medical Leave Act (FMLA) requires covered employers to provide up to 12 weeks of unpaid, job-protected leave to eligible employees for the following reasons:

- For incapacity due to pregnancy, prenatal medical care or child birth;
- To care for the employee's child after birth, or placement for adoption or foster care;
- To care for the employee's spouse, son, daughter or parent, who has a serious health condition; or
- For a serious health condition that makes the employee unable to perform the employee's job.

### **Military Family Leave Entitlements**

Eligible employees whose spouse, son, daughter or parent is on covered active duty or call to covered active duty status may use their 12-week leave entitlement to address certain qualifying exigencies. Qualifying exigencies may include attending certain military events, arranging for alternative childcare, addressing certain financial and legal arrangements, attending certain counseling sessions, and attending post-deployment reintegration briefings.

FMLA also includes a special leave entitlement that permits eligible employees to take up to 26 weeks of leave to care for a covered service-member during a single 12-month period. A covered service member is: (1) a current member of the Armed Forces, including a member of the National Guard or Reserves, who is undergoing medical treatment, recuperation or therapy, is otherwise in outpatient status, or is otherwise on the temporary disability retired list, for a serious injury or illness\*; or (2) a veteran who was discharged or released under conditions other than dishonorable at any time during the five-year period prior to the first date the eligible employee takes FMLA leave to care for the covered veteran, and who is undergoing medical treatment, recuperation, or therapy for a serious injury or illness.\*

**\*The FMLA definitions of “serious injury or illness” for current service-members and veterans are distinct from the FMLA definition of “serious health condition”.**

### **Benefits and Protections**

During FMLA leave, the employer must maintain the employee’s health coverage under any “group health plan” on the same terms as if the employee had continued to work. Upon return from FMLA leave, most employees must be restored to their original or equivalent positions with equivalent pay, benefits and other employment terms.

Use of FMLA leave cannot result in the loss of any employment benefit that accrued prior to the start of an employee’s leave.

### **Right to Benefits During Leave**

The School District requires an employee to use accrued paid vacation, personal or sick leave for purposes of a family leave. The School District requires an employee to use accrued vacation, personal, or sick leave for purposes of a medical leave. In order to use paid leave for FMLA leave, employees must comply with the employer’s normal paid leave policies.

The employee shall notify the School District of his/her request for leave, if foreseeable, at least thirty (30) days prior to the date when the leave is to begin. If such leave is not foreseeable then the employee shall give such notice as is practical. The School District will require a certification from a health care provider if medical leave is requested.

When an employee returns following a leave, he/she must be returned to the same or equivalent position of employment. The Superintendent of Schools or his/her designee may reassign a teacher consistent with the teacher's agreement to a different grade level, building or other assignment consistent with the employee's certification and tenure area. The employee is not entitled to accrue seniority during the employee’s unpaid leave.

Any employee who uses unpaid leave shall have his/her health benefits continued during the leave, shall not have any previously accrued benefits altered and shall be returned to an equivalent position according to established Board of Education policies and collective bargaining agreements.

Subject to certain conditions, the continuing treatment requirement may be met by a period of incapacity of more than 3 consecutive calendar days combined with at least two visits to a health care provider or one visit and a regimen of continuing treatment, or incapacity due to pregnancy, or incapacity due to a chronic condition. Other conditions may meet the definition of continuing treatment.

### **Definition of Serious Health Condition**

A serious health condition is an illness, injury, impairment, or physical or mental condition that involves either an overnight stay in a medical care facility, or continuing treatment by a health care provider for a condition that either prevents the employee from performing the functions of the employee's job, or prevents the qualified family member from participating in school or other daily activities.

### **Use of Leave**

An employee does not need to use this leave entitlement in one block. Leave can be taken intermittently or on a reduced leave schedule when medically necessary. Employees must make reasonable efforts to schedule leave for planned medical treatment so as not to unduly disrupt the School District's operations.

### **Employee Responsibilities**

Employees must provide thirty (30) days advance notice of the need to take FMLA leave when the need is foreseeable. When thirty (30) days' notice is not possible, the employee must provide a notice as soon as is practical and generally must comply with the School District's normal absence notification procedures.

Employees must provide sufficient information for the employer to determine if the leave may qualify for FMLA protection and the anticipated timing and duration of the leave. Sufficient information may include that the employee is unable to perform job functions, the family member is unable to perform daily activities, the need for hospitalization or continuing treatment by a health care provider, or circumstances supporting the need for military family leave. Employees also must inform the School District if the requested leave is for a reason for which FMLA leave was previously taken or certified. Employees also may be required to provide a certification and periodic recertification supporting the need for leave.

### **School District Responsibilities**

The School District will inform employees requesting leave whether they are eligible under FMLA. If they are, the notice must specify any additional information required as well as the employees' rights and responsibilities. If they are not eligible, the School District will provide a reason for the ineligibility.

The School District will notify employees if leave will be designated as FMLA-protected and the amount of leave counted against the employee's leave entitlement. If the School District determines that the leave is not FMLA-protected, the School District will notify the employee.

### **Unlawful Acts by the School District**

FMLA makes it unlawful for the School District to:

- Interfere with, restrain, or deny the exercise of any right provided under FMLA; and
- Discharge or discriminate against any person for opposing any practice made unlawful by FMLA or for involvement in any proceeding under or relating to FMLA.

### **Enforcement**

An employee may file a complaint with the U.S. Department of Labor or may bring a private lawsuit against an employer.

FMLA does not affect any Federal or State law prohibiting discrimination, or supersede any State or local law or collective bargaining agreement which provides greater family or medical leave rights.

The Board of Education shall ensure that family and medical leave, consistent with the Family and Medical Leave Act, is provided to all eligible employees, unless they are covered by a collective bargaining agreement which provides greater leave benefits than this Act.

The School District shall post a notice prepared or approved by the Secretary of Labor stating the pertinent provisions of the Family and Medical Leave Act, including information concerning enforcement of the law.

Ref: 29 USC 2601-2654 (Family and Medical Leave Act of 1993, as amended)  
29 CFR Part 825

Adoption date:

**ROSLYN PUBLIC SCHOOLS**  
**Roslyn, New York**

**POLICY #4810**

**TEACHING ABOUT CONTROVERSIAL ISSUES**

Teachers handling controversial issues in class must ensure objectivity and make a competent effort to research and present varying opinions on each controversial topic. The age and maturity of students must be taken into account when deciding which curriculum materials to present.

:FPB

Adopted: 12/1989

# **ROSLYN UNION FREE SCHOOL DISTRICT**

New Policy

**POLICY 5605**

**VOTER REGISTRATION FOR STUDENTS**

**REVIEW NEW POLICY**

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Reason for Adoption	New Required Policy
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*-DRAFT NEW POLICY-***ROSLYN UNION FREE SCHOOL DISTRICT  
VOTER REGISTRATION FOR STUDENTS****POLICY 5605**

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The Board of Education believes that involving young people in the election process helps to prepare young people to be engaged voters who have been educated in the importance of the right to vote. In an effort to promote student voter registration, the Superintendent of Schools or his/her designee will implement a procedure to offer all students (a) who are at least sixteen (16) years old the opportunity to pre-register to vote and (b) who are at least eighteen (18) years old the opportunity to register to vote, to become effective January 1, 2020. The procedure established by the Superintendent of Schools or his/her designee may include collaboration with the County Board of Elections.

Those students who are otherwise qualified to vote and who pre-register will be automatically registered upon reaching the age of eighteen (18). Students who do not wish to preregister to vote will not be penalized (including participation grade or credits) for choosing not to do so.

Ref: Election Law §5-507

Adoption Date:

# **ROSLYN UNION FREE SCHOOL DISTRICT**

Policies to be abolished

**ROSLYN PUBLIC SCHOOLS**  
**Roslyn, New York**

**POLICY #2271**

**LITIGATION PROCEDURES**

The Board of Education recognizes the seriousness of legal allegations against the School District and the importance of responding promptly to such allegations. The Board further acknowledges that it may be served legal documents including notice of claim and summons and complaint documents either by personal delivery or mail delivery.

The Board notes that when service is made on the District by mail it may arrive addressed to any school officer, including Board members, the Superintendent of Schools, District Clerk, or any person whose duties generally relate to the administration of school affairs. Such mail should be directed to the Office of the District Clerk. Acceptance of personal service should also be directed to the Office of the District Clerk.

In the absence of the District Clerk, such documents received either by personal delivery or mail delivery should be directed to the Assistant District Clerk, Superintendent of Schools, Assistant Superintendent for Business, Assistant Superintendent for Administration, or Assistant Superintendent for Curriculum and Instruction.

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POLICY #2271

The Superintendent shall establish effective procedures to ensure that the District responds within the time frames prescribed by law. The procedures developed, when implemented, will help protect the District from penalties for failure or refusal to acknowledge receipt of a summons served either by mail or personal delivery.

:FPB

Adopted: 1/2002

Ref: Education Law §2 (13); 3023, 3028, 3811, 3813  
Civil Practice Law and Rules §311; 312-a; 318  
22 NYCRR §130.1(b); 130.2

Cross-ref: 2270, School Attorney