

**BOARD MEETING:** Regular Meeting  
**DATE:** Wednesday, June 7, 2023  
**TIME:** 6:00 p.m.  
**PLACE:** Naples High School Cafeteria

- I. Meeting Called to Order
- II. Roll Call
- III. Adopt the Agenda of the Regular Meeting of June 7, 2023 (Board Action)
- IV. Executive Session (Board Action)
- V. Pledge of Allegiance
- VI. Public Comments: The Board of Education invites you, the residents of our school community, to feel comfortable in sharing matters of interest or concern that you might have with us. The Board President will be happy to recognize those of you who wish to speak. We would ask that you come forward and please identify yourself before presenting your thoughts.  
Those items brought to the attention of the Board during this time may be taken under consideration for future response or action. (*Individual comments will be limited to three minutes.*)  
As a matter of courtesy, we ask that issues related to specific School District personnel or students be brought to the attention of the Superintendent of Schools privately. Thank you for this consideration.  
Board Response: The Board of Education is committed to keeping communication open and transparent. The Board of Education President will be working with the Board and the Superintendent to make every effort to respond to public comments directed to the Board of Education at previous meetings, during the next scheduled meeting.
- VII. Points of Interest
- VIII. Superintendent Recognitions & Updates
  - Assistant Secondary Principal/Data Coordinator
  - School Resource Officer
  - Student Representative Update
  - School Business Administrator Update
- IX. Board Reports
  - Facilities Committee
- X. Minutes (Board Action)
- XI. Approval of Vote Results (Board Action)
- XII. Contractual Agreements
  - Naples Teachers' Association APPR Agreement (Board Action)
  - CSEA Contract
- XIII. Inter-municipal Agreements (Board Action)
  - School Resource Officer
- XIV. Business (Board Action)
  - Organizational Meeting
  - Discards
  - Clay Target League Team
- XV. Personnel (Board Action)
  - Appointment
    - Temporary Information Technology Support Technician I
    - Temporary Student Helpers
  - Unpaid Leave
- XVI. Consent Agenda Items (Board Action)
  - CSE, CPSE and 504 Committee Recommendations
  - Substitute
- XVII. Adjournment (Board Action)

**June 7, 2023**

Members Present:	Robert Brautigam	Steven Mark
	Joseph Callaghan	Gail Musnicki
	Jacob Hall	Angela Rischpater
	Amie Levine	Maura Sullivan
	Kelley Louthan	

Also Present: Kevin Swartz, Chad Hunt, Kristina A. Saucke, Katherine Piedici, Lindsey Evershed-Pursel, Nedelcho Neumann and Pamela Claes.

**Motion:**

Resolved, that the Board of Education approves the agenda of the Regular Meeting of June 7, 2023 as presented.

### Motion Carried

**Motion Denied**

**2<sup>nd</sup>:**

Resolved, that the Board of Education approves calling an executive session at \_\_\_\_\_ p.m. for the purpose of discussing the employment history of a particular person or persons.

**Motion Carried**

## Motion Denied

**Motion:**

Resolved, that the Board of Education approves the minutes of the following meeting:

- Regular Meeting of April 12, 2023
- Regular Meeting of April 26, 2023
- Regular Meeting of May 3, 2023
- Regular Meeting of May 16, 2023
- Annual Meeting of May 16, 2023
- Special Meeting of May 31, 2023

**Motion Carried**

**Motion Denied**

**2<sup>nd</sup>:**

**Resolved, that the results of the Annual School District Vote of the Naples Central School District of the Town of Naples, Ontario County, NY are accepted as presented:**

WHEREAS, the Annual Central School District vote of the Naples Central School District of the Town of Naples, Ontario County, New York, was duly called, held and conducted on May 16, 2023, between the hours of 7:00 o'clock a.m. and 8:00 o'clock p.m., Eastern Daylight Savings Time, for the purpose of voting by voting machine on the 2023-2024 Proposed School Budget; Three (3) Board of Education Trustees; Expenditure from the 2021 Capital Reserve Fund; 2023-

**Regular Meeting****June 7, 2023**

2024 Naples Public Library Budget; and Two (2) Public Library Trustees, set forth in the notice of such election dated March 29, 2023, and

WHEREAS, this Board of Education has duly examined the statements of the result of said annual election held May 16, 2023, as aforesaid, in said Naples Central School District,

NOW THEREFORE, BE IT RESOLVED, by the Board of Education of the Naples Central School District of the Town of Naples, Ontario County, New York as follows:

It is hereby found and determined from the results of said annual election that the total votes cast for the Propositions and Candidates submitted at said annual election are as follows:

**Naples Board of Education Members:**

Votes for:

Name		Robert Brautigam	Kelley Louthan	Jacob Hall	Jake Biles	Don Christmas
Row		1A	2A	3A	Write-In	Write-In
# Votes		211	217	227	1	1

It is hereby determined that such candidates, Robert Brautigam, Kelley Louthan, and Jacob Hall, having received the three highest votes of the duly elected voters at said annual election, are hereby declared elected for three (3) year terms, to the Board of Education of the Naples Central School District commencing July 1, 2023 and expiring on June 30, 2026.

**Naples Public Library Trustees:**

Votes for:

Name	Linda Strauss-Jones	Pamela Steffen	Phil Bariteau
Row	4A	5A	Write-In
# Votes	215	213	1

It is hereby determined that such candidates, Linda Strauss-Jones, having received the highest votes of the duly elected voters at said annual election, is hereby declared elected for a term of three (3) years to the Naples Public Library Board of Trustees, commencing July 1, 2023 and expiring on June 30, 2026 and Pamela Steffen, having received the second highest votes of the duly elected voters at said annual election, is hereby declared for a term of two (2) years commencing on July 1, 2023 and expiring on June 30, 2025, completing the term formerly held by Gerald Bay, whose resignation was effective August 17, 2022.

**Proposed 2023-2024 School Budget: \$23,051,951.00**

Voting Yes: 197

Voting No: 50

**Proposed 2023-2024 School Budget: Passed**

**Expenditure from 2021 Capital Reserve Fund**

Resolved, that the Board of Education of the Naples Central School District is hereby authorized to withdraw and expend from the “2021 Capital Reserve Fund” a sum of money not to exceed One Hundred Thousand Dollars (\$100,000), to assist in funding infrastructure work including electric power/data and site work for charging stations for electric busses.

Voting Yes: 186

Voting No: 61

**Proposed Expenditure from 2021 Capital Reserve Fund: Passed**

**Naples Public Library Budget**

Resolved, that the proposition be approved authorizing the Board of Education of the Naples Central School District to levy taxes annually in the amount of two hundred and twenty-two thousand six hundred dollars (\$252,409), separate and apart from the annual School District budget, and to pay over such monies to the trustees of the Naples Central School District Public Library.

Voting Yes: 197

Voting No: 49

**Proposed Naples Public Library Budget: Passed**

**Voting Yes: Motion Carried**

**Voting No: Motion Denied**

**Motion:**

**2<sup>nd</sup>:**

**Resolved, that the Board of Education approves the following Contractual Agreement resolutions as presented:**

- Resolved, that the Naples Central School District Board of Education does hereby approve a APPR Tentative Agreement between the Naples Teachers' Association and the Naples Central School District agreeing to extend the Annual Professional Performance Review Plan for one (1) year with the modifications specified in the agreement. (APPR Tentative Agreement attached)

**Voting Yes: Motion Carried**

**Voting No: Motion Denied**

**Abstain:**

**Motion:**

**2<sup>nd</sup>:**

Resolved, that the Board of Education approves the negotiated agreement by and between the Superintendent of the Naples Central School District and CSEA, Local 1000 AFSCME, AFL-CIO, Naples Central School District Support Staff Unit #7853, Ontario County Local 835 for the time period of July 1, 2019 through June 30, 2027.

**Voting Yes: Motion Carried**

**Voting No: Motion Denied**

**Motion:**

**2<sup>nd</sup>:**

**WHEREAS**, Article 5-G of the New York State General Municipal Law provides the authority for the District and the County of Ontario (the “County”) by and through its Ontario County Sheriff’s Office to enter into agreements for the performance between themselves, or one for the other, of their respective functions, powers and duties on a cooperative contract basis; and

**WHEREAS**, the Board of Education of the District has determined that an effective and efficient method to protect the safety of District students, staff and property is an intermunicipal agreement with the County to obtain the services of one (1) officer to serve as a School Resource Officer (“SRO”); and

**WHEREAS**, the Board of Education has had the opportunity to review the proposed agreement;

**NOW, THEREFORE**, the Board of Education of the Naples Central School District resolves as follows:

1. The Board of Education hereby approves the intermunicipal agreement between the District and County for School Resource Officer services, effective September 1, 2023 through June 30, 2024.
2. The Board authorizes the Superintendent of Schools to execute the intermunicipal agreement in the form approved by legal counsel.

This Resolution shall take effect immediately.

**Voting Yes:**

**Motion Carried**

**Voting No:**

**Motion Denied**

**Abstain:**

**Motion:**

**2<sup>nd</sup>:**

**Resolved, that upon the recommendation of the Superintendent, the Naples Central School District Board of Education approves the following Business resolutions as presented:**

- The Board of Education meeting date for the 2023-2024 Organizational Meeting is designated as follows: July 12, 2023 at 6:00 p.m.
- Resolved that approval be given for the following to be declared surplus property and approval given to discard as per Policy #5250:
  - Elementary Library Discards: Attached
- Resolved, that authorization be given for the Clay Target League Team be designated as an Athletic Team effective July 1, 2023 at the current point schedule as defined in the Naples Teachers' Association Contract.

**Voting Yes:**

**Motion Carried**

**Voting No:**

**Motion Denied**

**Motion:**

**2<sup>nd</sup>:**

**Resolved, that upon the recommendation of the Superintendent, the Naples Central School District Board of Education approves the following personnel item as presented:**

- Resolved, that the Board of Education approves the following Temporary appointments for the 2023-2024 School Year:
  - Lewis White, 6077 County Road 33, Canandaigua, NY 14424, as an Information Technology Support Technician 1 in the Technology Department, at the rate of \$31.10/hour, effective July 1, 2023 through June 30, 2024.
  - Owen Yates, 6154 State Route 53, Prattsburgh, NY 14873, as a Student Helper to help in the Facilities Department, effective July 1, 2023 through June 30, 2024, at the rate of \$14.20/hour.
  - Garrett Waltman, 14 Pinewood Lane, Naples, NY 14512, as a Student Helper to help in the Facilities Department, effective July 1, 2023 through June 30, 2024, at the rate of \$14.20/hour.
  - Logan Trautman, 6102 Italy Valley Road, Naples, NY 14512, as a Student Helper to help in the Facilities Department, effective July 1, 2023 through June 30, 2024, at the rate of \$14.20/hour.
  - Raidon Schenkhill, 7458 Griesa Hill Road, Naples, NY 14512, as a Student Helper to help in the Facilities Department, effective July 1, 2023 through June 30, 2024, at the rate of \$14.20/hour.
- Resolved, that the Board of Education approves the following request for unpaid leave:
  - Alexandra DeVries: Two (2) Unpaid days - From May 25, 2023 through May 26, 2023.

**Voting Yes:**

**Motion Carried**

**Voting No:**

**Motion Denied**

**Motion:**

**2<sup>nd</sup>:**

**Resolved, that the Board of Education, upon the recommendation of Superintendent Kevin Swartz, approves the Consent Agenda Items as presented:**

- a. Resolved, that the Board of Education approves committee recommendations from the following meetings:
  - Committee on Special Education actions of April 25, 2023; April 26, 2023; May 10, 2023; and May 11, 2023.
  - Committee on Preschool Special Education actions of April 27, 2023; and May 11, 2023.
  - 504 Committee actions of April 27, 2023.
- b. Resolved, that the Board of Education hereby approves the following Substitute appointments, pending a successful background clearance report provided to the school as a result of the fingerprinting process *effective May 25, 2023*:

<u>Name</u>	<u>Position</u>	<u>Address</u>
Kathy Stanton	Teacher	11551 Maples Avenue, Naples, NY 14512

**Voting Yes:**

**Motion Carried**

**Voting No:**

**Motion Denied**

**Regular Meeting**

**June 7, 2023**

**Motion:**

**2<sup>nd</sup>:**

There being no further business, the Regular Meeting of June 7, 2023 is hereby adjourned at \_\_\_\_\_ p.m.

**Voting Yes:**

**Motion Carried**

**Voting No:**

**Motion Denied**

**STATEMENT OF CANVAS OF VOTES CAST AT THE ANNUAL SCHOOL  
DISTRICT MEETING AND ELECTION OF NAPLES CENTRAL SCHOOL  
DISTRICT HELD ON MAY 16, 2023**

**Naples Central School District**

Counties of Ontario, Yates, Steuben and Livingston

Vote held at Naples High School Library, 7:00 A.M. to 8:00 P.M.

**Proposed 2023-2024 School Budget: \$23,051,951**

Machine #	YES	NO	BLANK
1	184	41	
Absentee Ballots	13	9	0
<b>TOTALS</b>	197	50	0

**Board of Education Candidates**

Vote for Three (3)

Machine #	Robert Brautigam	Kelley Louthan	Jacob Hall	Jake Biles Write-In	Don Christmas Write-In	Write-In
1	193	199	206	1	1	
Absentee Ballots	18	18	21			
<b>TOTALS</b>	211	217	227	1	1	

**Expenditure from 2021 Capital Reserve Fund**

Machine #	YES	NO	BLANK
1	170	55	
Absentee Ballots	16	6	1
<b>TOTALS</b>	186	61	1



**STATEMENT OF CANVAS OF VOTES CAST AT THE ANNUAL SCHOOL  
DISTRICT MEETING AND ELECTION OF NAPLES CENTRAL SCHOOL  
DISTRICT HELD ON MAY 16, 2023**

**Naples Public Library Budget: \$252,409**

Machine #	YES	NO	BLANK
1	183	40	
Absentee Ballots	14	9	0
<b>TOTALS</b>	197	49	0

**Library Trustees**

Vote for two (2)

Machine #	Linda Strauss- Jones	Pamela Steffen	Phil Bariteau Write-In	Write-In
1	195	194	1	
Absentee Ballots	20	19		
<b>TOTALS</b>	215	213	1	

Spoiled Ballots	2
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**STATEMENT OF CANVAS OF VOTES CAST AT THE ANNUAL SCHOOL  
DISTRICT MEETING AND ELECTION OF NAPLES CENTRAL SCHOOL  
DISTRICT HELD ON MAY 16, 2023**

State of New York

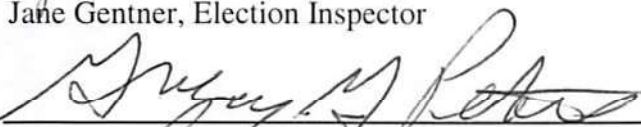
Counties of Ontario, Yates, Steuben and Livingston

I, the undersigned, an Inspector of Elections of the Naples Central School District, hereby certify that I canvassed the votes cast on the above items and that the foregoing is a full, true and correct statement thereof.




Jane Gentner, Election Inspector

5/16/23  
Date



Gregory Peters, Election Inspector

5/16/23  
Date



Barbara Welch, Election Inspector

5/16/23  
Date



Laura Wixom, Election Inspector

5/16/23  
Date



Pamela Claes, Chairman/Chief Election Inspector

5/16/23  
Date

APPR Tentative Agreement

Naples Teachers' Association

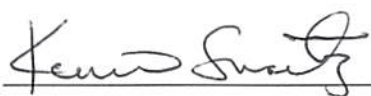
and the

Superintendent for the Naples Central School District

The Superintendent of the Naples Central School District (Superintendent) and the Naples Teachers' Association (NTA) agree to extend the Annual Professional Performance Review Plan (APPR) for one year with the following modifications:

1. Edit the cover page and other "dated" pages of the plan to reflect the 2022-2023 school year.
2. The District-wide SLO growth target for the 2022-2023 school year will be 3%.
3. No teacher will receive an APPR evaluation from their spouse.
4. As in previous years, the parties will apply for an independent observer hardship waiver from NYSED.
5. If the COVID-19 situation requires us to go remote, the parties will meet to discuss the situation and negotiate on how to proceed with APPR.

Both parties understand that this Agreement is effective July 1, 2022 and that all provisions of the APPR not modified by this Agreement will remain in effect until June 30, 2023.



For the District

Kevin Swartz

Superintendent of Schools

Naples Central School District



For the Association

Scott Petrie

President

Naples Teachers' Association

5-12-23

Date

5-12-23

Date

AGREEMENT

by and between the SUPERINTENDENT

of the

NAPLES CENTRAL

SCHOOL DISTRICT

and

CSEA, Local 1000 AFSCME,

AFL-CIO

Naples CSD Support Staff Unit #7853

Ontario County Local 835

July 1, 2019 - June 30, 2027<sup>5</sup>

REVISED

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## **ARTICLE I** **RECOGNITION**

### **Section 1.1**

The Naples Central School District hereby recognizes the Naples Support Staff Union of Ontario County Local 835, CSEA, Inc., Local 1000 AFSCME, AFL-CIO, as the exclusive bargaining representative, pursuant to the Public Employees Fair Employment Act, for all regularly employed support staff hired by the District including the School Nurse but excluding the Business Manager, Director of Facilities and Operations I, District Clerk, District Treasurer and Account-Clerk Typist (District Office). Such recognition shall extend for the maximum period permitted by the Public Employees Fair Employment Act. The employees above described shall constitute the entire collective bargaining unit.

## **ARTICLE II** **DEDUCTIONS**

### **Section 2.1 - Dues Deduction**

The District shall, to the extent possible, consistent with its payroll processing procedures, deduct from the wages or salaries of unit members and remit to the Civil Service Employees Association, Inc., Local 1000 AFSCME, AFL-CIO, 143 Washington Avenue, Albany, New York 12210, regular membership dues or other authorized regular deductions such as CSEA sponsored insurance programs for those ~~employees-members~~ who have signed ~~or delivered to the Chief School Officer~~ authorization forms directing such deduction or deductions. A copy of the agreed form of payroll deduction authorization is on file with the District ~~Clerk~~.

No other labor organization shall be accorded any payroll deduction privilege without the express consent and written authorization of the Civil Service Employees Association, Inc. The Employer agrees to submit to the Civil Service Employees Association, Inc., Local 1000 AFSCME, AFL-CIO, 143 Washington Avenue, Albany, New York 12210, each payroll period a listing itemizing the deductions of each employee.

### **Section 2.2**

The Association will certify to the ~~Chief School Officer~~District, in writing, the current rate of membership dues and the Association will deliver to the ~~Chief School Officer~~District thirty (30) days written notice prior to the effective date of any change

in the rate of dues deduction. The Association will further cause to be delivered to the ~~Chief School Officer~~District the rate of dues deduction; payroll authorization forms executed by all employees for whom dues are to be deducted at the changed rate.

### **Section 2.3 -Tax Sheltered Annuities**

The Employer will make available to all support staff employees the option to file a written authorization and have payroll deductions for the purpose of purchasing a nonforfeitable annuity contract or annuity account qualifying for purposes of Section 403(b). The District will only be required to deal with approved plans/servicers.

## **ARTICLE III RESERVED MANAGEMENT RIGHTS**

### **Section 3.1**

The Employer reserves and retains unto itself the sole and exclusive right to operate, administer, control and manage the District Schools, and shall have the right, subject to the limitations imposed by the express written provisions of this agreement, to direct and schedule all employees employed by the District who are covered by this agreement, to hire, promote, transfer, assign and to select and determine the number of employees; to suspend, discipline or discharge any employee for just cause; to relieve employees from duty and/or reduce the staff as the result of consolidation of schools or department, loss of enrollment, elimination of offerings, course or subject matter, or for any other reason; to maintain efficiency of the District Schools and determine the methods, means and personnel by which the schools operations are to be conducted; to require that duties other than those normally assigned be performed; and to carry out, in addition, the ordinary and customary functions of management; all without hindrance or interference by the Association.

### **Section 3.2**

The Employer hereby retains and reserves all rights, powers, duties, authority and responsibility conferred upon and invested in it by the laws and Constitution of the State of New York. The Employer rights hereby reserved are expressly reserved and shall not be subject to the grievance procedure, unless in the exercise of said rights the school violates any specific term or provision of this agreement, the violation of which is subject to the grievance procedure.



### **Section 3.3**

It is expressly understood by and between the parties that failure to exercise any of the rights hereby stated and reserved or any other reserved right, or the partial exercise of such rights or powers, shall not be deemed to constitute a waiver of any of the rights specifically or otherwise reserved to the Employer pursuant to this article or by law.

## **ARTICLE IV DUTIES AND RESPONSIBILITIES OF THE ASSOCIATION**

### **Section 4.1**

The Union shall have the sole and exclusive right with respect to other employee organizations to represent all employees in the heretofore defined bargaining unit in any and all proceedings under the Civil Service Law, under any other applicable law, rule, regulation, or statute and under the terms and conditions of this agreement; to designate its own terms and conditions of this agreement; to designate its own representatives and to appear before any appropriate official of the Employer to affect such representation; to direct, manage and govern its own affairs; to determine those matters which the members wish to negotiate and pursue; all such objectives free from any interference, restraint, coercion or discrimination by the Employer or any of its agents.

### **Section 4.2**

The Association and its officers and agents agree that the benefits and terms of any and all agreements and decisions arrived at through negotiations shall apply equally to all members without regard to membership or lack of membership in any employee organization as per the Taylor Law Section 202.

### **Section 4.3**

The Association and its officers and agents agree to admit to membership all members regardless of race, ancestry; as per Section 40a of the Civil Rights Law.

### **Section 4.4**

The Association and its officers, agents and members, shall not discriminate against any member by reason of marital status nor shall any member be compelled nor

coerced into membership with the Association by any of its officers, agents or members.

#### **Section 4.5**

Membership in an employee organization shall not be required as a condition of employment.

#### **Section 4.6**

The Association recognizes that abuses of sick leave or other leaves, chronic tardiness or absence, willful deficiencies in performance, or other violations of discipline by an employee reflect adversely upon the Association and create undesirable conditions in the school system. Therefore:

1. The Association invites information of alleged breaches of discipline on the part of any employee.
2. The Association will use its best efforts to correct breaches of behavior by any employee.

#### **Section 4.7**

The Association will reimburse the District for any school supplies used for Association business.

#### **Section 4.8**

The Employer will permit the presence of an authorized CSEA Labor Relations Specialist on appropriate school premises during school hours for the purpose of properly administering this agreement, providing that there is no unreasonable interruption in any employee's work routine and provided that the appropriate Building Principal is notified in advance of the Labor Relations Specialist's presence on premises.

#### **Section 4.9 - Information**

On the effective date of this agreement, the Employer shall supply to the president of the support staff unit a list of all employees in the bargaining unit showing the employee's full name, home address, job title, work location, and first date of employment. Such information shall hereafter be provided to the unit president of the support staff unit no later than September 30<sup>th</sup> of every school year. Upon request from

the Unit President, the Employer shall supply an employee's insurance deduction information.

**Section 4.10 – Authorized Wage Deduction for CSEA PEOPLE Fund**

The District agrees, within a reasonable time after the approval of this agreement to honor the signed and written authorization from a unit employee to have money deducted from the employee's paychecks and paid to a CSEA fund called the "PEOPLE Fund".

The District is responsible only for the deduction of the amount authorized to be deducted by the unit member and to remit these funds to the CSEA as the CSEA directs as to payee and address. The District also agrees to send to the CSEA at reasonable times a statement showing the name of unit employees from whose pay such deductions have been made. The frequency of such payments to the CSEA PEOPLE Fund shall normally be on a quarterly basis.

Any unit member's authorization for such payroll deductions must be in writing and dated and any such unit member's authorization may be revoked by the unit member in writing at any time. Should the unit member revoke his/her authorization, the District will honor such revocation in the normal course of business.

Should there be a dispute concerning the District, the unit employee and/or the CSEA PEOPLE Fund, the CSEA shall indemnify and save the District harmless from any and all manner of claims, law suits, actions or other forms of liability which may arise against the District out of or by reason of the deductions provided for here, the payment of same to the CSEA.

**ARTICLE V**  
**WORKWEEK AND OVERTIME**

**Section 5.1**

An employee's exact working hours during the working day shall be determined by the Superintendent of Schools or his/her designee. The Employer shall have the right to change working hours and/or the workweek upon five (5) working days' advance notice to the association president and the employees involved, during which time the Union shall have the right to discuss the proposed change with the Employer. The foregoing notice shall not be required in the event of a change in work schedules of short duration, personal leave, sickness or accident.

1. In the event no qualified employee agrees to accept the change, the District shall assign the most junior qualified employee to the assignment.
2. This article shall not apply to Bus Drivers.

### **Section 5.2**

All bargaining unit members shall receive annualized pay. The District will establish the number of workdays on an annual basis. The District must authorize and approve all timesheets. However, timesheets will not be changed for time changes without the approval of both the employee and the supervisor acknowledging agreement of the change. Timesheets with calculation errors may be changed without the employee's approval. Paychecks will be issued on a bi-weekly basis.

Time clocks will be implemented for all departments.

If at any time it becomes necessary for the District to recoup monies from a unit member, the unit member must agree to a mutually agreeable repayment schedule. Absent extraordinary circumstances, the monies will be recouped by the District within three (3) pay periods. If employment terminates for whatever reason, the District will recoup all monies owed from the employee's final paycheck(s). If a repayment plan is not agreed to, the District retains the right to pursue legal action. See Appendix B.

### **Section 5.3**

Maintenance employees shall be required to work on emergency closing days and shall be paid time and one-half for all hours worked over eight. Emergency closing days shall not include cancellation of after-school activities. A maintenance employee may elect to end his/her work day after eight hours on an emergency closing day if approved by the supervisor. Approval shall not be unreasonably withheld and should be granted where there are no necessary duties to be performed.

### **Section 5.4**

Hours physically worked in excess of forty (40) hours per week will be at the rate of time and one half (1 ½) times normal hourly wages. The overtime rate is not applicable only for working over eight hours in a day.

### **Section 5.5 Substitute Teaching**

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Unit members that would like to substitute teach must be approved by the Board of Education to do so. When the District is unable to secure substitute teachers to cover all absences, the District may, but is not required to, solicit volunteers from among those unit members that were approved by the Board of Education to substitute teach to assume instructional responsibilities as a substitute. The District has the discretion to assign volunteers where it deems most appropriate.

If a unit member volunteers and is utilized as a substitute teacher, the unit member will be compensated \$25 for a half day or \$50 for a full day. This stipend will be in addition to the unit member's normal daily wage.

#### **Section 5.4 Compensatory Time**

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~~12 month building maintenance mechanics shall have the option to accrue compensatory time in lieu of overtime compensation, where there is prior approval by the supervisor. Compensatory time shall be accrued at time and one-half for each hour worked in excess of forty hours during the workweek. A maximum of 40 hours of compensatory time can be accrued. Compensatory time not used prior to June 30 and compensatory hours in excess of forty shall be paid as overtime compensation. The use of compensatory leave time must be approved by the supervisor.~~

### **ARTICLE VI** **GRIEVANCE PROCEDURE**

#### **Section 6.1 - Declaration of Policy**

It is hereby declared to be the purpose of these procedures to provide a means for the orderly settlement of differences promptly and fairly and at the lowest possible administrative level as they arise and to assure equitable and proper treatment of employees. At every stage of these procedures the grievant shall be entitled to representation. The provisions of these procedures shall be construed for the accomplishment of this purpose.

#### **Section 6.2 - Definitions**

1. "GRIEVANCE": shall mean any claimed violation, misinterpretation or inequitable application of this agreement or any established policy or procedure.
2. "EMPLOYEE": is any employee covered by this agreement.
3. "AGGRIEVED PARTY" or "GRIEVANT": is any employee, or a group of employees, who file a grievance.
4. "WORKING DAYS" for purposes of this Article only, shall be any days worked for ten-month employees, while school is in session (exclusive of

holidays and school break periods when the employee is not expected to work) and shall be any days worked for twelve-month employees (exclusive of holidays when the employee is not expected to work). For purposes of this Article, Saturdays and Sundays shall not count as working days for any employees.

### **Section 6.3 - Procedures**

**Stage 1:** The grievant will discuss the matter with his/her immediate supervisor in an effort to resolve the matter informally within fifteen (15) working days following the occurrence or event-giving rise to the claimed grievance. Thereafter, the aggrieved party shall present his/her grievance, signed and in writing, identifying the aggrieved party, the provision of the agreement, the time when, and place where, the alleged events or conditions constituting the grievance exists or occurred; and, if known, the identity of the person responsible for causing such events or conditions and a general statement of the grievance and redress sought by the aggrieved party. The immediate supervisor of the grievant(s) shall communicate his/her answer to the grievant(s) within ten (10) working days of presentation of the grievance, in writing.

**Stage 2:** If such grievance is not resolved at Stage 1, the aggrieved party may appeal in writing to the Chief School Officer within ten (10) working days of his/ her receipt of the supervisor's decision. The Chief School Officer or his/her representative may choose to meet with the aggrieved party and/or his/her representative within ten (10) working days of the receipt of the appeal. The Chief School Officer shall deliver his/her written findings and determination within ten (10) working days after his/her meeting with the grievant, mailing or delivering a copy to the Association President.

**Stage 3:** The grievant may, within ten (10) working days after his/her receipt of the Chief School Officer's decision, file his/her written notice of appeal with the President of the Board of Education and the Chief School Officer. The Board of Education shall hold a hearing within fifteen (15) working days thereafter and shall deliver its written decision within ten (10) working days of the hearing.

**Stage 4:** In the event that the Board elects not to review the grievance at Stage 3 or if the Association or the grievant is not satisfied with the Board's determination at Stage 3, the Association or the Board may elect arbitration. Such requests shall be made in writing and be made within ten (10) working days of the answer received in Stage 3. The request shall be made to the Public Employment Relations Board for a panel of seven (7) arbitrators from which the Association and the Employer shall alternately cross off one name until only one name remains and such person shall be the arbitrator. Either party shall have the right to reject one (1) panel within ten (10) calendar days of receipt thereof by notice to the other party.

The arbitrator chosen shall hold a hearing and determine the matter in accordance with the rules of the Public Employment Relations Board and his/her award shall be binding on both parties.

The costs of such arbitration shall be borne equally by the Board and the Association.

#### **Section 6.4 -Basic Principles**

1. If a decision at one stage is not appealed to the next stage of the procedure within the time limit specified, the grievance will be deemed to be discontinued and further appeal under this agreement shall be barred. No grievance shall be considered timely or processed pursuant to this procedure unless the initial informal conference discussion is had within fifteen (15) working days of the occurrence of the event giving rise to the claim to grievant(s) or the date upon which the grievant(s) should reasonably have known of that occurrence.
2. At any step of the grievance procedure, upon mutual agreement of the parties, the grievance may be passed to the next step by the grievant within ten (10) school days.
3. Failure at any stage of the grievance procedure to communicate a decision to the aggrieved party, his/her representative and the Association within the specified time limit shall permit the lodging of an appeal at the next stage of the procedure within the time which would have been allotted had the decision been communicated by the final day.
4. Grievance proceedings shall be scheduled at times mutually agreeable to all parties.
5. No interference, coercion, restraint, discrimination or reprisal of any kind will be taken by any member of the administration against the aggrieved party, any party in interest, any representative, any member of the grievance committee or any other participant in the grievance procedure or any other person by reason of such grievance or participation therein.

#### **Section 6.5 - Grievance of Disciplinary Matters**

Competitive class employees ~~and all non-competitive and labor class employees~~ with one or more years of service with Naples Central School shall be entitled to utilize the grievance procedure in connection with disciplinary matters in any case where discipline imposed involves a suspension, demotion, termination or the levy of a fine

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by the Employer. Non-competitive and labor class employees with two or more years of service with the District shall be entitled to utilize the grievance procedure in connection with disciplinary matters in any case where discipline imposed involves a suspension, demotion, termination or the levy of a fine by the Employer. No employee shall be entitled to use both the grievance procedure and §75 of the Civil Service Law.

## **ARTICLE VII**

### **EMPLOYEE BENEFITS**

#### **Section 7.1 - Health Insurance Coverage**

~~Up to and including December 31, 2019, the insurance coverage provided in the 2016-2019 CBA will continue.~~

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Effective January 1, 2020, the health insurance plans for all unit members shall be:

- Healthy Blue plan with \$15/\$25 copays with the three-tier drug plan of \$5/\$25/\$50
- Healthy Blue plan with \$30/\$50 copays with three tier drug plan of \$5/35/70.
- Signature High Deductible Health Plan (named High Deductible Health Plan) with the lowest available deductibles through the Finger Lakes Area School Health Plan (FLASHP). ~~(Deductibles equal \$1,500/\$3,000 as of 2019.)~~

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Premium contributions will remain unchanged during the term of the contract.

Effective July 1, 2013 the employer will put \$775 per year on October 1st of each year into a Health Reimbursement Account (HRA) for each active employee who is enrolled in the District provided health insurance coverage (unspent monies rollover from year to year -upon retirement monies can be utilized for post-employment health care costs.) Upon the employees demise the money goes to the employee's estate. The District HRA plan document will be made available for CSEA to review. (To qualify for this, benefit the employee must be an active employee on October 1st of the year the money is issued). Effective July 1, 2014 and every year thereafter, the District shall contribute \$700 to the HRA. This payment shall cease on September 16, 2019, ratification of this Agreement. Employees that have resigned shall have ninety (90) days to spend down these funds before they revert back to the District. Employees that are terminated shall have these funds immediately revert back to the District.

#### **Section 7.2 - Health Insurance Premiums effective up to and including December 31, 2019**

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**Employees Hired Prior to July 1, 2007:**



For the 2016-17, 2017-18 and 2018-19 school years, the Employer will pay ninety percent (90%) of the premium for individual, two person, family/no spouse or family plan coverage for personnel employed by the District prior to July 1, 2007.

**Employees Hired After to July 1, 2007:**

All non-instructional personnel employed after July 1, 2007 wishing to join the group will be required to share the cost of the health insurance program with the Employer. Required contributions are as follows:

1. Workday: six (6) hours and above — 85.0% payable by the District
2. Workday: four (4) hours up to six hours — 67.50% payable by the District.
3. Workday: three (3) hours up to four (4) hours — 45% payable by the District.
4. Workday: two and one half (2 ½) hours up to three (3) hours — 22.55% payable by the District.

For Bus Drivers, the contributions are as follows:

1. One (1) run — 45% payable by the District.
2. Two (2), Three (3) or more runs — 85.0% payable by the District

For Bus Drivers concurrently employed by the District in another unit job, the contributions are as follows:

1. One (1) run and workday two and one-half (2 ½) hours up to three (3) hours — 67.50% payable by the District.
2. One (1) run and workday three (3) hours up to four (4) hours — 76.50% payable by the District.
3. One (1) run and workday four (4) or more hours — 85.0% payable by the District
4. Two (2) runs and workday three (3) or more hours — 85.0% payable by the District

**Section 7.3 Health Insurance Premiums effective January 1, 2020**

A. Effective January 1, 2020 for ALL employees

- a. BASE PLAN: Signature High Deductible Health Plan (named High Deductible Health Plan) with the lowest available deductibles through the Finger Lakes Area School Health Plan (FLASHP). ~~(Deductibles equal \$1,500/\$3,000 as of 2019).~~ The payment of money for the contributions of the District and the employee will be measured with reference to the cost of the premium of this Signature High Deductible Health Plan.

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A unit member eligible for District contribution to health insurance may apply the dollar equivalent of the District's applicable premium contribution of the base health care plan premium to any FLASHP plan offered by the District as referenced in this Agreement, however in no case will the District pay an amount of money more than one-hundred percent (100%) of any plan chosen. HSA contributions will not be used in this calculation.

- i. For those employees that work 4 or more hours per day or drive 2 or more bus runs, the District will pay:

1. ~~2019-2020: 100% of the Signature High Deductible Health Plan premium and 100% of the deductible.~~
2. ~~2020-2021: 100% of the Signature High Deductible Health Plan premium and 100% of the deductible.~~
3. ~~2021-2022: 100% of the Signature High Deductible Health Plan premium and 100% of the deductible.~~
4. 2022-202<sup>57</sup>: 95% of the Signature High Deductible Health Plan premium and 90% of the deductible.

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- ii. For those employees that work less than 4 hours per day or drive less than 2 bus runs, the District will pay:

1. 2019-202<sup>75</sup>: 50% of the Signature High Deductible Health Plan premium and 50% of the deductible.

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- iii. Health Savings Account

1. The District will contribute its portion of the deductible as stated above to a Health Savings Account ("HSA") in the unit member's name.
2. All HSA contributions will be subject to yearly maximums consistent with federal and state laws and regulations each year.
3. New Hires: The contribution will be pro-rated based on first date of work. Years are governed by the Finger Lakes Area School Health Plan (FLASHP). New hires will be eligible to receive his/her applicable installment of the HSA contribution after the first 8-weeks of his/her probationary period. If a new hire experiences a life-threatening medical emergency that poses an immediate risk to a unit member's life or long-term health, the unit member may be eligible to receive 100% of the pro-rated deductible immediately. After conversation with the unit, the District will make the final determination, which will not be precedent setting nor be subject to the grievance procedure.
4. If a unit member receiving coverage via another FLASHP plan offered by the District has a qualifying event or chooses to switch to a high deductible plan in a future open enrollment period, the applicable installment of the HSA contribution will be pro-rated, if necessary.

5. HSA contributions will only be made to active employees. No contributions will be made after an employee retires [\(unless eligible as stated in 7.4\)](#), resigns, is laid off and/or is terminated.
6. When an active unit member provides proof that he/she is enrolled in Medicare, the District must cease contributions to that employee's HSA account. If the active unit member continues to take the HDHP offered by the District after Medicare enrollment, the District will deposit the applicable deductible amount into a Health Reimbursement Account ("HRA") in the employee's name, which will be subject to any federal and/or state limitations.
  - a. Should the employee resign or be laid off, the employee will have 2 years to spend any remaining funds before the excess funds revert back to the District.
  - b. Should the employee retire, the employee may spend down the account. Should the employee become deceased, his/her designee will have 5 years to spend any remaining funds before the excess funds revert back to the District.
  - c. If the employee is terminated, any HRA funds will immediately revert back to the District.
  - d. HRA contributions will only be made to active employees. No contributions will be made after an employee retires, resigns, is laid off and/or is terminated, unless stated otherwise herein.
7. Unit members that previously worked for and resigned from the District but were subsequently rehired within the same fiscal year (7/1-6/30) as their resignation date shall not receive another HSA contribution until the next District disbursement date. For example, if an employee receives the HSA disbursement on July 1, 2021, resigns on September 1, 2021, and is rehired on February 1, 2022, he/she would not get another HSA disbursement from the District until July 1, 2022.

#### **Section 7.4 - Retiree Health Insurance**

The District will pay one hundred percent (100%) of the premium payments for the Blue Cross/Blue Shield Blue Point health insurance plan, or another plan offered to active employees as it may change from time-to-time or at least equivalent coverage through alternative insurance or self-insurance at the discretion of the District, for individual retired employees employed prior to June 30, 1981. To be eligible for this payment, the employee must have retired from the Naples Central School District to participate in full, regular retirement benefits in the New York State Employee Retirement System. All retirees after June 30, 1981: to be eligible for this payment, the

employee must have retired from the Naples Central School District after at least ten years of service with the District to participate in full, regular retirement benefits in the New York State Employee Retirement System and shall have the following portion of health insurance paid during retirement:

<b><u>Years of Service to Naples Central School District:</u></b>	<b><u>% of Insurance Premium Paid by District based on relevant base plan at the time of retirement:</u></b>
10 -15 years	47%
16 -20 years	90%
Over 20 years	95%

Any premium differences based upon the plan the retiree is under that exceeds the relevant base plan at the time of retirement will be the employee's responsibility to pay. If an employee retires on or before June 30, 2022, the base plan shall be Healthy Blue plan with \$30/\$50 copays with three tier drug plan of \$5/35/70. If an employee retires on or after July 1, 2022, the base plan shall be Signature High Deductible Health Plan (named High Deductible Health Plan) with the lowest available deductibles through the Finger Lakes Area School Health Plan (FLASHP). Retirees will have the same insurance benefit coverage as employees as it may change from time-to-time until the retiree reaches age 65.

When retired employees reach eligibility for Medicare coverage, those retirees shall be covered by the Medicare complimentary plan offered by the carrier that is applicable to the insurance plan under which they retired, or its equivalent. A complimentary plan is a Medicare eligible product that works in conjunction with Medicare. The retiree shall continue to pay the relevant premium amount as at the time they retired after Medicare coverage. ~~Any premium differences based upon the plan the retiree is under that exceeds the relevant base plan at the time of retirement will be the employee's responsibility to pay. If an employee retires on or before June 30, 2022, the base plan shall be Healthy Blue plan with \$30/\$50 copays with three tier drug plan of \$5/35/70. If an employee retires on or after July 1, 2022, the base plan shall be Signature High Deductible Health Plan (named High Deductible Health Plan) with the lowest available deductibles through the Finger Lakes Area School Health Plan (FLASHP).~~

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If an employee continues on the High Deductible Health Plan in retirement, the District will continue to fund a [HRA-HSA](#) at the same percentage of the deductible contribution at the time of retirement, but only until the employee turns 65 [and/or is enrolled in Medicare](#).

⚡ If a current or future retired unit member has a balance in his/her HRA account pursuant to Article VII, Section 7.1, 7.3(A)(a)(iii)(6) and/or 7.4, he/she must make at least one qualifying use of his/her HRA on an annual basis if the account balance is between \$101-\$200. If there is not at least one (1) qualifying, annual use after the balance is between \$101-\$200, the remaining funds shall revert immediately back to the District.

⚡ If a current or future retired unit member has a balance in his/her HRA account pursuant to Article VII, Section 7.1, 7.3(A)(a)(iii)(6) and/or 7.4, he/she has until June 30 of the next fiscal year to spend down the account when it has a balance of \$100 or less. Any remaining funds after one year has passed shall revert immediately back to the District. For example, if a unit member goes under \$100 on June 1, 2021, they would have until June 30, 2022, before the money reverts back to the District.

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### **Section 7.5 - Flex Plan**

The District will continue to offer unit employees the opportunity to enroll in the District's benefit plan consistent with Section 125 of the Internal Revenue Code to allow participating employees to pay the employee's share of group health and dental premiums on a pre-tax basis in accordance with IRS regulations.

### **Section 7.6 - Dental Insurance**

Effective January 1, 1997, the District will add a payroll deduction so that unit employees may voluntarily enroll in a dental plan paid by the employees through payroll deduction at no cost to the District.

### **Section 7.7 - Health Insurance Waiver**

Effective 9/3/13 any unit member who elects not to take health insurance coverage from the District shall receive a payment of \$1,000 if eligible for single coverage and \$1,500 if eligible for two-person or family coverage. The buy-out amount will be prorated for part-time employees. The payment will be made in two equal payments in January and June of each school year. In order to be eligible for the payment, the unit member must provide proof of coverage from another carrier and sign a waiver of health insurance coverage (available in the District Office). In the event the unit member, due to unforeseen circumstances resulting in a loss of coverage, must [join or](#) rejoin the District's health insurance plan during the year, the stipend will be prorated accordingly.

### **Section 7.8 – Spousal Health Insurance**

Where a husband and wife are employed by the District, the District will only be obligated to provide and pay for one (1) family health insurance premium, one (1) two-person premium or two (2) single plan premiums at the District's discretion. The District will not be obligated to provide and pay for separate individual or separate family coverage for the other spouse. In such a case the District agrees to pay the full premium cost.

## **ARTICLE VIII** **HOLIDAYS**

### **Section 8.1 - Paid Holidays**

Unit members on a twelve (12) month basis shall receive ~~thirteen (13)~~ fourteen (14) paid holidays during the school year, as follows.

Fourth of July (July 4th), Labor Day, Columbus Day, Veteran's Day, Thanksgiving Day, the day following Thanksgiving Day, two (2) days at Christmas including Christmas Day, New Year's Day, Good Friday, Memorial Day, President's Day, Martin Luther King Jr. Day and Juneteenth.

All holidays will be annualized for each employee.

### **Section 8.2**

Unit members employed on a ten (10) month basis will receive six (6) paid holidays each school year based on their annualized work calendar:

Memorial Day, Columbus Day, Thanksgiving Day, Christmas Day, the day following Christmas Day and Martin Luther King Jr. Day. , and Juneteenth the pay for such holidays shall be included in the first pay period in December of each contract year. Payment for the Martin Luther King Jr. holiday shall be in the pay period worked.

~~five (5) paid holidays per year, which paid holidays shall be:~~

All holidays will be annualized for each employee. ~~Columbus Day, Thanksgiving Day, Christmas Day, the day following Christmas Day, and Juneteenth the pay for such holidays shall be included in the first pay period in December of each contract year. Payment for the Martin Luther King Jr. holiday shall be in the pay period worked.~~

### **Section 8.3**

If any of the above holidays falls on a Saturday, the preceding Friday shall be observed as the holiday. If any of the holidays falls on a Sunday, the following Monday shall be observed as the holiday.

For days when Juneteenth falls on a Sunday (celebrated on following Monday) or a Weekday, it will be considered a paid holiday for 12-month ~~and 10-month~~ employees. It will not be a paid holiday if it falls on a Saturday.

#### **Section 8.4**

When a holiday falls during an employee's vacation he/she shall not be charged with a vacation day for such day.

#### **Section 8.5**

An employee required to work on any of the above holidays or days designated in Section 8.1 and 8.2 above will receive either:

1. Pay for his/her regular holiday and one and one-half (1 ½) times his/her hourly rate for duties required for District operations, OR
2. Pay for his/her regular holiday and another day off with supervisor's approval.

### **ARTICLE IX** **VACATIONS**

#### **Section 9.1**

Paid vacation is available only to unit members employed on a twelve (12) month basis.

A) Vacation days will ~~accrue on a monthly basis~~ be credited on July 1 every year and pro-rated for new hires.

B) All requests for vacation time must comply with the following:

1. Requests must be made to the Supervisor per the method chosen by the District.
2. Requests must be submitted to the Supervisor at least three (3) workdays prior to the request for the time, except in emergencies.

3. The request must be for a minimum of one-half (1/2) day (4 hours) for an eight (8) hour workday at a time.
  4. The specific dates requested must be approved before being used, at the discretion of the [Superintendent/District](#), who will consider as his/her prime criterion coverage of District responsibilities.
- C) No more than ten (10) days' vacation may be scheduled when school is in session. The District shall have the discretion to grant or deny a vacation request based on staffing needs.
- D) No more than one member of each unit group may be allowed to take vacation days when school is in session and no more than two (2) members at any other time.
- E) An employee otherwise eligible for pro-rated and/or accrued vacation pay upon resignation [and/or retirement](#) will receive such pay only if at least two (2) weeks' notice, in advance, is given to the [Superintendent-District or his/her designee](#).

## **Section 9.2**

Unit members employed on a twelve (12) month basis shall be entitled to paid vacation as follows:

- A) Years 1 -8 of service: ten (10) working days.  
Employees with 0-8 years of service may carry forward six (6) days.
- B) Upon completion of the 9<sup>th</sup> year of employment: fifteen (15) working days.  
Upon completion of the 9<sup>th</sup> year of service, employees may carry forward eleven (11) days.
- C) Upon completion of the 15<sup>th</sup> year of employment: [twenty \(20\) working days](#).  
[one \(1\) additional day](#)  
[per year of employment not to exceed twenty \(20\) days](#).  
Upon completion of the 15<sup>th</sup> year of service, employees may carry forward [fifteen \(15\)ten \(10\)](#) days.

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## **ARTICLE X** **SICK LEAVE**

### **Section 10.1 -Personal Illness Leave**

Personal illness leave days shall be allowed to unit members as follows:

- A) All full-time, 12-month employees will be credited with fourteen (14) paid sick leave days per full year worked and may accumulate unused sick leave days for a total of 175 days.
- B) Bus Drivers and other ten-month employees that work 3.5 hours or more per workday will be credited with twelve (12) paid sick leave days per full year and may accumulate unused sick leave days to a total of 175 days.
- C) Part-Time, 10-month employees (less than three and one-half (3 1/2) hours per workday) shall be credited with six (6) paid sick leave days per year and these days may be accumulated to an unused sick day total of 175 days.

**D) General Principles Applicable to Paid Sick Leave Usage:**

- 1. The paid sick leave is to provide paid time off for days of personal sickness, physical disability or immediate family illness. It is not applicable to loss of time due to injury or disability incurred while working for an employer other than the Naples Central School District. Immediate family shall be defined as spouse, child, parent, parent-in-law, grandchild, sibling, grandparent, significant other and any person who is a full-time resident of the employee's household.
- 2. In reporting absence for personal illness, the employee shall advise the building principal or department head of the nature of the disability or illness and its possible duration.
- 3. The Employer reserves the right at any time to request a medical certificate in verification of the employee's personal illness as a precondition of the granting of paid sick leave.
- 3.4. Upon return to work following a period of compensated personal illness, the employee will file with the administration a personal certificate of necessity for the absence, if requested.

4.5. Any employee who has been absent for two (2) or more days shall, before the end of the school day prior to his/her return to work, notify the administration of his/her expected return. The Employer may require a physical examination or a mental examination prior to return to work in any case where, in the sole discretion of the Employer, it is deemed necessary. Such examination shall be at the expense of the Employer.

5.6. Personal illness leave for Bus Drivers and cafeteria workers terminates at the end of the regular school year and shall not resume until such time as the employee has successfully completed the required annual physical administered by the school physician or the start of the school year, whichever comes later. The District will make reasonable efforts to arrange for a physician to give the required physical examinations to returning Bus Drivers in June of each year to reduce conflicts with summer vacation schedules.

6.7. Sick leave may be used in quarter hour increments. If the onset of such illnesses during work time occurs regularly, the individual case will be investigated.

7.8. Compensation will be paid by the District to employees who have accumulated over 175 days of sick leave at a rate of \$15.00 per day in a single payment made at the end of each fiscal year. Payment will be made for each day of accumulated sick leave held by the employee as of the last day of the fiscal year, in excess of 175 days, up to a maximum of five (5) days.

8.9. A sick leave donation from one unit member to another, must be done with the consent and approval of the Superintendent. A copy of the approval will be given to ~~both parties~~ the donor.

9.10. Unit members that previously worked for and resigned from the District but were subsequently rehired within 365 days from their resignation date shall receive any unused sick leave they had at the time of their resignation upon rehire. The Superintendent may, at his/her discretion, grant prior unused sick leave days if the unit member is rehired beyond 365 days from their resignation date. This is in addition to any prorated sick leave days they would receive per the CBA as a new hire.

## **ARTICLE XI**

### **SICK LEAVE BANK**

#### **Section 11.1**

The District shall establish a sick leave bank with the intent of protecting support staff employees from financial burden due to serious illness or injury.

Sick leave bank used due to serious illness or injury for self or family member.

Family member shall be defined as a child (including stepchildren), a spouse or a parent. A maximum of one hundred (100) sick bank days may be used for family illness purposes in an employee's career.

### **Section 11.2**

Each support staff employee (having been employed in the District one (1) year) shall have the opportunity to elect to participate in the sick leave bank by filing a signed authorization statement with the business office. If an employee joins, his/her participation will continue from year to year, unless they indicate on a form provided by the District that they do not wish to participate no later than October 31<sup>st</sup>. Authorization forms are available from the sick bank representative.

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If an employee chooses to withdraw participation of the sick bank at any given time, all donated days will remain in the bank. If an employee withdraws from the bank, he/she cannot elect to participate in the sick bank for a period of two (2) years.

### **Section 11.3**

At no time will the number of days held in the bank exceed a total that is twice the number of participants. An employee who elects to participate shall contribute two (2) days during their first year of participation. In subsequent years participants may be asked to contribute additional day(s), by signing another authorization form, when the number of days in the bank is equal to or less than the number of participants. Days not used will be carried over to the following year.

### **Section 11.4**

Only active members of the bank may withdraw days. A member may not withdraw days from the bank until his/her own accumulated sick leave is depleted. In any case, the participant must have been absent because of sickness for twenty (20) consecutive working days prior to the commencement of sick leave bank benefits. In the event of a recurring illness the twenty (20) day requirement may be waived.

~~In extreme cases of life threatening illness or injury of self or family member and all sick leave banks days are already used, an employee may donate additional sick leave~~

~~days to a specific employee by completing another authorization form stating the numbers of days donated and to whom the donated days shall be credited to.~~

#### **Section 11.5**

Upon retirement, a unit member employee's previously contributed sick leave days shall remain in the sick leave bank.

#### **Section 11.6**

A committee consisting of three (3) support staff employees appointed by the CSEA President and two (2) members appointed by the Superintendent shall administer the bank. The committee shall establish procedures for applying to and contributing to the sick leave bank. The committee may, in unusual circumstances, request additional voluntary contributions during the school year. Sick leave will be granted by the committee subject to the approval of the Superintendent. The rules, procedures and decisions of the Sick Leave Bank shall not be subject to the grievance and arbitration provisions of this contract.

#### **Section 11.7**

The participant must, upon the request of the committee or Superintendent, submit to the committee or Superintendent suitable written verification of the participant's medical condition from his/her attending physician.

### **ARTICLE XII** **WORKER'S COMPENSATION**

#### **Section 12.1**

All employees of the Naples Central School District shall be provided Worker's Compensation Insurance.

#### **Section 12.2 - Worker's Compensation Payment**

In the event that a Worker's Compensation carrier reimburses the Employer for wages paid pursuant to the sick leave program during an employee's absence from the job, the amount of the Worker's Compensation reimbursement shall be divided by the daily wage of the employee and the employee's sick leave account shall be credited with the

equivalent number of days or ¼ hour increments for reimbursement to the sick leave account.

### **ARTICLE XIII**

#### **FAMILY BEREAVEMENT LEAVE**

##### **Section 13.1**

Employees are eligible for up to three (3) days of paid leave, 4 days if the location of the funeral is greater than 150 miles one way, which shall be available in the event of each death in the immediate family of the employee. The term "immediate family" shall be defined for this purpose as including the employee's spouse, child, stepchild, mother, father, mother-in-law, father-in-law, sister, brother, sister-in-law, brother-in-law, grandparents, grandparents-in-law, grandchild, stepparents, niece, nephew, aunt, uncle, significant other and any person who is a full-time resident of the employee's household.

##### **Section 13.2**

Bereavement leave is not accumulative, and days used shall not be deducted from accumulated sick leave.

### **ARTICLE XIV**

#### **PERSONAL BUSINESS LEAVE**

##### **Section 14.1**

Each employee shall have available three (3) fully paid personal business leave days per year. Such paid leave days shall be non-cumulative, but may, however, be cumulative into the employee's sick leave total if needed. ~~One unused personal leave day may be carried forward into the next school year and this day may only be used for an emergency closing day.~~

##### **Section 14.2**

Personal business days are available subject to the following conditions and limitations:

1. Personal leave is for the transaction of personal business, which cannot be conducted outside of the normal workday. Such leave is not available for

recreational purposes including vacations. If a request is made for the use of a personal day either immediately prior to or after a vacation period, then at least two (2) full school days in advance of the day requested, except in cases of extreme emergency, the employee must submit a leave request in the Employee Self-Service Module of WinCapWeb and a reason must be stated in the Employee Comments section for the employee's leave request for Personal Business Leave. Acceptable reasons for the use of such leave are funerals, legal matters, college activities, any family wedding, as well as educational conferences and retirement conferences/meetings.

2. No more than two (2) members of each of the five (5) groups (custodial-maintenance workers, cafeteria workers, bus driver(s), clerical workers and aides) will be permitted to take personal leave days simultaneously. Personal leave may be used in quarter hour increments.
3. Employees appointed for a ten-month term, who accept an additional summer work position, may carry over up to one personal day and one sick day from their respective leave accruals for use during the summer working period.

## **ARTICLE XV**

### **JURY DUTY LEAVE**

#### **Section 15.1**

Employees called to serve and actually present for grand, or trial jury shall remit to the Employer the amount of their jury duty stipend, excluding mileage payments and be paid at their regular hourly or salary rate for the time served on jury duty. In no event shall an employee remit to the Employer a sum in excess of his/her regular daily pay.

## **ARTICLE XVI**

### **EMPLOYEE ORGANIZATIONAL LEAVE**

#### **Section 16.1**

Members of the bargaining unit who are elected or appointed officers or officials of the Civil Service Employees Association, Inc., shall have the right to leave, without charge to accumulated credits, for the conduct of union business as follows:

The Unit Officers shall have available up to eight (8) fully paid Association leave days per school year for the purpose of attending a CSEA convention.

It is understood between the parties the eight (8) days shall be the maximum paid days in anyone fiscal year of the School District.

## **ARTICLE XVII**

### **ABSENCE WITHOUT LEAVE**

#### **Section 17.1**

Any absence not reported within one (1) hour of the time the employee is expected to appear for work and not chargeable to vacation or otherwise authorized, shall be considered a basis for disciplinary action on the part of the Employer.

## **ARTICLE XVIII**

### **RETIREMENT**

#### **Section 18.1**

The death benefit provided pursuant to the New York State Employees Retirement Plan.

Optional coverage shall be available for the application of unused sick leave as an additional service credit upon retirement (Section 41-j) limited to a total of 165 days.

~~The Employer will make available to employees the improved career retirement program under Section 75-1 of the New York State Retirement and Social Security Law.~~

#### **Section 18.2**

Teaching Assistants who retire with at least ten years of service with the District and participate in full, regular retirement benefits in the NYSTRS may exchange each unused accumulated sick leave day to his/her credit at the time of retirement for \$20 up to a maximum of 175 such days.

This payment shall be made to the unit member in a separate check, subject to any applicable deductions like federal and/or state taxes, within two weeks after the effective date of retirement.

## **ARTICLE XIX**

### **EMERGENCY CLOSING DAYS**

#### **Section 19.1**

Unit members will receive their normal daily wage for three (3) emergency closing days when schools are closed, if applicable, each contract year.

If there are more than three (3) emergency closing days, employees may use a personal leave day. If an employee has exhausted their personal leave days, the employee may use a sick leave day.

## **ARTICLE XX**

### **UNPAID LEAVE**

#### **Section 20.1**

The Family and Medical Leave Act and its regulations are adopted with all the employee and Employer rights, options and obligations stated therein and leave there provided is not in addition to paid or unpaid leave under this agreement. Regardless of the applicability of the Family and Medical Leave Act, unpaid leave of absences shall be available to support staff employees for a period of one (1) year for reasons of illness, pregnancy, adoption, family illness or other reasons deemed satisfactory by the Board of Education. ~~Sick leave shall run concurrently with any leave that is designated as FMLA leave~~Employees must use applicable and available paid leave concurrently with periods of unpaid FMLA leave.

Additional leave may be granted subject to the approval of the Board of Education.

1. Written notice of request is to be delivered to the Superintendent as soon as practical upon the determination that such leave is necessary.



2. Such request shall include the employee's estimated or intended date for commencement of such leave and the employee's intended date for return to work. Generally, such return is to be at the beginning of the semester.
3. Leaves must be approved by action of the Board of Education upon recommendation of the Superintendent.
4. In the event the leave request is made for reasons of pregnancy, illness of family illness, the time of commencement will be determined by the employee and the employee's physician. A corroborating judgment by a physician of the District's choice may be obtained. If the decision of the District's physician contradicts the decision of the employee's physician an acceptable third physician shall be selected by the physicians. Examinations and related costs for the District's physician and a third-party physician shall be borne by the District.
5. Adoptive leave is available to all employees upon the following terms:
  - a) Written notice of request for adoption leave is to be delivered as soon as possible after the notification of adoption is made by the adoption agency.
  - b) At such time, the employee shall notify the Superintendent of the date he/she wishes to commence and terminate such adoption leave. Generally, such return date is to be at the beginning of the semester.
6. Employees on unpaid leave for two (2) weeks or more will receive only such benefits, if any, as written District policy and/or the law requires. The District may in special cases provide, and in its sole discretion provide other benefits.

## **ARTICLE XXI**

### **CALL-IN PAY**

#### **Section 21.1**

Employees other than Bus Drivers called in for emergency work at times other than their normal day or shift shall be paid at the rate of time and one-half (1 ½) his/her regular hourly pay for all hours worked and a minimum pay of two (2) hours at the time and one and one half (1 ½) rate shall be paid in any case. ~~Hours worked in excess~~

~~of forty (40) hours per week will be at the rate of time and one half (1 ½) times normal hourly wages.~~

#### Section 21.2

~~All employees assigned "Door Check" duties will receive a minimum of two hours call in pay according to 21.1 for each visit. Procedure to be developed by Naples CSD Administration and Unit President. Door check duties will be phased out by July 1, 2015~~

#### Section 21.23

Where any ~~member of the maintenance, cleaning or food service department~~support staff employees are requested to work outside of their normal hours, such staff must be available to perform their duties and will be paid for the hours worked at the employee's regular rate. If the employee has worked over 40 hours in that workweek, then these hours will be paid at the 1.5 overtime rate.

### **ARTICLE XXII**

#### **SPECIAL PROVISIONS RELATIVE TO CAFETERIA WORKERS**

#### Section 22.1

Cafeteria workers may be required to work on an as needed basis when cafeteria facilities are used for affairs sponsored by outside groups or school affairs, which are scheduled after hours or on days when school is not in session. Workers shall be available upon ten (10) days' notice, except for school related activities, which may be less than ten (10) days for supervision and/or operation of cafeteria equipment, which is required after 3:00 PM on school days or days when school is not in session. Food preparation may be requested for school related groups; food for non-school groups shall be voluntary. Such employees shall be paid at a rate of one and one-half (1 1/2) times the average cafeteria hourly rate for each hour worked, with a minimum of three (3) hours pay.

### **ARTICLE XXIII**

#### **SPECIAL PROVISIONS ~~RELATIVE TO BUS DRIVERS~~RELATED TO THE TRANSPORTATION DEPARTMENT**

#### Section 23.1

Drivers shall be paid their hourly rate for all time spent working, unless stated otherwise in this Article. The District retains the right to assign drivers to related duties during the drivers' assigned work time if not driving.

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Drivers shall sweep buses daily, wash buses as needed, and gas and oil buses daily or as needed. Each driver shall be responsible for promptly reporting any unsafe condition as to his/her vehicle. Each driver shall complete a pre and post trip inspection of their vehicle before/after each run.

### **Section 23.2 -Extra Duties**

~~1. Attendance at required Bus Driver's schools shall be compensated at the rate of \$20.00 per session and attendance at Bus Driver schools approved by the Head Bus Driver in his/her discretion upon voluntary request of an employee shall be compensated at the rate of \$20.00 per session. OSHA training will be paid at the same rates. Drivers, Monitors, Aides, and Assistants will be paid \$18.00/hour for attendance at the mandatory physical performance test, written exams, behind the wheel road tests, defensive driving test, drug/alcohol testing, 10 hour course, 2 hour refresher(s), 4 hour preservice, DOT/19A physical, and Mandatory Department meetings. This will apply if the above mentioned items cannot be performed during the regularly scheduled work hours. Drive time to and from required courses is excluded.~~

~~1.~~

~~2. Regular runs shall be bid on each year in August based on seniority.~~

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~~3. — Special or outside bus trips shall be compensated at the bus driver's hourly rate for time spent driving of at least one hour. For time spent not driving, the bus driver shall be paid a layover rate of \$16/hour.~~

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~~4. In the event that a driver makes an outside trip in substitution for a regularly scheduled run(s), the driver will retain the pay for the regularly scheduled run(s) not driven. For consistency, the extra trip rate will be paid under the following circumstances for the following hours:~~

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~~a) If the extra trip is substituted for a 2:10 PM run only, the extra trip rate will be paid starting at 3:30 PM.~~

~~b) If the extra trip is substituted for a 3:30 PM run (alone or in addition to a 2:10 PM run), the extra trip rate will be paid starting at 4:45 PM.~~

~~5.2.~~ Management shall have the right to assign any run if it is not taken. Management shall have the right to bunch runs together for efficiency before posting.

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**6.3.** Safe driver awards shall be continued as follows:

a)i. Payment of \$40.00 per year of safe driving shall be made cumulative for four (4) years of \$160.00.

b) In the event a driver has an accident involving property damage of  
ii. \$250.00 or under, only one year's award of \$40.00 will be deducted.

c) In the event a driver has an accident involving property damage of  
iii. over \$250.00 and/or bodily injury, the total year's accumulated earnings will be deducted and said driver will start over in the accumulation process.

d) A part-time driver, whether substitute or regular, that makes 100  
iv. trips or more in a school year is eligible for the safe driving award.

e) A driver that is hired or quits during the school year is entitled to a  
v. prorated driver award in the amount of what he/she would have earned as of June 30th, ten percent (10%) each month he/she drove.

~~7. The layover rate shall be: \$12.00~~

~~8. When a unit member regularly employed as a Bus Driver, substitutes for another unit member who is regularly employed as a Bus Driver on a regular run, he/she shall receive his/her regular rate of pay or the sub rate of pay, whichever is greater.~~

### **Section 23.3**

The District will reimburse current employees who are required to obtain a CDL \$10.00 for test costs, upon submission of evidence of issuance of a CDL. In addition, the District will reimburse employees hired after April 1991 twenty-five dollars (\$25.00) six (6) months after receipt of their CDL and an additional twenty-five dollars (\$25.00) twelve (12) months after receipt of their CDL, which amounts are intended to be reimbursement for written and road test costs.

### **Section 23.4**

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~~The Head Bus Driver shall receive a stipend of \$3,000.00. This stipend will be paid annually in a separate check to the employee at the end of the fiscal year.~~

#### **Section 23.5**

~~Drivers will be paid at the current special/outside trip rate for attendance at the mandatory physical performance test, written exams, behind the wheel road tests and drug/alcohol testing.~~

#### **Section 23.6**

Effective July 1, 2021, the District will reimburse no more than \$75 to each head bus driver, bus driver and/or mechanic required to hold a CDL license upon successful completion of his/her license renewal. In order to receive reimbursement, the head bus driver, bus drivers and mechanics must submit proof of their renewal to the business office.

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### **ARTICLE XXIV** **SENIORITY**

#### **Section 24.1**

Seniority is defined as length of continuous service with the Employer. For layoff purposes, an employee's seniority shall determine the order to be followed. Employees with the least seniority shall be the first to be laid off until the total number of employees required to decrease the forces shall be established. The laid off employee may exercise his/her seniority to displace an employee with lesser seniority on lesser job titles, that he/she has previously held. Recall shall be in the inverse order of layoff.

#### **Section 24.2**

As used in this article, the term "continuous service" includes only those periods when an employee is on the Employer's active payroll and those periods when an employee is:

1. On leave of absence.
2. On layoff; or
3. Absent from or unable to perform the duties of his/her position by reasons of disability due to occupational injury or disease.

### **Section 24.3**

An employee shall lose his/her seniority only when one or more of the following occurs:

1. He / she resigns (unless he/she is reinstated within the period permitted by any provision of the Civil Service Law applicable to him/her).
2. He/she is discharged.
3. He/she retired; or
4. He / she refuses a recall.

### **Section 24.4**

If two (2) or more employees are hired or appointed on the same date, their relative seniority shall be by the hiring or appointing, as the case may be by the hiring or appointing officer.

### **Section 24.5**

This article shall apply only to the layoff and recall and shall not be construed to affect termination of employment for any other reason.

## **ARTICLE XXV** **JOB VACANCIES**

### **Section 25.1**

When a job vacancy or vacancies occurs within a position represented by the CSEA, including summer positions, the District will be responsible for posting an announcement of such vacancy(s) on the CSEA bulletin board, high school and elementary school offices, bus garage office and the District website at least fifteen (15) calendar days prior to the date the position is to be filled. The announcement of such vacancy shall contain the title of the position or positions to be filled, minimum qualifications required for appointment, number and work location of the vacancy or vacancies and the salary of the vacancy.

### **Section 25.2**

When such vacancy is announced as provided herein, the employee(s) who wish to be considered for appointment to such vacancy shall be allowed to file an appropriate application with the District: provided however that the application must be filed within fifteen (15) days following the announcement of the vacancy.

### **Section 25.3**

Provisions of this article shall apply to all job classifications filled or to be filled by unit members.

### **Section 25.4**

After the appropriate applications have been filed with the District, the vacancy shall be filled by considering all job qualifications of the applicant, including training, physical ability, formal education, work experience in the field, and seniority.

### **Section 25.5**

The District will provide the unit president with the name, ~~address and salary~~ of each new employee within the timeframe specified by New York State Law.

### **Section 25.6**

The District shall post job vacancies, as provided by Section 25.1, before making any commitment to hire a particular individual for such job, with the understanding that a temporary employee may be used to fill the vacancy pending completion of the hiring process and the temporary employee may be a candidate for the vacancy.

### **Section 25.7**

When transfer of an employee within job classification is considered to be in the best interest of the District, the employee shall be notified in writing and by personal interview of the reasons for such transfer.

### **Section 25.8**

Any unit member who applies for a vacancy in the unit will be notified of the determination of the position within a reasonable and prudent period of time.

**ARTICLE XXVI**  
**SEPARABILITY AND COMPLETENESS OF AGREEMENT**

**Section 26.1**

If any part of this agreement shall be declared invalid by any court of competent jurisdiction or by any decision of an authorized governmental agency such invalidation shall not invalidate the remaining portions of the agreement.

**Section 26.2**

This agreement constitutes the complete understanding of the parties and may not be amended or modified prior to its termination except by written agreement of the parties.

**ARTICLE XXVII**  
**LEGISLATIVE PROPOSAL**

**Section 27.1**

IT IS AGREED BY AND BETWEEN THE PARTIES THAT ANY PROVISION OF THIS AGREEMENT REQUIRING LEGISLATIVE ACTION TO PERMIT ITS IMPLEMENTATION BY AMENDMENT OF LAW OR BY PROVIDING THE ADDITIONAL FUNDS THEREFORE SHALL NOT BE EFFECTIVE UNTIL THE APPROPRIATE BODY HAS GIVEN APPROVAL.

**ARTICLE XXVIII**  
**DISTRIBUTION OF AGREEMENT**

**Section 28.1**

CSEA will print the final contract after ratification by both the Board of Education and the Union membership and its execution by authorized representatives of both parties and provide a copy to each member of the unit and fifty (50) to sixty (60) copies to the District Administration.

**Section 28.2**

This agreement shall be and remain in full force and effect from July 1, 2019~~26~~ through June 30, 20~~27~~<sup>19</sup>. ~~The parties mutually agree that negotiations for a successor contract shall commence on or about February 1st of the year in which the contract expires.~~



**ARTICLE XXIX**  
**SALARY SCHEDULE**

**Section 29.1**

Between July 1, 2019-December 31, 2021, each returning unit member's hourly rate shall increase as follows:

2019-2020: 3.50%, retroactive to July 1, 2019

- All current employees as of December 1, 2019 shall receive a one-time payment of \$800 within 15 days of December 1, 2019.
  - New hires as of July 1, 2019 shall receive a pro-rated amount.

2020-2021: 3.50%

- All employees as of June 30, 2020 shall receive a one-time payment of \$800 within 15 days of July 1, 2020.

July 1, 2021-December 31, 2021: 3.75%

Between January 1, 2022-June 30, 2025, each returning unit member's hourly rate shall increase pursuant to one of sections a., b., or c., below:

- a. For those employees who were employed by the District on or before 12/31/2016 and who received less than a \$.70/hour increase on July 1, 2021:
  - i. Effective January 1, 2022, the District will verify each employee's hourly rate on 12/31/16 and calculate the difference between their actual hourly rate and minimum wage on that same date (\$9.00). For example: if an employee earned \$9.80 per hour on 12/31/16, the employee would receive the difference (\$.80) added on to the expected minimum wage increase effective January 1, 2022 (\$13.20) for a new hourly rate of \$14.00, or the employees hourly rate if greater than minimum wage.
  - ii. Effective July 1, 2022, each employee will either receive a \$.70/hour increase or 3.90%, whichever is greater.
  - iii. Effective July 1, 2023, each employee will either receive a \$.70/hour increase or 3.90%, whichever is greater.
  - iv. Effective July 1, 2024, each employee will either receive a \$.70/hour increase or 3.90%, whichever is greater.

vi. Effective July 1, 2025, each employee will either receive a \$.70/hour increase or 3.90%, whichever is greater.

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vii. Effective July 1, 2026, each employee will either receive a \$.70/hour increase or 3.90%, whichever is greater.

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b. For those employees hired (1) on or after 1/1/2017 and receives less than \$.70/hour increase on July 1, 2021:

i. Effective January 1, 2022, the District will provide an incremental increase based on years of service, as follows:

1. 0-2 years of service: \$.20/hour
2. 2-3 years of service: \$.40/hour
3. 3+ years of service: \$.60/hour

ii. Effective July 1, 2022, each employee will either receive a \$.70/hour increase or 3.90%, whichever is greater.

iii. Effective July 1, 2023, each employee will either receive a \$.70/hour increase or 3.90%, whichever is greater.

iv. iv. Effective July 1, 2024, each employee will either receive a \$.70/hour increase or 3.90%, whichever is greater.

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v. Effective July 1, 2025, each employee will either receive a \$.70/hour increase or 3.90%, whichever is greater.

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vi. Effective July 1, 2026, each employee will either receive a \$.70/hour increase or 3.90%, whichever is greater.

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c. For those employees that do not meet the criteria in sections (a), or (b) above (said employees received a raise greater than \$.70/hour on July 1, 2021), or were hired on or after January 1, 2022, the following will apply:

i. Effective July 1, 2022, each employee will receive an increase of 3.90%.

ii. Effective July 1, 2023, each employee will receive an increase of 3.90%.

iii. Effective July 1, 2024, each employee will receive an increase of 3.90%.

iv. Effective July 1, 2025, each employee will receive an increase of 3.90%.

v. Effective July 1, 2026, each employee will receive an increase of 3.90%.

Continue the current language, which enables the District to set a rate of pay for new employees based upon their past experience within the ranges of the salaries set forth in this appendix except that new employees with no prior work experience in the classification he/she is applying for shall not start at an initial starting salary that exceeds the salary of current employees in such classifications.

~~Library Clerks and~~ Teacher Assistants assigned to the library will receive an additional \$300.00 per year as a stipend. Percentage increases shall not apply to stipend.

~~Teacher Aides: Teacher Aides supervising the computer lab shall receive an additional \$500.00/year as a stipend in addition to the Teacher Aide rate.~~

Effective July 1, 2023~~46~~, Teacher Aides assigned by the District to perform on a daily basis toileting, feeding or other intensive physical assistance for students with a severe handicapping condition shall receive an annual stipend of \$~~1250~~500.00.

### **Section 29.2 - Out-of-Title Work**

Any employee who is required to perform the duties of a different unit job classification shall be compensated the difference between their classification and the out-of-title (unit) classification or fifty cents (\$0.50) per hour worked, whichever is greater (effective 7/1/16).

### **Section 29.3 - Uniform Allowance**

Effective July 1, 2022, all uniform allowance payments will be paid to applicable employees by the District in 2 installments each year, 50% in January and 50% in June. Applicable unit members will no longer need to submit receipts each year to qualify for the uniform allowance.

- A clothing allowance of up to a cumulative total of \$350.00 per year will be paid upon receipt of purchase starting in the first year of this agreement for the Building Maintenance Mechanics, Building Maintenance Assistants, Auto Mechanics and Head Bus Driver and such employees will be required to wear safety shoes while working for the District. The \$350.00 clothing allowance will cover the cost

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of safety shoes, jeans and winter apparel for the above-mentioned titles conditioned upon both receipt of a suitable sales slip or voucher and that the uniform be satisfactory to the District. Receipts may be submitted throughout the school year, but no later than June 1<sup>st</sup>. Reimbursement will be made in the paycheck following the submission of the receipts, or as soon thereafter as possible. Qualifying purchases must be made between July 1<sup>st</sup> and June 1<sup>st</sup>.

—\$200 for

- Effective 7/1/16 Cleaners, and Custodians

—\$200 for Cafeteria Workers, will be reimbursed up to two hundred dollars (\$200) annually for work apparel (jeans and sneakers) conditioned upon both receipt of a suitable sales slip or voucher and that the shoes be satisfactory to the District. If the District requires steel toe safety shoes for these positions, the annual reimbursement will be increased by sixty-five dollars (\$65) annually. Receipts may be submitted throughout the school year, but no later than June 1<sup>st</sup>. Reimbursement will be made in the paycheck following the submission of the receipts, or as soon thereafter as possible. Qualifying purchases must be made between July 1<sup>st</sup> and June 1<sup>st</sup>. In addition,

- Cafeteria workers shall be entitled to receive a uniform allowance of up to \$200.00 per school year (for pants and shoes) conditioned upon both receipt of a suitable sales slip or voucher and that the uniform be satisfactory to the District. Receipts may be submitted throughout the school year, but no later than June 1<sup>st</sup>. Reimbursement will be made in the paycheck following the submission of the receipts, or as soon thereafter as possible. Qualifying purchases must be made between July 1<sup>st</sup> and June 1<sup>st</sup>. The District will provide shirts, aprons and visors, plus name badges (five (5) sets of each for a two-year period).

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#### **Section 29.4 - Shift Differential**

Effective July 1, 2019, the shift differential shall be \$725/year, which shall be paid throughout the school year, to account for hours worked after 3:30 PM to those employees assigned by the District to regularly work a weekly majority of their hours after 3:30 PM, this would apply to the Night Cleaners and Custodians. This differential does not apply to special events.

Any day cleaner or day custodian assigned by the District to regularly work a majority of their hours before 3:30 PM shall receive differential pay of forty-five (45) cents per hour for any hours worked after 3:30 pm when assigned to work the night shift.

#### **Section 29.5 - Lunch and Break Times**

The District agrees to continue the current practice(s) of lunch periods and breaks such as providing a thirty (30) minute paid meal period during the middle of the workday for unit employees (except Bus Drivers) who are specified as full-time employees and who are required to be on duty during their lunch period. Employees not required to be on duty during their meal period(s) may take up to a one (1) hour lunch unpaid.

Employees who work an eight (8) hour shift will be entitled to two fifteen (15) minute breaks during their daily shift. Employees who work six (6) to seven (7) hours per shift will be entitled to one (1) fifteen (15) minute break. Those employees who work less than six (6) hours per day will not be entitled to a break.

#### **Section 29.6 – Labor Management**

The parties will form a labor management committee within 30 days after Board approval of the successor agreement to review and update job titles.

### **ARTICLE XXX** **LONGEVITY**

#### **Section 30.1**

To express appreciation to the employees who have faithfully served the School District over the years, the following longevity plan is recommended for all employees:

After ten (10) years of continuous service	\$175.00
After fifteen (15) years of continuous service	\$375.00
After twenty (20) years of continuous service	\$625.00
After twenty-five (25) years of continuous service	\$925.00

The foregoing longevity amounts shall not be cumulative beginning July 1, 2016.

Effective July 1, 2016 longevity will be paid in the pay period corresponding with the employee's anniversary date.

**ARTICLE XXXI**  
**IN-SERVICE**

**Section 31.1**

When the Naples Central School District arranges full day teacher conference days, aides will be eligible to participate in those conference days at ~~their~~ the District's discretion. ~~Since aides are not normally paid for those days, they will receive their regular hourly rate(s) for participating in the conference day. Aides that are not required to work the full day on half day teacher conference day(s), usually those days where parent/teacher conferences are scheduled, shall be allowed to use personal time for the scheduled hours for that portion of the day when they are not needed since that time is incorporated into their base salary.~~ Aides working on an in-service day shall be paid at least 30 minutes for their lunch break, and up to 60 minutes at the District's discretion, for their lunch break.

**Section 31.2 -Tuition Reimbursement**

Employees may submit proposals for District reimbursement of tuition for successful completion of job related or school related course work approved in advance by the Superintendent. Tuition reimbursement per employee per year shall not exceed \$ 1,500.00.

**NAPLES CENTRAL SCHOOL DISTRICT**

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**Kevin Swartz**  
**Superintendent of Schools**

**DATED:    /    /**

**CIVIL SERVICE EMPLOYEES ASSOCIATION, INC.**  
**NAPLES SUPPORT STAFF UNIT**

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**Paul Peters**  
**CSEA Labor Relations Specialist**

**DATED:**   /   /

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**Midge Guererri**  
**Unit President**

**DATED:**   /   /

## APPENDIX A

Starting Salary Ranges	Jul 1, 2019 – Dec 31, 2021	Jan 1, 2022 – Jun 30, 2023	Jul 1, 2023 – June 30, 2027	Formatted Table
Head Custodian	\$16.50 - \$23.00	\$17.20 - \$23.70	\$17.20 - \$23.70	
Building Maintenance Assistant	\$12.50 - \$15.50	\$13.20 - \$16.20	Min. wage - \$16.20	
Groundskeeper/Mechanic	\$13.50 - \$17.00	\$14.20 - \$17.70	Min. wage - \$17.70	
Building Maintenance Mechanic; Custodian	\$12.50 - \$21.00	\$13.20 - \$21.70	Min. wage - \$30.70	
Cleaner	\$11.10 - \$12.50	\$13.20 - \$15.00	Min. wage - \$16.20	
Computer Services Assistant	\$15.00 - \$23.00	\$15.70 - \$23.70	\$15.70 - \$23.70	
Head Bus Driver	\$14.00 - \$17.00	\$14.70 - \$17.70	Min. wage - \$17.70	
Head (or Auto 1 Mechanic/Bus Driver)	\$12.50 - \$21.00	\$13.20 - \$21.70	Min. wage - \$21.70	
Head Bus Driver/Mechanic	\$12.50 - \$21.00	\$13.20 - \$21.70	\$21.40 - \$23.70	
School Bus Driver (Hourly)	\$20.69 - \$23.00	\$21.40 - \$23.70	\$21.40 - \$23.70	
Teacher Assistant	\$12.50 - \$14.50	\$14.70 - \$16.70	Min. wage - \$16.70	
Typist	\$11.10 - \$15.00	\$13.20 - \$15.70	Min. wage - \$16.20	
Teacher Aide; Clerk; Library Clerk; Cook	\$11.10 - \$13.00	\$13.20 - \$15.00	Min. wage - \$16.20	
Food Service Helper; Bus Monitor; School Monitor	\$11.10 - \$12.50	\$13.20 - \$15.00	Min. wage - \$16.20	
Cook/Manager	\$11.10 - \$14.50	\$13.20 - \$15.20	Min. wage - \$16.20	
Senior Computer Services Assistant	\$15.00 - \$23.00	\$15.70 - \$23.70	Min. wage - \$23.70	
Nurse	\$25.00 - \$30.00	\$25.70 - \$30.70	\$25.70 - \$30.70	
Part-Time Laborer	\$11.10 - \$12.50	\$13.20 - \$15.00	Min. wage - \$16.20	
Computer Services Technician 2		\$24.00 - \$29.93	\$24.00 - \$29.93	



**APPENDIX B**

**EMPLOYEE ACKNOWLEDGMENT OF  
OVERPAYMENT/AUTHORIZATION TO REDUCE WAGES**

DATE:

\_\_\_\_\_

Employee Name: \_\_\_\_\_

Department: \_\_\_\_\_

I have been notified of an overpayment in the gross amount of \$\_\_\_\_\_ for  
pay period ending \_\_\_\_\_. I agree that an overpayment has  
occurred.

I elect the following method of repayment:

\_\_\_\_ I authorize the Naples Central School District to deduct the  
overpayment from my salary in the amount of \$\_\_\_\_\_ over \_\_\_\_\_ pay  
periods until full overpayment is recouped.

\_\_\_\_ I elect to repay the overpayment in full by personal check  
(attached)

Employee Signature \_\_\_\_\_

Date \_\_\_\_\_

THIS AGREEMENT (this “Agreement”) made on September 1, 2023, by and between the COUNTY OF ONTARIO, a municipal corporation organized and existing under the laws of the State of New York, having its county seat and principal offices at 20 Ontario Street, Canandaigua, New York 14424, hereinafter referred to as the “County”, and, NAPLES CENTRAL SCHOOL an educational corporation organized and existing under the laws of the State of New York having its principal offices at 136 NORTH MAIN STREET NAPLES, NY 14512, hereinafter referred to as the “School.” The County and the School are sometimes referenced to in this Agreement individually as a “party” or collectively as the “parties.”

WITNESSETH:

WHEREAS, the School desires the services of a school resource officer (“SRO”) in an attempt to deter criminal behavior through positive interactions with students during school hours; and

WHEREAS, the County, through its Sheriff’s Office, desires to provide the School with a SRO; and

WHEREAS, the School and the County recognize the potential outstanding benefits of the SRO Program to the citizens of the School; and

WHEREAS, it is in the best interests of the School, the County, and the citizens of the School to establish this program; and

NOW THEREFORE, in consideration of the mutual promises and covenants herein contained, the School and the County hereby agree as follows:

1. **TERM.** The term of this Agreement shall be September 1, 2023 to June 30, 2024.
2. **SUSPENSION OR TERMINATION OF AGREEMENT.**
  - a. This Agreement may be terminated at any time by either party upon the giving of thirty (30) days’ written notice to the other party that it has failed to substantially perform in accordance with the terms and conditions of this Agreement; or without cause upon ninety (90) days’ written notice. In the event this Agreement is terminated, compensation will be made to the County for all costs actually incurred in performing the services to the date of termination. The School shall be entitled to a pro-rated refund for that period of time when SRO services are not provided because of such termination.
3. **SCOPE OF SCHOOL RESOURCE OFFICER PROGRAM.** The SRO Program is designed to provide education, law enforcement and counseling to school students. It is an attempt to deter criminal behavior through positive interactions with students during school hours. The SRO will work with the School community to promote a safe learning environment for all students. It is the intention of the parties over the life of this Agreement to collaborate on the issues of recruitment, on-boarding and training of an SRO; evaluation of data and effectiveness; and receipt of feedback from constituents, in a manner consistent with the Local Implementation Rubric adopted by the U.S. Department of Justice and the U.S. Department of Education under their Joint Safe School-based Enforcement through Collaboration, Understanding and Respect (SECUR-e) program.
4. **RIGHTS AND DUTIES OF COUNTY SHERIFF.** The County Sheriff shall assign one (1) SRO to the School as follows:
  - a. The SRO shall be assigned to the School for the number of hours defined in Schedule A attached hereto and made a part hereof for the period of this Agreement. During the SRO’s daily

tour of duty, the SRO may be off-campus performing such tasks as may be required by his/her assignments.

b. The SRO may be temporarily reassigned by the County Sheriff when deemed necessary at the sole discretion of the County Sheriff. Should such reassignment occur, any hours spent by the SRO on County business outside the duties as SRO shall not be billed to the School.

c. Regular working hours may be adjusted on a situational basis with the consent of the SRO's supervisor and the School administrator. These adjustments should be approved prior to the adjustment being required and should be to cover scheduled school-related activity requiring the presence of a SRO.

d. The SRO will be off-campus for in-service and other training required. The SRO will not be available to the School from July 1 through August 31.

e. The SRO, if requested to work any hours in addition to that defined in Schedule A by School administration for security, sporting events and other special projects, shall be paid by the School as provided in Schedule A of this Agreement.

5. **DUTIES OF SCHOOL RESOURCE OFFICERS.** Instructional responsibility of the SRO at the School is as follows:

a. The SRO shall act as an educator, counselor and police officer.

b. The SRO shall act as an instructor for specialized, short-term programs at the School, when invited to do so by the principal or member of the faculty.

c. The SRO shall make available to the School faculty and students a variety of law related presentations.

d. The SRO shall coordinate all of his/her activities with the School principal and staff members concerned and will seek permission, advice and guidance prior to enacting any program within the School.

e. The SRO shall develop expertise in presenting various subjects to the School students. Such subjects shall include basic understanding of the laws, the role of the police officer and the police mission.

f. The SRO shall encourage individual and small group discussions with School students, based upon material presented in class to further establish rapport with the students.

g. The SRO shall make himself/herself available for conference with School students, parents and faculty members in order to assist them with problems of law enforcement or crime prevention.

h. The SRO shall become familiar with all School community agencies which offer assistance to youths and their families such as mental health clinics, drug treatment centers, etc. The SRO shall make referrals to such agencies when necessary, thereby acting as a resource person to the students, faculty and staff at the School.

i. The SRO shall assist the School principal in developing plans and strategies to prevent and/or

minimize dangerous situations which may occur on the School campus or during School sponsored events.

j. The SRO shall take law enforcement action as required by law. As soon as practicable, the SRO shall make the principal of the School aware of such action. At the principal's request and upon final approval by the County Sheriff, the SRO shall take appropriate law enforcement action against intruders and unwanted guests who may appear at the School and related School functions, to the extent that the SRO may do so under the authority of the law.

Whenever practicable, the SRO shall advise the School principal before requesting additional police assistance on the School campus.

k. The SRO shall give assistance to other police officers and deputy sheriffs in matters regarding his/her School assignment, whenever necessary and authorized by the County Sheriff.

l. The SRO may be assigned non-campus investigations relating to runaways that attend the School to which the SRO is assigned.

m. The SRO shall maintain detailed and accurate records of the operation of the SRO Program, and shall make them available to the School principal or superintendent if required by law.

n. The SRO shall not act as a School disciplinarian, and matters of school discipline shall be referred to the appropriate building principal. However, if the School principal believes an incident is a violation of the law, the principal may contact the SRO and the SRO shall then determine whether law enforcement action is appropriate. The SRO is not to be used for regularly assigned lunchroom duties, hall monitoring, bus duties or other monitoring duties. If there is a problem in one of these areas, then the SRO may assist the School until the problem is solved. This paragraph however, shall not be interpreted to restrict the SRO's rights and responsibilities as a law enforcement officer for the County.

o. The SRO shall be prohibited from detaining or questioning students about their immigration status.

p. The County and the SRO shall comply with all applicable federal, State and local laws, rule and regulations. All of the obligations of the SRO as required under this Agreement shall be met without discriminating on the basis of race, color, sex, national origin, language status, disability, religion, sexual orientation, or membership in any other protected class.

q. The County and SRO shall comply with health and safety practices and protocols consistent with DOH's applicable New York Department of Health guidance and the School's policies, plans and procedures applicable to the provision of SRO services.

## **6. RIGHTS AND DUTIES OF THE SCHOOL.**

a. The School shall comply with all applicable federal, State and local laws, rule and regulations.

b. The School shall provide to the SRO the following materials and facilities, which are deemed necessary for the performance of the SRO's duties:

i. Access to an air-conditioned and properly lighted private office which office shall contain a telephone which may be used for general business purposes.

- ii. A location for files and records which can be properly locked and secured.
- iii. A desk with drawers, a chair, work table, filing cabinet and office supplies.
- iv. Access to a computer and/or secretarial assistance.

7. **PAYMENT.**

a. The School shall compensate the County in accordance with Schedule A attached hereto and made a part hereof. The County shall invoice the School quarterly upon execution of this Agreement and the School shall submit payment within thirty (30) days of receipt of each invoice. Any overtime costs shall be billed monthly by the County on separate invoices and shall be paid by the School within thirty (30) days.

8. **EMPLOYMENT STATUS OF SCHOOL RESOURCE OFFICER.** The SRO shall remain an employee of the County Sheriff's Office, and shall provide services to the School as an independent contractor. The SRO shall therefore not hold himself out as, nor claim to be, an employee of the School, nor make any claim, demand, or application to or for any right or privilege applicable to an officer or employee of the School, including, but not limited to, workers' compensation coverage, unemployment insurance benefits, social security coverage, disability benefits, or retirement membership or credit. The SRO shall not have, or hold himself out as having the authority or power to bind or create liability for the School by the SRO's acts or omissions. The School and the County acknowledge that the SRO shall remain responsive to the chain of command of the County Sheriff who shall have sole control and authority over such SRO.

9. **APPOINTMENT OF SCHOOL RESOURCE OFFICERS.** SRO applicants must meet the following requirements and be acceptable to the School:

- a. The applicant must be a volunteer for the position of SRO.
- b. The applicant must be a County Deputy Sheriff.
- c. The applicant must possess job knowledge, experience, training, education, and appropriate appearance, attitude, communications skills and demeanor.

10. **DISMISSAL AND REPLACEMENT OF SCHOOL RESOURCE OFFICER.**

- 1. In the event the principal of the School feels that the SRO is not effectively performing his/her duties and responsibilities, the principal shall recommend to the School Superintendent that the SRO be removed from the program and shall state the reasons therefore in writing. Within a reasonable time after receiving the recommendation from the principal, the School Superintendent shall advise the County Sheriff of the principal's request.
- 2. If the County Sheriff so desires, then the School Superintendent and Sheriff shall meet with the SRO to mediate or resolve any problems which may exist. At such meeting, specified members of the staff of the School may be required to be present.
- 3. If, within a reasonable amount of time after commencement of such mediation the problem cannot be resolved or mediated or in the event mediation is not sought by the County Sheriff, then the SRO shall be removed from the program at the School.

4. The County Sheriff may dismiss or reassign the SRO based upon County Department Rules and Regulations governing special assignments and/or general orders and when it is in the best interest of the people of the School.

5. In the event of the resignation, dismissal or reassignment of the SRO, or in the case of long-term absences by the SRO, the County Sheriff may provide a temporary replacement for the SRO within thirty (30) days of receiving notice of such absence, dismissal, resignation or reassignment. However, the County may terminate this Agreement if no suitable replacement can be found.

11. **NOTICES.** Any and all notices of any other communication herein required or permitted shall be deemed to have been given when deposited in the United States Postal Service as regular mail, postage prepaid and addressed as follows:

TO THE COUNTY:

Ontario County Sheriff

74 Ontario Street

Canandaigua, NY 14424

with a copy to:

Ontario County Attorney

20 Ontario Street

Canandaigua, NY 14424

TO THE SCHOOL:

NAPLES CENTRAL SCHOOL

136 NORTH MAIN STREET NAPLES, NY 14512

with a copy to:

Ferrara Fiorenza PC

5010 Campuswood Drive

East Syracuse, New York 13057

12. **GOOD FAITH.** The School, the County, their agents and employees, agree to cooperate in good faith in fulfilling the terms of this Agreement. The School Superintendent and the County Sheriff or their designees shall endeavor to resolve any difficulties or questions by negotiation.

### 13. **DATA PRIVACY AND SECURITY.**

- a. **Protection of Confidential Data.** The County shall provide the contracted services in a manner which protects Student Data (as defined by 8 NYCRR 121.1(q)) and Teacher or Principal Data (as defined by 8 NYCRR 121.1(r)) (hereinafter “Confidential Data”) in accordance with the requirements articulated under Federal, New York State and local laws and regulations, including but not limited to Education Law Section 2-d and the associated regulations (8 NYCRR Part 121).
- b. **Data Breach.** In the event that Confidential Data is accessed or obtained by an unauthorized individual due to the County’s or the SRO’s acts or omissions, and/or a subcontractor or affiliate of the County’s acts or omissions, the County shall provide notification to the School without unreasonable delay and not more than seven calendar days after the discovery of such breach. The County shall follow the following process:
  - i. The security breach notification shall be titled “Notice of Data Breach,” shall be clear, concise, use language that is plain and easy to understand, and to the extent available, shall include: a brief description of the breach or unauthorized release; the dates of the incident in the date of discovery; a description of the types of Confidential Data affected; an estimate of the number of records affected; a brief description of the County’s investigation or plan to investigate; and contact information for representatives who can assist the School District with additional questions.
  - ii. The County shall also prepare a statement for parents and eligible students which provides information under the following categories: “What Happened,” “What Information Was Involved,” “What We Are Doing,” “What You Can Do,” and “For More Information.”
  - iii. Where a breach or unauthorized release of Confidential Data is a result of the County’s or the SRO’s acts or omissions, and/or a subcontractor or affiliate of the County’s acts or omissions, the County shall pay for or promptly reimburse the School for the cost of notification to parents and eligible students of the breach.
  - iv. The County shall cooperate with the School and law enforcement to protect the integrity of investigations into the breach or unauthorized release of Confidential Data.
- c. **2-d Addenda.** The following addenda attached hereto shall be incorporated into the Agreement, and shall supersede any inconsistent provisions in the Agreement:
  - i. Addendum A: School District’s Parents’ Bill of Rights for Data Privacy and Security
  - ii. Addendum B: Parents’ Bill of Rights – Supplemental Information Addendum
  - iii. Addendum C: Third-Party Data Security and Privacy Plan

14. **MODIFICATION.** This document constitutes the full understanding of the parties and no terms, conditions, understandings or agreement purporting to modify or vary the terms of this document shall be binding unless hereafter made in writing and signed by both parties.

15. **NON-ASSIGNMENT.** The School shall not assign or transfer this agreement to any other person or corporation without the previous consent, in writing, of the Chairman of the Ontario County Board of Supervisors. The County shall not assign or transfer this Agreement to any other person or corporation without the previous consent, in writing, of the School's Board of Education.

16. **SEVERABILITY.** In the event any provision of this contract shall be or become invalid under any provision of federal, state or local law, such invalidity shall not affect the validity or enforceability of any other provision hereof.

17. **CONTRACT INTEREST.** No officer or employee of the County, who is authorized in such capacity and on behalf of the County to negotiate, make, accept or approve, or to take part in negotiating, making, accepting or approving this contract, shall become directly or indirectly interested personally in this contract, or in any part hereof. No officer or employee of, or for the County, who is authorized in such capacity and on behalf of the County to exercise any supervisory or administrative function in connection with this contract, shall become directly or indirectly interested personally in this contract or in any part hereof.

18. **INDEMNIFICATION.** The Parties agrees to the fullest extent of the law:

a. that except for the amount, if any, of damage contributed to, caused by or resulting from the negligence of the County, the School shall indemnify and hold harmless the County, its officers, employees and agents from and against any and all liability, damage, claims, demands, costs, judgments, fees, attorneys' fees or loss arising directly or indirectly out of the negligent acts and/or omissions or a material breach of this Agreement by the School or third parties under the direction or control of the School; and

b. to provide defense for and defend, at its sole expense, any and all claims, demands or causes of action directly or indirectly arising out of the acts or omissions referred to in paragraph (a) and to bear all other costs and expenses related thereto. The duty to defend hereunder shall be triggered immediately upon notice to the School by the County of the County's receipt of a Notice of Claim, service of process or other demand or claim.

c. That except for the amount, if any, of damage contributed to, caused by or resulting from the negligence of the School district, the County shall indemnify and hold harmless the School district, its officers, employees and agents from and against any and all liability, damage, claims, demands, costs, judgments, fees, attorneys' fees or loss arising directly or indirectly out of the negligent acts and/or omissions or a material breach of this Agreement by the County or third parties under the control of the County (including the SRO); and;

d. To provide defense and defend, at its sole expense, any and all claims, demands or causes of action directly or indirectly referred to in subparagraph (c) and to bear all other costs and expenses related thereto. The duty to defend hereunder shall be triggered immediately upon notice to the county by the School district of the School district's receipt of a Notice of Claim, service of process or other demand or claim.

e. Notwithstanding the provisions in subparagraphs (c) and (d), the County shall not be required to indemnify, hold harmless, or defend the School with respect to claims arising out of any law enforcement actions taken by the SRO, including but not limited to actions taken with respect to violent intruders, violent guests, active shooters, or other similar situations, unless the SRO is adjudged liable for negligence or willful misconduct in connection with the same.



f. The defense and indemnification obligations provided herein shall survive the expiration or termination of this Agreement, whether occasioned by this Agreement's expiration or earlier termination.

19. **ENTIRE CONTRACT AND INCORPORATION.** This contract constitutes the entire agreement of the parties hereto and all previous communications between the parties, whether written or oral, with reference to the matter of this contract, are hereby superseded.

20. **SPECIAL RELATIONSHIP.** This Agreement does not create a "special relationship." Specifically, this Agreement is not:

1. an assumption by the County of an affirmative duty to act on behalf of a party who was injured;
2. knowledge on the part of the County's agents that inaction could lead to harm;
3. some form of direct contact between the County's agents and the injured party; and
4. evidence of a party's justifiable reliance on the County's affirmative undertaking.

IN WITNESS WHEREOF, the parties hereto have caused these presents to be signed and their respective seals to be hereunto affixed by their duly authorized officers the day and year first above written.



## SCHEDULE A

		9/1/2023 - 6/30/2024	
		Cost	
		Annual	1 FT SRO
[1]	Gross Salary		\$91,930
[2]	Fringe Benefits		\$64,837
	Subtotal Salary & Fringe at 100%		\$156,767
	<b>Annual Average Cost for SRO</b>	<b>\$156,767</b>	
	Standard Monthly Rate		\$13,064
	Standard Hourly Rate		\$75.37
[3]	Overtime Hourly Rate		\$113.05
[4]	Anticipated School Cost for SRO      1,733   Hours	\$130,614	
<p>[1]      Salary based on current contract - at top step for Full Time County Police Officer, assumes Tier 4 ERS.</p> <p>[2]      Fringe Benefits paid on Gross Wages for FT Deputy      2023</p> <p style="padding-left: 150px;">FICA      7.65%</p> <p style="padding-left: 150px;">WC      2.61%</p> <p style="padding-left: 150px;">Retirement      26.10%</p> <p style="padding-left: 100px;">Health &amp; Dental Insurance, H.R.A./H.S.A.      34.17%</p> <p style="padding-left: 150px;"><u>70.53%</u></p> <p>[3]      Overtime incurred by SRO for School related activities to be billed separately at this overtime rate.</p> <p>[4]      The deputy assigned to your detail may have selected a lesser benefit package or may be at a lower ERS rate. This represents the highest potential charge.</p>			

## **ADDENDUM A**

### **PARENTS BILL OF RIGHTS FOR DATA PRIVACY AND SECURITY**

Parents (includes legal guardians or persons in parental relationships) and Eligible Students (student 18 years and older) can expect the following:

1. A student's personally identifiable information (PII) cannot be sold or released for any commercial purpose. PII, as defined by Education Law § 2-d and FERPA, includes direct identifiers such as a student's name or identification number, parent's name, or address; and indirect identifiers such as a student's date of birth, which when linked to or combined with other information can be used to distinguish or trace a student's identity. Please see FERPA's regulations at 34 CFR 99.3 for a more complete definition.
2. The right to inspect and review the complete contents of the student's education record stored or maintained by an educational agency. This right may not apply to parents of an Eligible Student.
3. State and federal laws such as Education Law § 2-d; the Commissioner of Education's Regulations at 8 NYCRR Part 121, the Family Educational Rights and Privacy Act ("FERPA") at 12 U.S.C. 1232g (34 CFR Part 99); Children's Online Privacy Protection Act ("COPPA") at 15 U.S.C. 6501-6502 (16 CFR Part 312); Protection of Pupil Rights Amendment ("PPRA") at 20 U.S.C. 1232h (34 CFR Part 98); the Individuals with Disabilities Education Act ("IDEA") at 20 U.S.C. 1400 et seq. (34 CFR Part 300); protect the confidentiality of a student's identifiable information.
4. Safeguards associated with industry standards and best practices including but not limited to encryption, firewalls, and password protection must be in place when student PII is stored or transferred.
5. A complete list of all student data elements collected by NYSED is available at [www.nysed.gov/data-privacy-security](http://www.nysed.gov/data-privacy-security) and by writing to: Chief Privacy Officer, New York State Education Department, 89 Washington Avenue, Albany, NY 12234.
6. The right to have complaints about possible breaches and unauthorized disclosures of PII addressed. (i) Complaints should be submitted to: Naples CSD, Data Privacy Officer/Ben Pursell 136 North Main Street, Naples, NY 14512 or by emailing [dpo@naplescscsd.org](mailto:dpo@naplescscsd.org), or by filling out this ONLINE FORM (ii) Complaints may also be submitted to the NYS Education Department at [www.nysed.gov/data-privacy/security/reportimproper-disclosure](http://www.nysed.gov/data-privacy/security/reportimproper-disclosure), by mail to: Chief Privacy Officer, New York State Education Department, 89 Washington Avenue, Albany, NY 12234; by email to [privacy@nysed.gov](mailto:privacy@nysed.gov); or by telephone at 518-474-0937.
7. To be notified in accordance with applicable laws and regulations if a breach or unauthorized release of PII occurs.

**8.** Educational agency workers that handle PII will receive training on applicable state and federal laws, policies, and safeguards associated with industry standards and best practices that protect PII.

**9.** Educational agency contracts with vendors that receive PII will address statutory and regulatory data privacy and security requirements.

## **ADDENDUM B**

### **SUPPLEMENTAL INFORMATION ADDENDUM**

1. **EXCLUSIVE PURPOSES FOR DATA USE:** The exclusive purposes for which “student data” or “teacher or principal data” (as those terms are defined in Education Law Section 2-d and collectively referred to as the “Confidential Data”) will be used by Ontario County (the “Contractor”) are limited to the purposes authorized in the contract between the Contractor and Naples Central School District (the “School District”) dated September 1, 2023 (the “Contract”).
2. **SUBCONTRACTOR OVERSIGHT DETAILS:** The Contractor will ensure that any subcontractors, or other authorized persons or entities to whom the Contractor will disclose the Confidential Data, if any, are contractually required to abide by all applicable data protection and security requirements, including but not limited to, those outlined in applicable State and Federal laws and regulations (e.g., Family Educational Rights and Privacy Act (“FERPA”); Education Law § 2-d; 8 NYCRR § 121).
3. **CONTRACT PRACTICES:** The Contract commences and expires on the dates set forth in the Contract, unless earlier terminated or renewed pursuant to the terms of the Contract. On or before the date the Contract expires, protected data will be exported to the School District in format and/or destroyed by the Contractor as directed by the School District.
4. **DATA ACCURACY/CORRECTION PRACTICES:** A parent or eligible student can challenge the accuracy of any “education record”, as that term is defined in the FERPA, stored by the School District in a Contractor’s product and/or service by following the School District’s procedure for requesting the amendment of education records under the FERPA. Teachers and principals may be able to challenge the accuracy of APPR data stored by School District in Contractor’s product and/or service by following the appeal procedure in the School District’s APPR Plan. Unless otherwise required above or by other applicable law, challenges to the accuracy of the Confidential Data shall not be permitted.
5. **SECURITY PRACTICES:** Confidential Data provided to Contractor by the School District will be stored physically in the Office of the SRO at the School District and/or electronically on the School District’s computer system. The measures that Contractor takes to protect Confidential Data will align with the NIST Cybersecurity Framework, including but not necessarily limited to, disk encryption, file encryption, firewalls, and password protection.
6. **ENCRYPTION PRACTICES:** The Contractor will apply encryption to the Confidential Data while in motion and at rest at least to the extent required by Education Law Section 2-d and other applicable law.

## **Addendum C**

### **THIRD-PARTY DATA SECURITY AND PRIVACY PLAN**

**WHEREAS**, the Naples Central School District (hereinafter “School District”) and the County of Ontario (“Contractor”) entered into an agreement dated September 1, 2023, (hereinafter “Agreement”) for the provision of School Resource Officer services (hereinafter “Services”).

**WHEREAS**, pursuant to the requirements under 8 NYCRR § 121, Contractor maintains the data security and privacy plan described herein in connection with the Services provided to the School District.

1. During the term of the Agreement, Contractor will implement all state, federal and local data security and privacy requirements, consistent with the School District's Data Security and Privacy Policy in the following way(s):

*As a local government entity, Contractor actively works to maintain compliance with various data security and privacy requirements, and will comply with the School District's Data Security and Privacy Policy when accessing and/or transmitting student data.*

2. Contractor has in place the following administrative, operational and technical safeguards and practices to protect personally identifiable information that it will receive under the Agreement:

*Contractor will not receive or store any personally identifiable information on County network resources. Contractor agrees to only access the School District's Student Management System through a District device on the District's computer network. Contractor agrees to only use the District-provided email address to communicate electronically regarding District matters in the course of providing School Resource Officer Service. Contractor agrees to comply with the District's Data Security and Privacy Policy when accessing the District's computer system.*

3. Contractor shall comply with 8 NYCRR § 121 in that it acknowledges that it has reviewed the School District's Parents Bill of Rights for Data Privacy and Security and will comply with same.

- a. Contractor will use the student data or teacher or principal data only for the exclusive purposes defined in the Agreement.
- b. Contractor will ensure that the subcontractor(s) or other authorized persons or entities to whom Contractor will disclose the student data or teacher and principal data, if any, will abide by all applicable data protection and security requirements as described in the “Supplemental Information” appended to the Agreement.
- c. At the end of the term of the Agreement, Contractor will destroy, transition or return, at the direction of the School District, all student data and all teacher and principal data in accordance with the “Supplemental Information” appended to the Agreement.

- d. Student data and teacher and principal data will be stored in accordance with the “Supplemental Information” appended to the Agreement.
- e. Student data and teacher and principal data in motion and at rest will be protected using an encryption method that meets the standards described in 8 NYCRR 121.

4. Prior to receiving access to student data and/or teacher and principal data, officer(s) and employee(s) of Contractor and any assignees who will have access to student data or teacher or principal data shall receive training on the federal and state laws governing confidentiality of such data. Such training shall be provided:

*The School Resource Officer shall receive training from the School District at the start of the school year.*

5. Subcontractors: Contractor shall not utilize sub-contractors.

6. Contractor has the following procedures, plans or protocols in place to manage data security and privacy incidents that implicate personally identifiable information: *Procedures, plans or protocols must, at a minimum, specify plans to identify breaches and unauthorized disclosures, and to promptly notify the School District.*

*Contractor maintains various IT security policies and plans, including but not limited to a data breach notification policy. Contractor does not currently intend to receive or store any school district-related PII on County network resources.*

7. Termination of Agreement.

To the extent Contractor receives or stores PII, within 30 days of termination or expiration of the agreement without renewal, Contractor shall delete or destroy all student personally identifiable information in its possession.

8. In the event of a conflict between the terms of this Data Security and Privacy Plan and the terms of the Agreement, the terms of this Data Security and Privacy Plan shall control. All of the defined terms in the Agreement shall have the same definitions in the Data Security and Privacy Plan, unless otherwise defined herein. Except as expressly set forth in this Data Security and Privacy Plan, the terms and conditions of the Agreement shall remain unmodified and in full force and effect.

**IN WITNESS WHEREOF**, the Contractor hereto has executed this Data Security and Privacy Plan as of September 1, 2023.



# Library Weeding Log

Naples Elementary School

From: 5/15/2023 To: 6/1/2023

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## 6/1/2023 - Copies Removed: 96

### Beans and nuts (Removed: 1)

Author: Head, Honor.

ISBN: 978-1-59920-336-2 (lib. bdg.)

Published: 2010

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Barcode  
NAE9000027

Price

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### Being considerate (Removed: 1)

Author: Donahue, Jill L. (Jill Lynn), 1967-

ISBN: 978-1-40483777-5 (lib. bdg.) Published: 2008

Call Number  
179 DON

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NAE3700199

Price  
\$17.95

Acquired  
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### Being cooperative (Removed: 1)

Author: Donahue, Jill L. (Jill Lynn), 1967-

ISBN: 978-1-40483779-9 (lib. bdg.) Published: 2008

Call Number  
179 DON

Barcode  
NAE3700200

Price  
\$17.95

Acquired  
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### Being fair : a book about fairness (Removed: 1)

Author: Small, Mary.

ISBN: 978-1-40481786-9 (pbk.)

Published: 2006

Call Number  
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Barcode  
NAE3700201

Price  
\$17.95

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### Being honest (Removed: 1)

Author: Donahue, Jill L. (Jill Lynn), 1967-

ISBN: 978-1-40483775-1 (lib. bdg.) Published: 2008

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Barcode  
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Price  
\$17.95

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### Being responsible : a book about responsibility (Removed: 1)

Author: Small, Mary.

ISBN: 1-40481052-8 (hard cover)

Published: 2006

Call Number  
179 SMA

Barcode  
NAE3700204

Price  
\$17.95

Acquired  
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### Being tolerant (Removed: 1)

Author: Donahue, Jill L. (Jill Lynn), 1967-

ISBN: 978-1-40483776-8 (lib. bdg.) Published: 2008

Call Number  
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Barcode  
NAE3700205

Price  
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### Being trustworthy : a book about trustworthiness (Removed: 1)

Author: Small, Mary.

ISBN: 1-40481054-4 (hard cover)

Published: 2006

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## Bread (Removed: 1)

Author: Bentley, Joyce.	ISBN: 1-59389-218-7	Published: 2006		
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## Caring : a book about caring (Removed: 1)

Author: Small, Mary.	ISBN: 1-40481049-8 (hard cover)	Published: 2006		
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## Chocolate chill-out cake : and other yummy desserts (Removed: 1)

Author: Fauchald, Nick.	ISBN: 978-1-40483997-7 (library binding)	Published: 2008		
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## The Chunnel : the building of a 200-year-old dream (Removed: 1)

Author: Fine, Jil.	ISBN: 0-516-24077-3 (library binding)	Published: 2004		
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624.1 FIN	NAE3500064	\$22.00	6/13/2017	ssheedy@naplescsd.org

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## Crane (Removed: 1)

Author: Star, Fleur, 1974-	ISBN: 978-0-7566-1271-9 (hc.)	Published: 2005		
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## Determining the cause of death (Removed: 1)

Author: Biegert, Melissa Ann Langley, 1967-	ISBN: 978-1-42963375-8 (lib. bdg.)	Published: 2010		
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## Electric power grid (Removed: 1)

Author: Hynes, Patricia Freeland.	ISBN: 978-1-60279-042-1 (lib. bdg.)	Published: 2008		
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## Energy from wind, sun, and tides (Removed: 1)

Author: Muschal, Frank.	ISBN: 978-1-60279-046-9 (lib. bdg.)	Published: 2008
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621.31 MUS	NAE0000013015	\$18.95	6/13/2017	ssheedy@naplescsd.org

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## Fabulous bridges (Removed: 1)

Author: Graham, Ian, 1953-	ISBN: 978-1-60753-132-6 (lib. bdg.)	Published: 2011
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## The far side of the moon : the story of Apollo 11's third man (Removed: 1)

Author: Irvine, Alexander, (Alexander C.),	ISBN: 978-0-88448-452-3 (library binding)	Published: 2017
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## Feet (Removed: 1)

Author: Klingel, Cynthia Fitterer.	ISBN: 978-1-43393359-2 (lib. bdg.)	Published: 2010
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## Fire birds : valuing natural wildfires and burned forests (Removed: 1)

Author: Collard, Sneed B.	ISBN: 978-0-9844460-7-0	Published: 2015
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## Fish for you : caring for your fish (Removed: 1)

Author: Blackaby, Susan.	ISBN: 1-40480116-2 (lib. bdg.)	Published: 2003
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## Flight (Removed: 1)

Author: Campbell, Fiona.	ISBN: 0-7214-5657-X	Published: 1995
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### Forest fires (Removed: 1)

Author: Salas, Laura Purdie.

ISBN: 978-0-7368-3302-8 (pbk.)

Published: 2002

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### Fruit (Removed: 1)

Author: Matthews, Rachel.

ISBN: 1-59389-215-2

Published: 2006

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### Geothermal energy (Removed: 1)

Author: Orr, Tamra.

ISBN: 978-1-60279-044-5 (lib. bdg.)

Published: 2008

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### Goldfish (Removed: 1)

Author: Macken, JoAnn Early, 1953-

ISBN: 0-8368-3797-5 (lib. bdg.)

Published: 2004

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### Hair (Removed: 1)

Author: Amoroso, Cynthia.

ISBN: 0-8368-3065-2

Published: 2002

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### Hydroelectric energy (Removed: 1)

Author: Orr, Tamra.

ISBN: 978-1-60279-098-8 (pbk.)

Published: 2008

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### I am caring (Removed: 1)

Author: Salzmann, Mary Elizabeth, 1968-

ISBN: 1-57765-827-2

Published: 2003

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### I am fair (Removed: 1)

Author: Salzmänn, Mary Elizabeth, 1968-	ISBN: 1-57765-826-4	Published: 2003		
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### I am honest (Removed: 1)

Author: Salzmänn, Mary Elizabeth, 1968-	ISBN: 1-57765-828-0	Published: 2003		
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### I am respectful (Removed: 1)

Author: Salzmänn, Mary Elizabeth, 1968-	ISBN: 1-57765-829-9	Published: 2003		
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### I am responsible (Removed: 1)

Author: Salzmänn, Mary Elizabeth, 1968-	ISBN: 1-57765-830-2	Published: 2003		
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### I belong to the Jewish faith (Removed: 1)

Author: Dicker, Katie.	ISBN: 978-1-43583034-9 (lib. bdg.)	Published: 2010		
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### I belong to the Muslim faith (Removed: 1)

Author: Dicker, Katie.	ISBN: 978-1-43583035-6 (lib. bdg.)	Published: 2010		
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297 DIC	0000016376	\$15.95	6/13/2017	ssheedy@naplescscsd.org
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### I see a pattern here (Removed: 1)

Author: Goldstone, Bruce.	ISBN: 978-0-8050-9209-7	Published: 2015		
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### Illness & Injury (Removed: 1)

Author: Goulding, Sylvia.	ISBN: 1-59515-206-7 (hardcover)	Published: 2005		
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## The Internet (Removed: 1)

Author: Cynthia A. Bily, book editor.		ISBN: 978-0-7377-5829-0 (lib. bdg.)	Published: 2012	
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## Jeep (Removed: 1)

Author: Gutmacher, Peter.		ISBN: 0-89686-830-3	Published: 1994	
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## Kids ask how? (Removed: 1)

Author: illustrations by Marilee Harrauld-Pilz.		ISBN: 1-41271239-4	Published: 2006	
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## Kids ask, why? (Removed: 1)

Author: illustrations by Tammie Lyon.		ISBN: 978-1-41271130-2	Published: 2006	
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## A kid's guide to how fruit grows (Removed: 1)

Author: Ayers, Patricia.		ISBN: 0-8239-5466-8 (lib. bdg.)	Published: 2000	
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634 Aye	NAE0011724	\$13.95	6/13/2017	ssheedy@naplescscsd.org

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## Lamb (Removed: 1)

Author: Royston, Angela.		ISBN: 1-59389-161-X (alk. paper)	Published: 2005	
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## The life and times of corn (Removed: 1)

Author: Micucci, Charles.		ISBN: 978-0-618-50751-1 (trade)	Published: 2009	
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### The life of an astronaut (Removed: 1)

Author: Walker, Niki, 1972-	ISBN: 0-86505-683-8 (RLB)	Published: 2001		
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### Lightbulbs (Removed: 1)

Author: Mattern, Joanne, 1963-	ISBN: 978-0-531-21368-1	Published: 2016		
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### Living after Chernobyl : Ira's story (Removed: 1)

Author: Walker, Linda, 1952-	ISBN: 0-8368-5957-X (lib. bdg.)	Published: 2006		
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### Living on other worlds (Removed: 1)

Author: Vogt, Gregory.	ISBN: 0-7398-3114-3	Published: 2001		
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### Make your own books (Removed: 1)

Author: D'Cruz, Anna-Marie.	ISBN: 978-1-43582855-1 (lib. bdg.)	Published: 2009		
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### Making it go : the life and work of Rob Fulton (Removed: 1)

Author: Herweck, Don.	ISBN: 978-0-7439-0578-7 (pbk.)	Published: 2007		
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### Milk, cheese, and eggs (Removed: 1)

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### The milk makers (Removed: 1)

Author: Gibbons, Gail.	ISBN: 0-689-71116-6	Published: 1987		
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### Mouth (Removed: 1)

Author: Amoroso, Cynthia.

ISBN: 0-8368-3067-9

Published: 2002

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### My body (Removed: 1)

Author: Read, Leon.

ISBN: 978-1-59771-187-6 (lib. bdg. Published: 2010 : hardcover)

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### My legs and feet (Removed: 1)

Author: Douglas, Lloyd G.

ISBN: 0-516-24064-1 (lib. bdg.)

Published: 2004

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### The next wave : the quest to harness the power of the oceans (Removed: 1)

Author: Rusch, Elizabeth.

ISBN: 978-0-544-09999-9

Published: 2014

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NAE00161103

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### Nose (Removed: 1)

Author: Klingel, Cynthia Fitterer.

ISBN: 978-1-43393371-4 (lib. bdg.) Published: 2010

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### Nuclear energy (Removed: 1)

Author: Manatt, Kathleen G.

ISBN: 978-1-60279-047-6 (lib. bdg.)

Published: 2008

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### Our farm : four seasons with five kids on one family's farm (Removed: 1)

Author: Rosen, Michael J., 1954-

ISBN: 978-1-58196-067-9 (trade)

Published: 2008

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### Pasta (Removed: 1)

Author: Bentley, Joyce.

ISBN: 1-59389-221-7

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### Pocket change : pitching in for a better world (Removed: 1)

Author: Mulder, Michelle, 1976-

ISBN: 978-1-45980966-6

Published: 2016

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339.4 MUL

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### Podcasting 101 (Removed: 1)

Author: Fontichiaro, Kristin.

ISBN: 978-1-60279-953-0 (lib.  
bdg.)

Published: 2011

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### Rabbits : keeping and caring for your pet (Removed: 1)

Author: Beck, Angela.

ISBN: 978-0-7660-4183-7 (lib.  
bdg.)

Published: 2014

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Author: Bulion, Leslie, 1958-

ISBN: 978-1-56145-737-3

Published: 2015

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### Respect (Removed: 1)

Author: Klingel, Cynthia Fitterer.

ISBN: 978-1-59296-675-2

Published: 2008

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### Rights and values (Removed: 1)

Author: Hynes, Patricia Freeland.

ISBN: 978-1-60279-065-0

Published: 2008

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342.73 HYN

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\$18.95

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Author: Stott, Carole.	ISBN: 0-679-88563-3 (trade)	Published: 1997		
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### Giant pandas eat all day long (Removed: 1)

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### Crow smarts : inside the brain of the world's brightest bird (Removed: 1)

Author: Turner, Pamela S.

ISBN: 978-0-544-41619-2

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Author: Turner, Pamela S.

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Published: 2013

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### Doves (Removed: 1)

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ISBN: 1-56766-593-4 (lib. bdg. :  
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### The emperor's egg (Removed: 1)

Author: Jenkins, Martin.

ISBN: 0-7636-2233-8 (oversize  
pbk.)

Published: 2003

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Author: Prevost, John F.

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## Koala hospital (Removed: 1)

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### Mouse (Removed: 1)

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### Deserts (Removed: 1)

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Author: Matthews, Rachel.

ISBN: 1-59389-210-1

Published: 2006

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### From acorn to oak tree (Removed: 1)

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### From seed to dandelion (Removed: 1)

Author: Kottke, Jan.

ISBN: 0-516-23310-6 (lib. bdg.)

Published: 2000

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### Life in a tree (Removed: 1)

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### Rainforests (Removed: 1)

Author: Bodden, Valerie.	ISBN: 978-1-58341-465-1	Published: 2007		
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### Savannahs (Removed: 1)

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### State flowers : including the Commonwealth of Puerto Rico (Removed: 1)

Author: Landau, Elaine.

ISBN: 0-531-15631-1

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### State trees : including the Commonwealth of Puerto Rico (Removed: 1)

Author: Brandt, Sue R.

ISBN: 0-531-20000-0 (lib. bdg.)

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### Trees (Removed: 1)

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ISBN: 978-1-59270-065-3

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### Trees don't freeze : a book about adaptations (Removed: 1)

Author: Sheehan, Thomas F., 1939-

ISBN: 978-1-60044-537-8 (lib. bdg.)

Published: 2008

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### Venus flytraps (Removed: 1)

Author: Kudlinski, Kathleen V.

ISBN: 0-8225-3015-5 (alk. paper)

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### Wacky trees (Removed: 1)

Author: Souza, D. M. (Dorothy M.)

ISBN: 0-531-12210-7

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### Wildflower ABC : an alphabet of potato prints (Removed: 1)

Author: Pomeroy, Diana.

ISBN: 0-15-202455-7 (pbk.)

Published: 2001

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### Wildflowers, blooms, and blossoms (Removed: 1)

Author: Burns, Diane L.

ISBN: 0-8368-2148-3 (lib. bdg.)

Published: 2000

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ISBN: 978-0-7787-3411-6 (lib. bdg.)

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### Animal classification (Removed: 1)

Author: Fretland VanVoorst, Jenny, 1972-

ISBN: 978-1-62403-157-1 (lib. bdg.)

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### Baby animals in cities (Removed: 1)

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### Citizen scientists : be a part of scientific discovery from your own backy (Removed: 1)

Author: Burns, Loree Griffin.

ISBN: 978-0-8050-9062-8 (trade)

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### Life in a desert cactus (Removed: 1)

Author: Bailey, Jill.

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### Life on earth : the story of evolution (Removed: 1)

Author: Jenkins, Steve, 1952-

ISBN: 0-618-16476-6

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### Plant (Removed: 1)

Author: Burnie, David.

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### The really fearsome blood-loving vampire bat : and other creatures with st (Removed: 1)

Author: Greenaway, Theresa, 1947-

ISBN: 0-7894-1029-X

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### Tiny creatures : the world of microbes (Removed: 1)

Author: Davies, Nicola, 1958-

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### A zeal of zebras : animal groups on an African safari (Removed: 1)

Author: Kuskowski, Alex.

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### Mountain animals (Removed: 1)

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### Polar animals (Removed: 1)

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### Rain forests (Removed: 1)

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### Wetland animals (Removed: 1)

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### A wetland habitat (Removed: 1)

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### Wetlands (Removed: 1)

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ISBN: 978-1-42631067-6 (trade : hardcover : alk. paper)

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### The Earth (Removed: 1)

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ISBN: 1-40345150-8 (lib. bdg.)

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### Earthquakes! (Removed: 1)

Author: by the editors of Time for Kids ;  
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### Electricity and magnetism (Removed: 1)

Author: Hunter, Rebecca (Rebecca K. de  
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### Floods (Removed: 1)

Author: Durham, Emma.

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ISBN: 0-7398-2972-6

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### How to make a planet : a step-by-step guide to building the Earth (Removed: 1)

Author: Forbes, Scott,

ISBN: 978-1-894786-88-1

Published: 2014

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Author: Mezzanotte, Jim.

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Published: 2007

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### It's hailing! (Removed: 1)

Author: Higgins, Nadia.

ISBN: 978-1-60270-732-0

Published: 2010

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Author: Quinlan, Julia J.

ISBN: 978-1-44886157-6 (lib. bdg.) Published: 2012

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### Light : what is a shadow? (Removed: 1)

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ISBN: 1-59604-017-3

Published: 2006

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### Lightning (Removed: 1)

Author: Murray, Peter, 1952 Sept. 29-

ISBN: 1-56766-215-3 (hard cover : library binding) Published: 1997

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ISBN: 0-7569-4706-5

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### Matter (Removed: 1)

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### Measuring Penny (Removed: 1)

Author: Leedy, Loreen.

ISBN: 0-8050-5360-3 (alk. paper)

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### Neptune (Removed: 1)

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### Neptune (Removed: 1)

Author: Vogt, Gregory.

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### On Earth (Removed: 1)

Author: Karas, G. Brian.

ISBN: 978-0-399-24025-6 (hc.)

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### Pluto's secret : an icy world's tale of discovery (Removed: 1)

Author: Weitekamp, Margaret A., 1971-

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### Quivering quakes (Removed: 1)

Author: Richards, Julie.

ISBN: 0-7910-6582-0 (alk. paper)

Published: 2002

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ISBN: 978-1-61530-841-5 (lib. bdg.)

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## The stars (Removed: 1)

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ISBN: 978-1-42961720-8 (lib. bdg.) Published: 2009

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Author: Ryback, Carol.

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## The Sun (Removed: 1)

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### Mercury (Removed: 1)

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### Mercury (Removed: 1)

Author: Margaret, Amy.

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