

**BOARD MEETING:** Regular  
**DATE:** Wednesday, May 20, 2015  
**TIME:** 6:30 p.m.  
**PLACE:** Naples High School Cafeteria

I. Meeting Called to Order

II. Roll Call

III. Adopt the Agenda of the Regular Meeting of May 20, 2015 (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

- Kudos
- Budget Vote Update
- 2015-2016 Meeting Schedule
- Report on NYSED Learning Summit
- Honors Program at Naples High School Proposal

IX. Administrative Reports

- Elementary Principal
- Secondary Principal
- Director of Pupil Personnel
- Student Representative

X. Board Reports

- Budget Committee

XI. Minutes (Board Action)

- May 6, 2015

XII. Approval of Vote Results (Board Action)

XIII. Bus Purchase – Bond Resolution (Board Action)

XIV. Contractual Agreement: (Board Action)

- Naples Association of School Administrators

XV. Business (Board Action)

- Discards: Elementary Library
- Policy Updates
- Donation
- Health Services Contracts

XVI. Personnel (Board Action)

- Resignations
- Tenure Appointments
- Amend Appointment
- Appointments
- Custodian
- Part-Time Laborer
- Unpaid Leave
- Teacher: Reading
- Teacher: Mathematics

XVII. Consent Agenda Items (Board Action)

- CSE, CPSE & 504 Recommendations
- Volunteers
- Substitutes
- Teacher Aide
- School Monitor

## **Regular Meeting**

**May 20, 2015**

Minutes of a Regular Meeting of the Board of Education of Naples Central School held on Wednesday, May 20, 2015 at 6:34 p.m. in the Naples High School Cafeteria.

Members Present:     Robert Brautigam                     Jacob Hall  
                             Ronald Burke                     Robert Hotchkiss  
                             Joseph Callaghan                 Gail Musnicki  
                             Carter Chapman                     Jericho Cervantes

Members Absent:     Margo Ulmer                     Brent Gerstner

Also Present: Matthew Frahm, Mitchell Ball, Kristina Saucke, Justin Stuck, and Karen Mead.

Guests: Al Wordingham, Deb Wordingham, Diann Payne, and John McCabe

A quorum being present, the meeting was called to order at 6:34 p.m. by Board 1<sup>st</sup> Vice President Gail Musnicki.

**Motion:             Carter Chapman**

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

Resolved, that the Board of Education approves the agenda of the Regular Meeting of May 20, 2015 as presented.

**Voting Yes:     7                                     Motion Carried**

**Voting No:     0**

**Motion:             Jacob Hall**

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

Resolved, that the Board of Education approves calling an executive session at 6:35 p.m. for the purpose of discussing collective negotiations with the Naples Teachers' Association.

**Voting Yes:     7                                     Motion Carried**

**Voting No:     0**

**Time out of closed session: 7:06 p.m.**

### **Public Comment**

Mr. Al Wordingham spoke about the 485B Real Property Tax allotment consideration for small businesses asking that the Board of Education consider adopting the exemption.

Mr. John McCabe spoke about prior Board of Education minutes.

### **Board Response**

None

### **Points of Interest**

Board of Education Member Ronald Burke spoke about a local fund raiser and local tax exemptions.

Superintendent Matthew Frahm spoke about the Special Olympics event that occurred at the Marion Central School District and thanked Ellen Aymerich for her hard work.

Mr. Frahm gave a budget vote update noting the voting results, Board of Education election, Library Trustee election, and reviewed some historical data.

Mr. Frahm gave a report on the New York State Education Department Learning Summit and the teacher and principal Annual Professional Performance Review (APPR) process along with procedural changes that will be coming in the near future. Mr. Frahm also discussed APPR legal updates as discussed at a recent Legal Conference.

## **Administrative Reports**

Secondary Principal Justin Stuck outlined items that appeared in the monthly Board of Education Report and spoke briefly about the prom, the senior trip, the Project Based Learning program and project.

Student Representative Jericho Cervantes spoke briefly about the interscholastic sports programs; extracurricular activities; student activities; and student clubs. Mr. Cervantes noted that the 2015 Valedictorian and Salutatorian would be Matt Cotton and Dane Hoselton, respectively.

Board of Education and Budget Committee Member Carter Chapman reviewed items as discussed in the Budget Committee Meeting including a budget process review, an update on the Comptroller's Audit, and future meeting dates.

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

- Voting Yes: 7** **Motion Carried**  
**Voting No: 0**

**Motion: Carter Chapman**

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

**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 19, 2015, between the hours of 7:00 o'clock a.m. and 9:00 o'clock p.m., Eastern Daylight Savings Time, for the purpose of voting by voting machine for the election of Board of Education trustees; Public Library trustees and Propositions set forth in the notice of such election dated April 3, 2015, and

WHEREAS, this Board of Education has duly examined the statements of the result of said annual election held May 19, 2015, 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:

Proposition #1: 2015-2016 Budget: \$19,569,425

Voting Yes: 291

Voting No: 112

Proposition #1: Passed

Naples Board of Education Trustees:

Votes for:

Name	Gail Musnicki	Joseph Callaghan	Maura Sullivan	Henry Savage
Row	11E	13E	15E	17E
# Votes	334	304	238	189

It is hereby determined that such candidates, Gail Musnicki, Joseph Callaghan, and Maura Sullivan, 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, 2015 and expiring on June 30, 2018.

Proposition #2: Bus Purchase: \$232,899.80

Voting Yes: 300

Voting No: 100

Proposition #2: Passed

Naples Public Library Trustee:

Votes for:

Name	Mary Jerome	Adam Corcoran
Row	21E	23E
# Votes	355	302

It is hereby determined that such candidate, Mary Jerome, having received the highest votes of the duly elected voters at said annual election, is hereby declared elected for a term of five(5) years to the Naples Public Library Board of Trustees, commencing July 1, 2015 and expiring on June 30, 2020, and Adam Corcoran, having received the lower number of votes of the duly elected voters at said annual election, is hereby declared elected for a term of one (1) year to the Naples Public Library Board of Trustees, commencing on July 1, 2015 and expiring on June 30, 2016, completing the term formerly held by Mark Donadio, resignation effective June 30, 2014.

**Proposition #4: Establish Capital Reserve Fund**

Voting Yes: 274

Voting No: 123

Proposition #4: Passed

**Voting Yes: 7**

**Motion Carried**

**Voting No: 0**

**Motion: Jacob Hall**

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

**Resolved, that the Bond Resolution dated May 20, 2015 of the Board of Education of the Naples Central School District authorizing not to exceed \$232,899.80 aggregate principal amount of general obligation bonds to finance the acquisition of school buses is hereby accepted as presented.**

Bond resolution dated May 20, 2015 of the Board of Education of the Naples Central School District authorizing not to exceed \$232,899.80 aggregate principal amount of general obligation bonds to finance the acquisition of school buses, at an estimated maximum aggregate cost of \$232,899.80, authorizing bond anticipation notes in contemplation thereof, the levy of taxes in annual installments in payment thereof, the expenditure of such sums for such purpose, and determining other matters in connection therewith.

WHEREAS, the qualified voters of the Naples Central School District, New York, at a special meeting of such voters duly held on May 19, 2015, duly approved a proposition authorizing the levy of taxes to be collected in installments, in the manner provided by the Education Law, for the specific objects or purposes hereinafter described; now therefore

**BE IT RESOLVED BY THIS BOARD OF EDUCATION AS FOLLOWS:**

**Section 1.** The Naples Central School District has undertaken or shall undertake certain capital expenditures, as more particularly described in Section 3 hereof.

**Section 2.** The Naples Central School District is hereby authorized to issue its General Obligation Serial Bonds in the aggregate principal amount of not to exceed \$232,899.80, pursuant to the Local Finance Law of New York, in order to finance the specific objects or purposes described herein.

**Section 3.** The specific objects or purposes to be financed pursuant to this resolution (hereinafter referred to as "purpose") are the acquisition of one 65-passenger bus at an estimated maximum cost of \$110,549.33; one 30-passenger bus at an estimated maximum cost of \$55,111.85 ; one 8-passenger suburban at an estimated maximum cost of \$37,928.62; and one 5-passenger automobile at an estimated maximum cost of \$29,310.00, all at an estimated aggregate cost of \$232,899.80.

**Section 4.** It is hereby determined and declared that (a) the maximum aggregate cost of said purpose, as estimated by the Board of Education, is \$232,899.80, and such amount is hereby appropriated therefor, (b) the Naples Central School District plans to finance the cost of said purpose entirely from funds raised by the issuance of said Bonds and the Bond Anticipation Notes hereinafter referred to, and (c) no money has heretofore been authorized to be applied to the payment of the cost of said purpose.

Section 5. It is hereby determined that the purpose is one of the class of objects or purposes described in Subdivision 29 of Paragraph a of Section 11.00 of the Local Finance Law, and that the period of probable usefulness of said purpose is five (5) years.

Section 6. The Naples Central School District is hereby authorized to issue its Bond Anticipation Notes in the aggregate principal amount of not to exceed \$232,899.80, and is hereby authorized to issue renewals thereof, pursuant to the Local Finance Law of New York in order to finance the purpose in anticipation of the issuance of the above described Bonds.

Section 7. It is hereby determined and declared that (a) there are presently no outstanding Bond Anticipation Notes issued in anticipating of the sale of said Bonds, (b) the Bond Anticipation Notes authorized hereby are not issued in anticipation for Bonds for an assessable improvement.

Section 8. It is hereby determined and declared that the Naples Central School District reasonably expects to reimburse the general fund, or such other fund utilized, not to exceed the maximum amount authorized herein, from the proceeds of the obligations authorized hereby for expenditures, if any, from such fund that may be made for the purpose prior to the date of issuance of such obligations. This is a declaration of official intent under Treasury Regulation §1.150-2.

Section 9. The faith and credit of the Naples Central School District, New York, are hereby irrevocably pledged for the payment of the principal of and interest on such Bonds and Bond Anticipation Notes as the same respectively become due and payable. And annual appropriation shall be made in each year sufficient to pay the principal of and interest on such obligations becoming due and payable in such year. There shall annually be levied on all taxable real property of said School District, a tax sufficient to pay the principal of and interest on such obligations as the same become due and payable.

Section 10. The power to further authorize the issuance of said Bonds and Bond Anticipation Notes and to prescribe the terms, form and contents of said Bonds and Bond Anticipation Notes, subject to the provisions of this resolution and the Local Finance Law of New York, including without limitation, the consolidation with other issues, the determination to issue Bonds with substantially level or declining annual debt service, and to sell and deliver said Bonds and Bond Anticipating Notes, is hereby delegated to the President of the Board of Education or to the Vice President of the Board in the event of the absence or unavailability of the President. The President of the Board of Education and the District Clerk are hereby authorized to sign by manual or facsimile signature any Bonds and Bond Anticipation Notes issued pursuant to this resolution, and are hereby authorized to affix to such Bonds and Bond Anticipation Notes the corporate seal of the School District and to attest the same.

Section 11. This resolution, or a summary hereof, shall be published in full by the District Clerk of the School District together with a notice in substantially the form prescribed by Section 81.00 of said Local Finance Law, and such publication shall be in each official newspaper of the School District. The validity of said Bonds and Bond Anticipation Notes may be contested only if such obligations are authorized for an object or purpose for which said School District is not authorized to expend money, or the provisions of law which should be complied with, and an action, suit or proceeding contesting such validity, is commenced within twenty (20) days after the date of such publication; or if said obligations are authorized in violation of the provisions of the Constitution.

Section 12. This resolution shall take effect immediately upon its adoption.

**Duly put to a vote as follows:**

<u><b>AYES</b></u>		<u><b>NAYS</b></u>	<u><b>Abstentions</b></u>
Robert Brautigam	Jacob Hall	None	None
Ronald Burke	Robert Hotchkiss		
Joseph Callaghan	Gail Musnicki		
Carter Chapman			

**Motion: Ronald Burke****2<sup>nd</sup>: Jacob Hall**

Resolved, that the Board of Education approves the negotiated agreement by and between the Superintendent of the Naples Central School District and the Naples Association of School Administrators for the period of July 1, 2015 through June 30, 2018.

**Voting Yes: 7****Motion Carried****Voting No: 0****Motion: Carter Chapman****2<sup>nd</sup>: Jacob Hall**

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

- Resolved, that approval be given for the following discards to be declared surplus property and approval given to discard as per Policy #5250:
  - Death Star Battles NAE001701993 – Lost
  - I Kissed the Baby NAE0012921 – Binding Falling Apart
  - Life, Time and Wonders of Athens & Ancient Greece – Outdates Video
  - Nurse Sharks 000001440 – Damaged
  - Ripley's Believe it or Not! NAE00159797 – Binding Falling Apart
  - Rome and Pompeii NAE0004558 – Outdated Video
- Resolved, that the Board of Education approves the following policies, regulations and forms as presented:
  - Policy #5321: District Wellness Policy
  - Regulation #5661R: Nutritional Guidelines
  - Policy #5761: Drug and Alcohol Testing for School Bus Drivers and Other Safety-Sensitive Employees
  - Policy #7553: Hazing of Students
  - Policy #7560: Dignity for All Students Act
  - Regulation #7560-R: Dignity for All Students
  - Regulation #7560-R.1: Strategies to Prevent Harassment, Bullying, and Discrimination
- Authorization is given to accept the donation of one Golden Retriever, Midas, from Joseph Callaghan to Naples Central School as a Therapy dog as of July 21, 2014, estimated value \$1200.00, with Elementary Principal Kristina Saucke designated as permanent handler/caretaker.
- Resolved, that the Board of Education delegates authority for approval of Health Services Contracts to the following individuals:
  - Superintendent
  - District Clerk
  - Board of Education President

**Voting Yes: 5****Motion Carried****Voting No: 0****Abstain: 2 Robert Brautigam, & Joseph Callaghan**

**Motion: Ronald Burke**

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

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

- Resolved, that the Board of Education approve the following retirement resignations:
  - Clerk Marie Bell, with regret, last date of employment July 31, 2015.
  - Cook Manager Theresa Corso, with regret, last date of employment June 29, 2015.

- Resolved, that the Board of Education approves the following tenure appointments:

Brian Battle, 6580 Woodlawn Trail, Canandaigua, NY 14424, to tenure as a Special Education Teacher, effective September 1, 2015. The certification area and status is Students with Disabilities, 7-12 Generalist, Initial; Earth Science 7-12, Initial.

Brittany Ritz, 3348 Skyline Drive, Penn Yan, NY 14527, to tenure as an Elementary Teacher, effective September 1, 2015. The certification area and status is Childhood Education (Grades 1-6), Professional; and Students with Disabilities Grades 1-6, Professional.

Nicholas Fagnoli, 5 West Avenue, Naples, NY 14512, to tenure as an English Teacher, effective September 1, 2015. The certification area and status is English Language Arts 7-12, Initial; Students with Disabilities, 7-12 - English, Initial.

Amanda Jennejohn, 4394 Boynton Road, Walworth, NY 14568, to tenure as a Music Teacher, effective September 1, 2015. The certification area and status is Music, Initial; Students with Disabilities Grades 1-6, Initial; and Childhood Education Grades 1-6, Initial.

These appointments are made in accordance with and subject to Education Law, and the regulations of the Commissioner of Education, and the by-laws of the Board of Education.

- Resolved, That the Board of Education amends the appointment of Director of Pupil Personnel Karen Mead as per New York State School Law: 9:16:

Resolved, that the Board of Education appoints Karen Mead to a probationary term of three (3) years beginning on August 18, 2014 and expiring on August 17, 2017 as Director of Pupil Personnel, effective August 18, 2014. The certification area and status is School District Administrator, Permanent; Special Education, Permanent; English 7-12, Permanent; Nursery, Kindergarten & Grades 1-6, Permanent. Salary for the 2014-2015 school year will be \$83,000 plus current administrative contract provisions. This appointment is in accordance with and subject to Education Law, the regulations of the Commissioner of Education, and the by-laws of the Board of Education.

- Resolved, that the Board of Education approves the following appointments:
  - Joseph Fleischman, 4915 Route 245, Naples, NY 14512, as Custodian, effective June 1, 2015, at a rate of \$14.50 per hour.
  - Michael Dean, 64360 State Route 415, Wayland, NY 14572, as Temporary Part-time Laborer, effective May 21, 2015 through September 18, 2015 at a rate of \$10.00/hour.
  - Lucinda B. Domm, to a probationary term of two (2) years beginning on September 1, 2015 and expiring on June 30, 2017, as Reading Teacher, effective September 1, 2015. The certification area and status is Reading, Permanent; and Special Education, Permanent. Salary for this position will be Step 18 of the 2015-2016 Distribution Schedule – Masters. This appointment is in accordance with and subject to Education Law, the regulations of the Commissioner of Education, and the by-laws of the Board of Education.



**Regular Meeting****May 20, 2015**

- Paul Giovine, to a probationary term of two years beginning on September 1, 2015 and expiring on June 30, 2017, as a Mathematics Teacher, effective September 1, 2015. The certification area and status is Mathematics, 7-12, Professional; and Business and Distributive Education, Permanent. Salary for the 2015-2016 school year will be step 17 of the 2015-16 Salary Distribution Schedule – Masters + 30. This appointment is in accordance with and subject to Education Law, the regulations of the Commissioner of Education, and the by-laws of the Board of Education.
- Resolved, that the Board of Education approves the following request for unpaid sick leave:
  - Marie Bell, Clerk: May 4, 2015 through May 8, 2015
  - Susan Herbert: June 11, 2015 through June 23, 2015

**Voting Yes: 7****Motion Carried****Voting No: 0****Motion: Carter Chapman****2<sup>nd</sup>: Robert Hotchkiss****Resolved, that the Board of Education, upon the recommendation of Superintendent Matthew Frahm, approves the Consent Agenda Items as presented:**


- a. Resolved, that the Board of Education approves student placements as per the recommendations of the Committee on Special Education, the Committee on Preschool Special Education, and the 504 Committee.

- b. Resolved, that the Board of Education hereby approves the following Volunteers:

<u>Name</u>	<u>Position</u>	<u>Address</u>
Jeffrey Gentner	Volunteer	8781 Route 53, Naples, NY 14512
Debbie Herd	Volunteer	2621 Catlin Road, Newark, NY 14513

- c. Resolved, that the Board of Education hereby approves the following list of Substitutes Appointments, pending New York State fingerprint clearance:

<u>Name</u>	<u>Position</u>	<u>Address</u>
Janel Rutherford	Teacher Aide	9 Monier Street, Naples, NY 14512
Janel Rutherford	School Monitor	9 Monier Street, Naples, NY 14512

**Voting Yes: 7****Motion Carried****Voting No: 0****Motion: Ronald Burke****2<sup>nd</sup>: Jacob Hall****There being no further business, the Regular Meeting of May 20, 2015 is hereby adjourned at 8:01.****Voting Yes: 7****Motion Carried****Voting No: 0**Dated this 20<sup>th</sup> day of May, 2015  
\_\_\_\_\_  
Mitchell Ball  
District Clerk

Non-Instructional/Business  
Operations**SUBJECT: DISTRICT WELLNESS POLICY**

The Naples Central School District is committed to providing a school environment that promotes and protects children's health, well-being, and the ability to learn by fostering healthy eating and physical activity.

The District has established a wellness committee to develop the District's proposed local wellness policy, making such policy recommendations for review and adoption by the Board of Education. The District Wellness Committee includes, but is not limited to, representatives from each of the following groups:

- a) Parents;
- b) Students;
- c) Physical Education teachers;
- d) School Health professionals;
- e) The District's food service program;
- f) The School Board;
- g) School Administrators; and
- h) Members of the public.

The District Wellness Committee will also be responsible for assessing current activities, programs and policies available in the District, and providing mechanisms for implementation, evaluation, and revision of the policy. In doing so, the Wellness Committee will evaluate and make recommendations which reflect the specific needs of the District and its students.

**I. Goals to Promote Student Wellness**

The District seeks to ensure all of its students obtain the knowledge and skills necessary to make nutritious food selections and enjoy life-long physical activity. To this end, the District sets forth the following goals relating to nutrition promotion and education, physical activity, and other school-based activities.

**Nutrition Promotion and Education**

- a) Classroom Teaching: Nutrition topics will be integrated within the comprehensive health education curriculum and other instructional areas, as appropriate, and taught at every grade level, K through 12. Nutrition instruction will follow applicable New York State Standards and be designed to help students acquire:

(Continued)

Non-Instructional/Business  
Operations**SUBJECT: DISTRICT WELLNESS POLICY (Cont'd.)**

1. Nutrition knowledge, including but not limited to: the benefits of healthy eating; essential nutrients; nutritional deficiencies; principles of healthy weight management; the use and misuse of dietary supplements; and safe food storage, handling, and preparation.
2. Nutrition related skills, including but not limited to: planning healthy meals; understanding and using food labels; critically evaluating nutrition information, misinformation, and commercial food advertising; assessing personal eating habits; and setting and achieving goals related to these concepts.

**b) Education, marketing, and promotion**

1. As appropriate, the District will promote nutrition education activities that involve parents, students, and the community.
2. The District will promote school and community awareness of this policy through various means, such as a publication on the District website.
3. The District will encourage and promote wellness through social media, newsletters, and an annual family wellness event.
4. Marketing and advertising on school campuses during the school day will be consistent with nutrition education and health promotion. As such, schools will restrict food and beverage marketing to the promotion of those foods and beverages that meet the nutrition standards set forth by the Healthy Hunger-Free Kids Act's Smart Snacks in School Rule.
5. The District is cognizant of the fact that certain scoreboards, signs, and other durable equipment it employs may market foods and beverages in a way that is inconsistent with the aims of this policy. While the immediate replacement of such equipment may be impossible due to existing contracts or prohibitive costs, the District will consider replacing or updating such equipment over time to ensure the message it delivers to students regarding nutrition, health, and well-being is consistent.

**c) Additional provisions**

1. Parents will be encouraged to send in healthy treats for classroom celebrations.
2. School personnel are strongly discouraged from using food as a reward or withholding food as punishment under any circumstance.

(Continued)

**SUBJECT: DISTRICT WELLNESS POLICY (Cont'd.)**Physical Activity

- a) The Naples Central School District will provide opportunities for every student to participate in physical education and to be involved in physical activities. In doing so, the District aims to promote among students the development of knowledge and skills for specific physical activities, the maintenance of physical fitness, regular participation in physical activity, and an understanding of the short-term and long-term benefits from a physically active and healthy lifestyle.
- b) The District will ensure that the following standards are met to achieve its goal relative to physical education and physical activity:
  - 1. The District will have a Board-approved Physical Education plan on file with the New York State Education Department that meets or exceeds the requirements set forth in Section 135.4 of the Commissioner of Education's regulations.
  - 2. The District recognizes the importance of physical education classes in providing students with meaningful opportunities for physical exercise and development. Consequently, the District will ensure:
    - (a) All physical education classes are taught or supervised by a certified physical education teacher.
    - (b) All physical education staff receive professional development on a yearly basis.
    - (c) Interscholastic sports, intramural sports, and recess do not serve as substitutes for a quality physical education program.
    - (d) Students are afforded the opportunity to participate in moderate to vigorous activity for at least 60% of physical education class.
    - (e) It provides adequate space and equipment for physical education and conforms to all applicable safety standards.
    - (f) A sequential physical education course of study consistent with national standards for physical education is implemented, with a focus on students' development of motor skills, movement forms, and health related fitness.
    - (g) A physical and social environment is provided that encourages safe and enjoyable activity for all students, including those who are not athletically gifted.

(Continued)

Non-Instructional/Business  
Operations**SUBJECT: DISTRICT WELLNESS POLICY (Cont'd.)**

- (h) Activities are adapted to meet the needs of students who are temporarily or permanently unable to participate in the regular program of physical education. In doing so, the District will abide by specific provisions in 504 Plans and/or individualized education programs (IEP).
  - (i) All students, including students in need of adaptive physical education, will be encouraged to participate in physical fitness programs and competitions.
3. All students will be required to fulfill the physical education requirements set forth in the regulations of the Commissioner of Education as a condition of graduating from the District's schools.
- c) All classroom teachers, and particularly those engaged in the instruction of K through 5 students, are strongly encouraged to incorporate into the school day short breaks for students that include physical activity, especially after long periods of inactivity. Additionally, all elementary students will be offered one daily period of recess for a minimum of twenty (20) minutes. This requirement will not apply on days where students arrive late, leave early, or are otherwise on campus for less than a full day. Where weather and/or facilities allow, recess will be offered in a place that accommodates moderate to vigorous physical activity.
  - d) Physical activity will not be withheld for disciplinary action unless the student is a danger to him/herself or others. Recess or other physical activity time will not be cancelled for instructional make up time.

Other School-based Activities

The District is committed to establishing a school environment that is conducive to healthy eating and physical activity for all. The District will, therefore, adopt the following standards:

- a) Federal School Meal Programs
  - 1. The District will participate, to the maximum extent practicable, in available federal school meal programs (including the School Breakfast Program, National School Lunch Program and Summer Food Service Program). Food served through these programs will meet all applicable federal and state standards.
  - 2. The District will ensure that food service directors, managers, and staff are provided with annual professional development in the areas of food and nutrition consistent with USDA Professional Standards for State and Local Nutrition Programs. District food service staff will meet with students in grades 4 through 12 twice annually to solicit feedback on the school breakfast and/or school lunch program(s).

(Continued)

Non-Instructional/Business  
Operations**SUBJECT: DISTRICT WELLNESS POLICY (Cont'd.)**

## b) Access to school nutrition programs:

The District will utilize a system of student payment that ensures all eligible students have access to free/reduced meals in a non-stigmatizing manner.

## c) Meal Environment

The District will ensure:

1. School dining areas have sufficient space for students to sit and consume meals.
2. School dining areas are clean, safe, and pleasant environments that reflect the social value of eating.
3. Enough serving areas are provided to ensure student access to school meals with a minimum of wait time.
4. All students have a scheduled lunch period.
5. Lunch times are scheduled near the middle of the school day.
6. Students are given adequate time to eat healthy meals.
7. Students and staff have access to free, safe, and fresh drinking water throughout the school day and where school meals are served.

## d) Community Access to District Facilities for Physical Activities:

School grounds and facilities will be available to students, staff, community members and organizations, and agencies offering physical activity and nutrition programs consistent with District policy, including provisions regarding conduct on school grounds and administrative approval of use by outside organizations.

## e) Community Partnerships

The District will continue relationships with community partners in support of this wellness policy's implementation. Existing and new community partnerships will be evaluated to ensure they are consistent with this policy and its goals.

(Continued)

**SUBJECT: DISTRICT WELLNESS POLICY (Cont'd.)****Nutrition Guidelines**

In an effort to encourage healthy life-long eating habits by providing foods that are high in nutrients, low in fat and added sugars, and of moderate portion size, the District Wellness Committee will recommend nutrition standards to be set for all foods and beverages available on school campus. For purposes of this section, the school day is defined as the period from the midnight before, to thirty (30) minutes after the end of the official school day.

School Meals

School meals will, at a minimum, meet the program requirements and nutrition standards of the School Breakfast and National School Lunch Programs.

Fundraising

- a) All food and beverages sold as a fundraiser during the school day will meet the nutritional requirements listed in the USDA Healthy, Hunger-Free Kids Act "Smart Snacks in Schools" Rule.
- b) School-sponsored fundraisers conducted outside of the school day will be encouraged to support the goals of this policy by promoting the sale of healthy food items (fresh fruit and produce) and/or non-food items, such as water bottles, plants, etc., and by promoting events involving physical activity.
- c) School administrators, with the assistance of the District Wellness Committee, will create and promote a list of approved fundraising activities. All fundraisers taking place during the school day must be approved by the appropriate Building Principal prior to their being conducted.

Competitive Foods

- a) Competitive foods-which include all foods and beverages sold outside the school meal programs, on the school campus in student accessible areas, and at any time during the school day-will follow, at a minimum, the nutrition standards specified by the Healthy, Hunger-Free Kids Act. These standards will apply to all foods and beverages sold individually and outside of the reimbursable school meal, including vending machines, school stores and cafeteria a la carte lines.

(Continued)

**SUBJECT: DISTRICT WELLNESS POLICY (Cont'd.)**

- b) Additionally, the District will not sell foods of minimal nutritional value in the student store, from a machine, or anywhere in the building from the beginning of the school day until the end of the last lunch period. Prohibited foods include: soda water, water ices (excluding ices containing fruit or fruit juices), chewing gum, hard candy, jellies, gums, marshmallow candies, licorice, fondants (soft mints, candy corn), cotton candy and candy coated popcorn.

**Foods and Beverages Sold or Served at Events Outside of the School Day**

- a) All foods and beverages sold or served at school-sponsored events will be a single serving.
- b) At events where food and beverages are sold, 50% of items sold must meet the USDA Healthy, Hunger-free Kids Act "Smart Snacks in Schools" Standards.

**Implementation and Evaluation of the Wellness Policy**

- a) The District will establish an implementation and evaluation plan for this policy in order to monitor its effectiveness and the possible need for further modification over time. To this end, the District designates the following individuals to have operational responsibility for ensuring that the District meets the goals and mandates of this policy:

Administrators;

School health personnel including the school nurse, health and/or physical education teachers;

School Food Service Director;

District Health and Wellness Director/Chairperson

- b) These designated staff members will also serve as liaisons with community agencies in providing outside resources to help in the development of nutritional education programs and promotion of physical activities.
- c) The District will annually report on the progress each of its schools has made toward meeting the goals of this policy. Such report will include:
  - 1. The website address for the wellness policy and/or information on how the public can access a copy;
  - 2. A description of each school's progress in meeting the wellness policy goals;
  - 3. A summary of each school's local school wellness events or activities;
  - 4. Contact information for the leader(s) of the Wellness Committee; and

(Continued)



**SUBJECT: DISTRICT WELLNESS POLICY (Cont'd.)**

5. Information on how individuals can get involved in the Wellness Committee's work.

Such report will be provided to the Board of Education and also distributed to the Wellness Committee, parent-teacher organizations, Building Principals, and school health services personnel within the District. The report will be available to community residents upon request.

- d) Evaluation and feedback from interested parties, including an assessment of student, parent, teacher, and administration satisfaction with the wellness policy, are welcomed as an essential part of the District's evaluation program.
- e) The District will document the financial impact, if any, to the school food service program, school stores, or vending machine revenues based on the implementation of the wellness policy.
- f) Assessments of the District's wellness policy and implementation efforts may be repeated on an triennial basis. The assessment will include:
  - 1) Compliance with the wellness policy;
  - 2) How well the policy compares to model wellness policies; and
  - 3) Progress made in attaining the goals of the wellness policy.
- g) The District, will, as necessary, revise the wellness policy and develop work plans to facilitate its implementation.

42 United States Code (USC) Section 1758b  
7 Code of Federal Regulations (CFR) Section 210.10  
79 FR 10693  
Education Law Section 915  
8 NYCRR Section 135.4

Refer to Policy 5660 School Food Service Program (Lunch and Breakfast)/School District Nutrition Advisory Committee

Adopted: 06/27/2007  
Revised: 04/28/2010  
Revised: 01/05/2011  
Revised: 05/20/2015

# REGULATION

2015

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Non-Instructional/Business  
Operations

## **SUBJECT: NUTRITIONAL GUIDELINES**

### **Applicability**

In conformance with federal regulations implementing the Healthy, Hunger-Free Kids Act, the District establishes the following nutritional standards for all foods sold (1) outside the school meal programs, (2) on the school campus in student accessible areas, and (3) at any time during the school day. Such standards will apply to all foods sold individually and outside of the reimbursable school meal, including vending machines, school stores, and cafeteria a la carte lines. Such standards will not apply to National School Lunch Program and School Breakfast Program entrees sold a la carte on the day they are offered as part of a reimbursable meal, or sold on the following school day.

### **Definitions**

For the purpose of this administrative regulation:

- 1) "Combination foods" means products that contain two or more components representing two or more of the recommended food groups: fruit, vegetable, dairy, protein or grains.
- 2) "Competitive food" means all food and beverages other than meals reimbursed under programs authorized by the Richard B. Russell National School Lunch Act and the Child Nutrition Act of 1966 available for sale to students on the school campus during the school day.
- 3) "Entrée item" means an item that is either: (1) a combination food of meat or meat alternate and whole grain rich food; or (2) a combination food of vegetable or fruit and meat or meat alternate; or (3) a meat or meat alternate alone with the exception of yogurt, low-fat or reduced fat cheese, nuts, seeds and nut or seed butters, and meat snacks (such as dried beef jerky).
- 4) "School day" means, for the purpose of competitive food standards implementation, the period from the midnight before, to thirty (30) minutes after the end of the official school day.

### **Nutritional Standards and Requirements**

Unless otherwise exempted by law or regulation, all competitive food sold to students on the school campus during the school day must:

- 1) Be a grain product that contains 50% or more whole grains by weight or has a whole grain as the first ingredient; or

(Continued)

# REGULATION

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Non-Instructional/Business  
Operations

## **SUBJECT: NUTRITIONAL GUIDELINES (Cont'd.)**

- 2) Have as the first ingredient a fruit, vegetable, dairy product, or protein food; or
- 3) Be a combination food that contains at least 1/4 cup of fruit and/or vegetable; or
- 4) Contain at least 10% of the Daily Value (DV) of one of the nutrients of public health concern in the 2010 Dietary Guidelines for Americans (calcium, potassium, vitamin D, or dietary fiber).\*

Unless otherwise exempted by law or regulation, competitive foods must also, at a minimum, meet the following nutrient requirements:

- 1) Calorie limits
  - a. Snack items must contain no more than 200 calories.
  - b. Entrée items must contain no more than 350 calories.
- 2) Sodium limits
  - a. Snack items must contain no more than 230 mg of sodium.\*\*
  - b. Entrée items must contain no more than 480 mg of sodium.
- 3) Fat limits
  - a. Total fat may constitute no more than 35% of calories.
  - b. Saturated fat may constitute no more than 10% of calories.
  - c. Trans fat content must be zero grams (i.e., not more than 0.5 grams) per portion as packaged or served.
- 4) Sugar limit

Total sugar content may be no more than 35% of weight per item as packaged or served.

\*On July 1, 2016, foods may not qualify using the 10% DV criteria.

\*\*On July 1, 2016, snack items must contain no more than 200 mg sodium per item.

(Continued)

# REGULATION

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Non-Instructional/Business  
Operations

## **SUBJECT: NUTRITIONAL GUIDELINES (Cont'd.)**

### **Nutrition Standards for Beverages**

- 1) All schools within the District may sell:
  - a. Plain water (with or without carbonation);
  - b. Unflavored low fat milk;
  - c. Unflavored or flavored non-fat milk and milk alternatives permitted by the National School Lunch Program and/or the School Breakfast Program;
  - d. 100% fruit or vegetable juice; and
  - e. 100% fruit or vegetable juice diluted with water (with or without carbonation), and no added sweeteners.
- 2) Elementary schools may sell up to 8-ounce portions, while middle schools and high schools may sell up to 12-ounce portions of milk and juice. There is no portion size limit for plain water.
- 3) The following may also be sold to the District's high school students:
  - a. No more than 20-ounce portions of calorie-free flavored water (with or without carbonation).
  - b. No more than 20-ounce portions of other flavored and/or carbonated beverages labeled to contain less than 5 calories per 8 fluid ounces or less than 10 calories per 20 fluid ounces.
  - c. No more than 12-ounce portions of beverages labeled to contain no more than 40 calories per 8 fluid ounces or 60 calories per 12 fluid ounces.
- 4) Energy drinks and beverages with high-fructose corn syrup or caffeine-with the exception of beverages containing trace amounts of naturally occurring caffeine-will not be sold to elementary or middle school-aged students.

Adopted: 05/20/15

**SUBJECT: DRUG AND ALCOHOL TESTING FOR SCHOOL BUS DRIVERS AND  
OTHER SAFETY-SENSITIVE EMPLOYEES**

In accordance with federal regulations, employees in safety-sensitive positions as defined in regulations who are required to have and use a commercial drivers license (CDL), are subject to random testing for alcohol, marijuana, cocaine, amphetamines, opiates (including heroin), and phencyclidine (PCP). The District shall adhere to federal law and regulations requiring the implementation of a drug and alcohol testing program for such employees in safety-sensitive positions.

The District shall either establish and manage its own program, by contract, or through a consortium for the provision of alcohol and drug testing of employees in safety-sensitive positions. Safety-sensitive employees (SSEs), including school bus drivers and other employees, who drive a vehicle which is designed to transport sixteen (16) or more passengers (including the driver), shall be subject to this requirement.

Federal regulations require that school bus drivers and other SSEs be tested for alcohol and drugs at the following times:

- a) Drug testing will be conducted after an offer to hire, but before actually performing safety-sensitive functions for the first time. Such pre-employment testing will also be required when employees transfer to a safety-sensitive position.
- b) Safety-sensitive employees are also subject to a random drug and/or alcohol test on an unannounced basis just before, during or just after performance of safety-sensitive functions.
- c) In addition, testing will be ordered if a trained supervisor has a "reasonable suspicion" that an employee has engaged in prohibited use of drugs and/or alcohol.
- d) There will also be post-accident testing conducted after accidents on employees whose performance could have contributed to the accidents.
- e) Finally, return-to-duty and follow-up testing will be conducted when an individual who has violated the prohibited alcohol and/or drug conduct standards returns to performing safety-sensitive duties. Follow-up tests are unannounced and at least six (6) tests must be conducted in the first twelve (12) months after an employee returns to duty. Follow-up testing may be extended for up to sixty (60) months following return-to-duty.

All employee drug and alcohol testing will be kept confidential and shall only be revealed without the driver's consent to the employer, a substance abuse professional, drug testing laboratory, medical review officer and any other individual designated by law.

(Continued)

**SUBJECT: DRUG AND ALCOHOL TESTING FOR SCHOOL BUS DRIVERS AND  
OTHER SAFETY-SENSITIVE EMPLOYEES (Cont'd.)**

The following alcohol and controlled substance-related activities are prohibited by the Federal Highway Administration's drug use and alcohol misuse rules for drivers of commercial motor vehicles and other SSEs:

- a) Reporting for duty or remaining on duty to perform safety-sensitive functions while having an alcohol concentration of 0.04 or greater. If testing shows an alcohol concentration of 0.02 or greater but less than 0.04, the employee must be removed from performing safety-sensitive activities for twenty-four (24) hours, but no punitive action will be taken by the employer.
- b) Being on duty or operating a commercial motor vehicle (CMV) while the driver possesses alcohol, unless the alcohol is manifested and transported as part of a shipment. This includes the possession of medicines containing alcohol (prescription or over-the-counter), unless the packaging seal is unbroken.
- c) Using alcohol while performing safety-sensitive functions.
- d) New York State law prohibits using alcohol six (6) hours or less before duty.
- e) When required to take a post-accident alcohol test, using alcohol within eight (8) hours following the accident or prior to undergoing a post-accident alcohol test, whichever comes first.
- f) Refusing to submit to an alcohol or controlled substance test required by post-accident, random, reasonable suspicion or follow-up testing requirements.
- g) Reporting for duty or remaining on duty, requiring the performance of safety-sensitive functions, when the SSE uses any controlled substance. This prohibition does not apply when instructed by a physician who has advised the SSE that the substance does not adversely affect the SSE's ability to safely operate a CMV.
- h) Reporting for duty, remaining on duty or performing a safety-sensitive function, if the SSE tests positive for controlled substances.

Drivers and other SSEs who are known to have engaged in prohibited behavior with regard to alcohol misuse or use of controlled substances are subject to disciplinary action and penalties pursuant to District policy and collective bargaining agreements, as well as the sanctions provided for in federal law. SSEs who have engaged in such prohibited behavior shall not be allowed to perform safety-sensitive functions until they are:

(Continued)

**SUBJECT: DRUG AND ALCOHOL TESTING FOR SCHOOL BUS DRIVERS AND  
OTHER SAFETY-SENSITIVE EMPLOYEES (Cont'd.)**

- a) Evaluated by a substance abuse professional (SAP).
- b) Complete any requirements for rehabilitation as set by the District and the SAP.
- c) Pass a return-to-duty test with the result below 0.02 if the conduct involved alcohol, or a controlled substance test with a verified negative result if the conduct involved controlled substance use.
- d) The SSE shall also be subject to unannounced follow-up alcohol and controlled substance testing. The number and frequency of such follow-up testing shall be as directed by the SAP, and consist of at least six (6) tests in the first twelve (12) months.

The Superintendent of Schools shall ensure that each SSE receives a copy of District policy, educational materials that explain the requirements of the alcohol and drug testing regulations, and any regulations and/or procedures developed by the District with respect to meeting those requirements. The Superintendent or his/her designee shall ensure that a copy of these materials is distributed to each SSE, who shall sign for receipt of all of the above documents, as well as other appropriate personnel, prior to the start of alcohol and controlled substance testing as well as at the beginning of each school year or at the time of hire for any safety-sensitive employees. Representatives of applicable collective bargaining unit shall be notified of the availability of this information.

The Superintendent or his/her designee shall arrange for training of all supervisors who may be utilized to determine whether "reasonable suspicion" exists to test a driver for prohibited conduct involving alcohol or controlled substance use/abuse.

Any violation of this policy and/or District procedures, and applicable federal and state laws by a covered employee shall be grounds for disciplinary action including, but not limited to, fines, suspension, and/or discharge in a manner consistent with District policy, collective bargaining agreements and applicable law.

The Superintendent of Schools shall ensure that each vendor/contract bus company receives a copy of District policy, educational materials that explain the requirements of the alcohol and drug testing regulations, and any regulations and/or procedures developed by the District with respect to meeting those requirements. The Superintendent or his/her designee shall ensure that a copy of these materials is distributed to each vendor/contract bus company, and the vendor/bus company shall sign for receipt of all of the above documents, as well as other appropriate personnel, prior to the start of

(Continued)

**SUBJECT: DRUG AND ALCOHOL TESTING FOR SCHOOL BUS DRIVERS AND  
OTHER SAFETY-SENSITIVE EMPLOYEES (Cont'd.)**

alcohol and controlled substance testing as well as at the beginning of each school year or at the time of hire for any safety-sensitive employees.

The Superintendent or his/her designee can assist vendors/contract bus companies with arrangements for training of all supervisors who may be utilized to determine whether “reasonable suspicion” exists to test a driver for prohibited conduct involving alcohol or controlled substance use/abuse.

Any significant violation of this policy and/or District procedures, and applicable federal and state laws by vendors/contract bus companies and other employees shall result in revocation of their contract for the transportation of students.

Omnibus Transportation Employee Testing Act of 1991, (Public Law 102-143), 49 United States Code (USC)  
Sections 31136 and 31306  
49 Code of Federal Regulations (CFR) Parts 40, 172, 382, 383, 391, 392 and 395  
Vehicle and Traffic Law Section 509-L



## Students

**SUBJECT: HAZING OF STUDENTS**

The Board of Education is committed to providing a safe, productive and positive learning environment within its schools. Hazing activities are demeaning and abusive behaviors that harm victims, are inconsistent with the educational goals of the District, and may constitute criminal conduct. Consequently, the hazing of a students by other students or groups of students is strictly prohibited on school property; in school buildings; on school buses; by school sponsored groups, clubs or teams; and at school sponsored events and/or activities whether occurring on or off-campus. Hazing is prohibited regardless of the victim's apparent willingness to participate in the activity.

For purposes of this policy, the term *"hazing"* is defined as any humiliating or dangerous activity expected of a student to join a group, regardless of their willingness to participate. Acts constituting hazing may range in severity from teasing or embarrassing a student to various forms of physical, emotional, and/or sexual abuse. Hazing behaviors include, but are not limited to:

- 1) Humiliation: socially offensive, isolating or uncooperative behaviors.
- 2) Substance abuse: abuse of tobacco, alcohol or illegal drugs.
- 3) Other dangerous actions: hurtful, aggressive, destructive, and disruptive behaviors.

Hazing is a form of harassment and bullying, as those terms are defined for the purposes of Policy #7560 – Dignity for All Students, and may constitute discrimination. As such, the District's response to reports of hazing will be governed by applicable law, the District's *Code of Conduct*, and Policy #7560 and its implementing regulations. In the event allegations involve hazing based on a student's race, color, religion, national origin, sex, sexual orientation, or disability, the District may utilize the procedures set forth in Policy #3420 – Non-Discrimination and Anti-Harassment in the School District, and its implementing regulations.

Education Law Sections 1709-a, 2503-a, 2554-a and 2801  
New York State Penal Law Sections 120.16 and 120.17  
8 New York Code of Rules and Regulations (NYCRR) Section 100.2

NOTE: Refer also to: Policy # 3410 – Code of Conduct on School Property  
Policy #3420 – Anti-Harrassment in the School District  
Policy #7551 – Sexual Harrassment of Students  
*District Code of Conduct*

Adopted: 06/27/07  
Revised: 04/28/10  
Revised: 03/21/12  
Revised: 05/20/15

## Students

**SUBJECT: DIGNITY FOR ALL STUDENTS ACT**

The Naples Central School District seeks to create an environment free of harassment, bullying, and discrimination, to foster civility in its schools, and to prevent conduct which is inconsistent with its educational mission. The District, therefore, prohibits all forms of harassment and bullying of students by employees or other students on school property and at school functions. The District further prohibits discrimination against students, including but limited to those acts based on a person's actual or perceived race, color, weight, national origin, ethnic group, religion, religious practice, disability, sexual orientation, gender, or sex by school employees or other students on school property and at school-sponsored activities and events that take place at locations off school property. In addition, other acts of harassment, bullying, and/or discrimination which can reasonably be expected to materially and substantially disrupt the education process may be subject to discipline or other corrective action.

**Dignity Act Coordinator**

In each of its schools, the District will designate at least one (1) employee holding such licenses and/or certifications as required by the Commissioner to serve as the Dignity Act Coordinator(s). Each Dignity Act Coordinator (DAC) will be thoroughly trained to handle human relations in the areas of race, color, weight, national origin, ethnic group, religion, religious practice, disability, sexual orientation, gender (including gender identity or expression) and sex. Training will also be provided for DACs which address: the social patterns of harassment, bullying, and discrimination, including but not limited to those acts based on a person's actual or perceived race, color, weight, national origin, ethnic group, religion, religious practice, disability, sexual orientation, gender, and sex; the identification and mitigation of harassment, bullying, and discrimination; strategies for effectively addressing problems of exclusion, bias and aggression in educational settings. All DAC appointments will be approved by the Board of Education.

The District will share the name, designated school, and contact information of each Dignity Act Coordinator with all school personnel, students, and parents/persons in parental relation. Such information will be provided by:

- a) Listing such information in the *Code of Conduct* and updates posted on the District's website; and
- b) Including such information in the plain language summary of the *Code of Conduct* provided to all persons in parental relation to students before the beginning of each school year; and
- c) Providing such information to parents and persons in parental relation in at least one (1) District or school mailing or other method of distribution, including, but not limited to, electronic communication and/or sending such information home with each student. If such information changes, parents and persons in parental relation will be notified of the changes in at least one (1) subsequent District or school mailing, or other such method of distribution as soon as practicable thereafter; and

(Continued)

**SUBJECT: DIGNITY FOR ALL STUDENTS ACT (Cont'd.)**

- d) Posting such information in highly visible areas of school buildings; and
- e) Making such information available at the district and school-level administrative offices.

If a Dignity Act Coordinator vacates his/her position, another school employee shall immediately be designated for an interim appointment as DAC, pending approval from the Board of Education, within thirty (30) days of the date the position was vacated. In the event a DAC is unable to perform the duties of the position for an extended period of time, another school employee shall immediately be designated for an interim appointment as DAC, pending return of the previous individual to the position.

**Training and Awareness**

Each year, employees will be provided with training to promote a supportive school environment that is free from harassment, bullying, and/or discrimination, and to discourage and respond to incidents of harassment, bullying, and/or discrimination. Such training may be provided in conjunction with existing professional development, and will be conducted consistent with guidelines approved by the Board of Education, and will;

- a) Raise awareness and sensitivity to potential acts of harassment, bullying, and/or discrimination;
- b) Address social patterns of harassment, bullying, and/or discrimination and the effects on students;
- c) Inform employees on the identification and mitigation of such acts;
- d) Enable employees to prevent and respond to incidents of harassment, bullying, and/or discrimination;
- e) Make school employees aware of the effects of harassment, bullying, cyberbullying, and/or discrimination on students;
- f) Provide strategies for effectively addressing problems of exclusion, bias and aggression;
- g) Include safe and supportive school climate concepts in curriculum and classroom management; and
- h) Ensure the effective implementation of school policy on conduct and discipline.

(Continued)

## Students

**SUBJECT: DIGNITY FOR ALL STUDENTS ACT (Cont'd.)**

Rules against bullying, discrimination and/or harassment will be included in the *Code of Conduct*, publicized District-wide and disseminated to all staff and parents. Any amendments to the Code will be disseminated as soon as practicable following their adoption. New teachers shall be provided a complete copy of the current Code upon their employment and an age-appropriate summary will be distributed to all students at a school assembly at the beginning of each school year.

**Reports and Investigations of Bullying, Discrimination and/or Harassment**

Students who have been subjected to harassment, bullying, and/or discrimination, persons in parental relation whose children have been subjected to such behavior or other students who observe or are told of such behavior, are encouraged and expected to make verbal and/or written reports to the principal, Superintendent, Dignity Act Coordinator, and/or other school personnel. All District staff who are aware of harassment, bullying and/or discrimination are required to orally report the incident(s) *within one (1) school day* to the Principal, Superintendent, or his/her designee and report it in writing *within two (2) school days* after making the oral report.

The Principal, Superintendent, or the Principal's or Superintendent's designee will lead and/or supervise the thorough investigation of all reports of harassment, bullying, and/or discrimination, and ensure that such investigations are completed promptly after receipt of any such reports. All investigations will be conducted in accordance with law, the District's *Code of Conduct*, and applicable District policy and procedure. In the event allegations involve harassment, bullying, and/or discrimination on the basis of race, color, religion, national origin, sex, sexual orientation, or disability, the District may utilize the procedures set forth in Policy #3420 -- Non-Discrimination and Anti-Harassment in the School District, and its implementing regulations. Where appropriate, the Dignity Act Coordinator or such other individual conducting the investigation, may seek the assistance of the District's Civil Rights Compliance Officer in investigating, responding to, and remediating complaints of harassment, bullying, and/or discrimination.

In the event any such investigation reveals harassment, bullying, and/or discrimination, the District will take prompt action reasonably calculated to end the harassment, bullying, and/or discrimination, eliminate any hostile environment, create a more positive school culture and climate, prevent recurrence of the behavior, and ensure the safety of the student or students against whom such harassment, bullying, and/or discrimination was directed. Such actions will be taken consistent with applicable laws and regulations, District policies and administrative regulations, and collective bargaining agreements, as well as the District's *Code of Conduct* and any and all applicable guidelines approved by the Board.

The Superintendent, Principal, or his/her designee shall notify the appropriate local law enforcement agency when it is believed that any incident of harassment, bullying, and/or discrimination constitutes criminal conduct.

(Continued)

**SUBJECT: DIGNITY FOR ALL STUDENTS ACT (Cont'd.)**

The Principal of each primary and secondary school shall provide a regular report (at least once during each school year) on data and trends related to harassment, bullying and/or discrimination to the Superintendent. Such report shall be submitted in a manner prescribed by the District.

The District will annually report material incidents of harassment, bullying, and/or discrimination which occurred during the school year to the State Education Department. Such report will be submitted in a manner prescribed by the Commissioner, on or before the basic educational data system (BEDS) reporting deadline or such other date as determined by the Commissioner.

**Prohibition of Retaliatory Behavior**

Pursuant to Section 16 of the Education Law, any person who has reasonable cause to suspect that a student has been subjected to harassment, bullying, and/or discrimination by an employee or student, on school grounds or at a school function, who acts reasonably and in good faith and reports such information to school officials, the Commissioner of Education, or law enforcement authorities, or otherwise initiates, testifies, participates, or assists in any formal or informal proceedings, will have immunity from any civil liability that may arise from making such report, or from initiating, testifying, participating, or assisting in such proceedings. Furthermore, the Board prohibits any retaliatory action against any person who, acting reasonably and in good faith, makes a report of harassment, bullying, and/or discrimination, or who otherwise initiates, testifies, participates, or assists in the investigation of a complaint of harassment, bullying, and/or discrimination.

**Publication of District Policy**

At least once during each school year, all school employees, students, and parents will be provided with a written or electronic copy of this policy, or a plain-language summary thereof, including notification of the process by which students, parents, and school employees may report harassment, bullying, and discrimination. Additionally, the District will strive to maintain a current version of this policy on its website at all times.

**Application**

Nothing in this policy or its implementing regulations should be interpreted to preclude or limit any right or cause of action provided under any local, state, or federal ordinance, law or regulation including but not limited to any remedies or rights available under the Individuals With Disabilities Education Act, Title VII of the Civil Rights Law of 1964, Section 504 of the Rehabilitation Act of 1973, or the Americans with Disabilities Act of 1990.

**SUBJECT: DIGNITY FOR ALL STUDENTS ACT (Cont'd.)**

NOTE: Refer also to Policies #1330 -- Appointments and Designations by the Board of Education  
#3410 -- Code of Conduct on School Property  
#3420 -- Non-Discrimination and Anti-Harassment in the School District  
#7551 -- Sexual Harassment of Students  
#7552 -- Bullying: Peer Abuse in the Schools  
#7553 -- Hazing of Students  
#8242 -- Civility, Citizenship and Character Education/ Interpersonal Violence Prevention Education

Adopted: 10/03/12  
Revised: 07/15/13  
Revised: 05/20/15

# REGULATION

2015

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Students

## **SUBJECT: DIGNITY FOR ALL STUDENTS**

The Naples Central School District is committed to creating a learning environment that is safe and supportive of every student. The District, therefore, condemns and prohibits all forms of harassment, bullying, and/or discrimination of students on school property, at school sponsored activities and events that take place at locations off school property. Any individual who engages in such conduct will be subject to corrective action and/or disciplinary measures in accordance with applicable laws and/or regulations, District policies and administrative regulations, and collective bargaining agreements, as well as the *District Code of Conduct* and any and all applicable guidelines approved by the Board. In addition, any act of harassment, bullying, and/or discrimination which takes place off of school property or outside of school sponsored events, and which can reasonably be expected to materially and substantially disrupt the education process, may be subject to corrective action and/or discipline.

### **Definitions**

For purposes of this regulation and Policy #7550, the following definitions shall apply:

- 1) "Sexual orientation" means actual or perceived heterosexuality, homosexuality, or bisexuality;
- 2) "Gender" means actual or perceived sex and shall include a person's gender identity or expression;
- 3) "Discrimination" means discrimination against any student by a student or students and/or an employee or employees on school property or at a school function including, but not limited to, discrimination based on a person's actual or perceived race, color, weight, national origin, ethnic group, religion, religious practice, disability, sexual orientation, gender, or sex;
- 4) "Harassment" and "bullying" mean the creation of a hostile environment by conduct or by threats, intimidation or abuse, including cyberbullying, that:
  - a. Has or would have the effect of unreasonably and substantially interfering with a student's educational performance, opportunities or benefits, or mental, emotional, or physical well-being; or
  - b. Reasonably causes or would reasonably be expected to cause a student to fear for his or her physical safety; or
  - c. Reasonably causes or would reasonably be expected to cause physical injury or emotional harm to a student; or

(Continued)

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Students

## **SUBJECT: DIGNITY FOR ALL STUDENTS (Cont'd.)**

- d. Occurs off school property and creates or would foreseeably create a risk of substantial disruption within the school environment, where it is foreseeable that the conduct, threats, intimidation, or abuse might reach school property.

Acts of harassment and bullying include, but are not limited to, those acts based on a person's actual or perceived race, color, weight, national origin, ethnic group, religion, religious practice, disability, sexual orientation, gender, or sex. For the purposes of this definition the term "threats, intimidation, or abuse" shall include verbal and non-verbal actions.

- 5) "Cyberbullying" means harassment or bullying where such harassment or bullying occurs through any form of electronic communication.
- 6) "Material Incident of Harassment, Bullying, and/or Discrimination" means a single verified incident or a series of related verified incidents where a student is subjected to harassment, bullying, and/or discrimination by a student and/or employee on school property or at a school function. In addition, such term shall include a verified incident or series of related incidents of harassment or bullying that occur off school property, where such incident or incidents: create or would foreseeably create a risk of substantial disruption within the school environment, where it is foreseeable that the conduct, threats, intimidation, or abuse might reach school property; and is or are the subject of a written or oral complaint to the superintendent, principal, or their designee, or other school employee. Such conduct shall include, but is not limited to, threats, intimidation, or abuse based on a person's actual or perceived race, color, weight, national origin, ethnic group, religion, religious practice, disability, sexual orientation, gender, or sex.

## **Reports and Investigations of Harassment, Bullying, and/or Discrimination**

All reports of harassment, bullying, and/or discrimination will be documented and investigated. The Principal, Superintendent, or the Principal's or Superintendent's designee will lead and/or supervise the thorough investigation of all reports of harassment, bullying, and/or discrimination, and ensure that such investigations are completed promptly after receipt of such reports. Where appropriate, the Dignity Act Coordinator or such other individual conducting the investigation, may seek the assistance of the District's Civil Rights Compliance Officer in investigating, responding to, and remedying complaints of harassment, bullying, and/or discrimination.

In the event any such investigation reveals harassment, bullying, and/or discrimination, the District will take prompt action reasonably calculated to end the harassment, bullying, and/or discrimination, eliminate any hostile environment, create a more positive school culture and climate,

(Continued)



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Students

## **SUBJECT: DIGNITY FOR ALL STUDENTS (Cont'd.)**

prevent recurrence of the behavior, and ensure the safety of the student or students against whom such harassment, bullying, and/or discrimination was directed. Such actions will be taken consistent with applicable laws and regulations, codes of conduct, District policies and administrative regulations, and collective bargaining agreements, as well as any relevant guidelines approved by the Board.

### **Reporting of Incidents**

The Principal of each primary and secondary school will provide to the Superintendent a regular report (at least once during each school year) on data and trends related to harassment, bullying, and/or discrimination.

Each year, the District will submit to the Commissioner an annual report of material incidents of harassment, bullying, and/or discrimination, in accordance with Education Law Section 15. Such report will be submitted in a manner prescribed by the Commissioner, on or before the basic educational data system (BEDS) reporting deadline or such other date as determined by the Commissioner.

The District will include in its annual report all material incidents of discrimination and/or harassment that:

- 1) Are the result of the investigation of a written or oral complaint made to the Principal or other school administrator responsible for school discipline, or to any other school employee; or
- 2) Are otherwise directly observed by such Principal or administrator, or by any other employee regardless of whether a complaint is made.

Such report will include information describing the specific nature of the incident, including, but not limited to:

- 1) The type(s) of bias involved (actual or perceived race, color, weight, national origin, ethnic group, religion, religious practices, disability, sexual orientation, gender, sex, or other). Where multiple types of bias are involved, they will all be reported;
- 2) Whether the incident resulted from student and/or employee conduct;
- 3) Whether the incident involved physical contact and/or verbal threats, intimidation or abuse; and

(Continued)

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Students

## **SUBJECT: DIGNITY FOR ALL STUDENTS (Cont'd.)**

- 4) The location where the incident occurred (on school property and/or at a school function).

NOTE: Refer also to Regulations #3420R -- Non-Discrimination and Anti-Harassment in the School District  
#3420F -- Sample Complaint Form  
#7550R.1 -- Strategies to Prevent Harassment, Bullying, and Discrimination  
*District Code of Conduct*

Adopted: 05/20/15

# REGULATION

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Students

## **SUBJECT: STRATEGIES TO PREVENT HARASSMENT, BULLYING, AND DISCRIMINATION**

The Naples Central School District is committed to preventing harassment, bullying, and discrimination in all its forms, including hazing. Where appropriate, the District will make use of some or all of the following strategies and training classes to prevent the harassment, bullying, and discrimination of its students:

- 1) Publicize rules against harassment, bullying, and discrimination, and post them school-wide, accompanied by a range of possible sanctions. (Note: Sanctions for such acts are also to be addressed in the *District Code of Conduct*.)
- 2) Use student and adult mentors to assist victims and individuals who engage in harassment, bullying, and/or discrimination, thereby building self-esteem and fostering mutual understanding of and appreciation for differences in others.
- 3) Develop a buddy system that pairs students with a particular friend or older buddy with whom they share class schedule information and plans for the school day and on whom they can depend for help.
- 4) Provide an on-campus parents' center that recruits, coordinates and encourages parents to take part in the educational process, to volunteer and to assist in school activities and projects.
- 5) Add adult classes in parenting skills and student classes in anger management, assertiveness training and behavior modification training.
- 6) Disseminate the *District Code of Conduct* to teachers, students and parents as mandated by law and regulation.
- 7) Emphasize remedial actions that stress appropriate behavior instead of reprimands that focus on punishing wrong behavior.
- 8) Build friendship groups that support children who are regularly harassed, bullied, or discriminated against by peers.
- 9) Create peer mediation programs and teen courts to train students to mediate problems among themselves.
- 10) Make available conflict and dispute resolution curricula, in an age-appropriate manner, at designated grade levels.

(Continued)

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Students

**SUBJECT: STRATEGIES TO PREVENT HARASSMENT, BULLYING, AND DISCRIMINATION (Cont'd.)**

- 11) Increase staff supervision in areas such as hallways, cafeterias, playgrounds and athletic playing fields, locker rooms, buses, as well as at school sponsored events - whether on or off campus in order to reduce the opportunity for bullying behavior by students.
- 12) Involve school counselors or mental-health professionals where appropriate.
- 13) Involve community members in the District's anti-bullying activities (e.g., convene meetings with leaders of the community to discuss the School District's anti-bullying program, involve media to help publicize the District's anti-bullying prevention and intervention activities, and engage community members as appropriate in the development of school-community activities to promote anti-bullying behavior).

NOTE: Refer also to Regulations #3420R -- Non-Discrimination and Anti-Harassment in the School District  
#7550R -- Dignity for All Students  
*District Code of Conduct*

Adopted: 05/20/15

**NAPLES CENTRAL SCHOOL**  
136 NORTH MAIN STREET  
NAPLES, NEW YORK 14512



Naples Central School District  
136 North Main Street  
Naples, NY 14512

Marie Bell  
5314 Whiting Road  
Naples, NY 14512

The following has been a very difficult decision for me, as I have been happy to be employed with the Naples Central School District for many years.

I hereby give written notice of my decision to retire as of July 31, 2015.

I have enjoyed working here and sincerely appreciate the support provided to me. I have felt especially privileged with the opportunity to extend my immediate family. The love, support and respect shown to me by staff, parents and children has been so great a gift that it will leave a huge void in my life.

So, it is with a heavy heart that I resign from my position as Clerk and go off into retirement...

Sincerely,

A handwritten signature in blue ink that reads "Marie Bell". The signature is written in a cursive style.

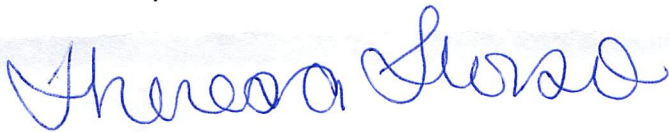
Marie Bell

20 May 2015

Dear Board of Education Members-

On 30 June 2015 I will be retiring from my position as Cook/Manager for the Naples Central School.

Thank-you

A handwritten signature in blue ink that reads "Theresa Corso". The signature is written in a cursive style with a large, looping "T" and "C".

Theresa Corso  
Cook/Manager NCS K-12