AGENDA

1. Call to Order
2. Pledge of Allegiance
3. Recognition of Visitors and Delegations
4. Approval of Minutes
   - Regular Meeting - 1/9/18
5. Correspondence and Communications
6. Board Committee Reports
   - Buildings, Grounds & Transportation Committee - 1/11/18
   - Budget & Finance Committee - 1/17/18
   - Staffing & Curriculum Committee - 1/18/18
   - Policy Committee - 1/24/18
7. New Business
   A. Policies

   The following policies/regulations are presented for the first reading:

   #8000 Recruitment, Selection and Appointment of Personnel
   #8001 Recruitment and Selection of Coaching Staff
   #8002 Complaints and Grievances by Employees
   #8003 Evaluation, Resignation and Termination
   #8100 Certification and Incidental Teaching
   #8101 Probation and Tenure (Educational Positions)
7. New Business – Policies (cont'd.)

#8102  Mentoring Programs for First Year Teachers
#8200  Leaves of Absence for Serious Health Conditions for Family Care
#8200.1 Request for Family/Medical Leave
#8200.2 Notice of Eligibility and Rights & Responsibilities
#8200.3 Certification of Health Care Provider for Employee’s Serious Health Condition
#8200.4 Certification of Qualifying Exigency for Military Family Leave
#8200.5 Certification of Health Care Provider for Family Member’s Serious Health Condition
#8201  Absences from School for Elected or Appointed Governmental Office
#8202  Leaves of Absence from Work (Instructional Employees)
#8203  Leave for Cancer Screening
#8204  Accommodating Employee’s Need to Express Breast Milk
#8205  Jury Duty
#8300  Fingerprinting and Criminal History Record Checks for Prospective Employees
#8300.1 Payroll Deduction Authorization (DELETE)
#8301  Drug and Alcohol Testing
#8301.1 Confirmation of Receipt Acknowledgement
#8302  Drug-Free Workplace Policy
#8400  Non-Negotiating Personnel
#8400.1 Managerial/Confidential Employees
#1005  School Volunteers
#8104  Staff Communications
#8105  Staff Development
#8106  Prohibition on Contracts/Leases, Etc.
#8401  New Hartford Substitute Use
#8402  Substitute Teachers
#8403  Substitute Non-Teaching Employees
#8404  Staff Consulting Services
#8405  Bus Driver Qualifications and Responsibilities
#8406  Volunteer Coaches
#8501  Early Retirement Incentive Program
#8502  Review Process Established Pursuant to Section 803 of the Retirement and Social Security Law
#8503  403 (B) Plans
#8600  Job Descriptions
#8600.1 Job Description: Classroom Teacher
#8600.2 Job Description: Department Chairperson
7. New Business – Policies (cont'd.)

#8600.3 Job Description: School Counselor
#8600.4 Job Description: Library Media Specialist
#8600.5 Job Description: School Psychologist
#8600.6 Job Description: Reading Specialist
#8600.7 Job Description: Social Worker
#8600.8 Job Description: Teacher of the Speech and Hearing Impaired
#8600.9 Job Description: Teaching Assistant
#8600.10 Job Description: Library Aide
#8600.11 Job Description: School Nurse
#8600.12 Job Description: Health Aide (DELETE)
#8600.13 Job Description: Teacher Aide
#8600.14 Job Description: Elementary School Testing Aide
#8600.15 Job Description: Health Services Department Chairperson (DELETE)
#8600.16 Job Description: Chairperson of Physical Education and Health
#8600.17 Job Description: Teacher Center Director
#8600.18 Job Description: New Teacher Induction Coordinator
#8600.19 Job Description: Instructional Support Specialist
#8600.23 Job Description: Transportation Supervisor
#8600.24 Job Description: Mechanic
#8600.25 Job Description: Bus Driver
#8600.27 Job Description: Model Schools Program Coordinator (DELETE)
#8600.29 Job Description: Network Manager
#8600.30 Job Description: School Physician
#8600.31 Job Description: Athletic Trainer

B. Personnel

1. Retirement Resignations/Resignation

   a. Technology Teacher

       It is recommended that the retirement resignation of James DeRollo from the position of Technology teacher be accepted, with deep regret, effective June 30, 2018.
7. New Business – Personnel – Retirement Resignations (cont’d.)

b. Bus Driver

It is recommended that the retirement resignation of Michael Riscica from the position of bus driver be accepted, with regret, effective June 29, 2018.

c. Bus Driver/School Monitor

It is recommended that the resignation of Vincent Del Mastro from the positions of bus driver and school monitor be accepted, effective January 29, 2018.

2. Creation of Position – Part Time Athletic Trainer

It is recommended that the district create the position of part-time athletic trainer, effective March 1, 2018.

3. Appointments

a. Substitute Teacher List

It is recommended that the following be appointed to the per diem substitute teacher list, pending satisfactory clearance for employment by the State Education Department:

<table>
<thead>
<tr>
<th>Name</th>
<th>Certification</th>
</tr>
</thead>
<tbody>
<tr>
<td>Gail Evans</td>
<td>Reading &amp; Nursery, Kindergarten and Grades 1-6</td>
</tr>
<tr>
<td>David Shove</td>
<td>Music</td>
</tr>
<tr>
<td>John Friedel</td>
<td>Uncertified</td>
</tr>
<tr>
<td>Amanda Turnbull</td>
<td>Uncertified</td>
</tr>
</tbody>
</table>
7. **New Business - Personnel - Appointments (cont'd.)**

b. **Part-Time Athletic Trainer**

It is recommended that Timothy Abraham be appointed to the position of part-time athletic trainer, effective March 1 – June 30, 2018, pending satisfactory clearance for employment by the State Education Department.

c. **Coaches**

It is recommended that the list of coaches for the spring 2018 sports season be approved as presented by the Director of Athletics.

d. **Substitute School Monitor/Substitute Office Specialist I**

It is recommended that Vivian Roman be appointed to the substitute positions of school monitor and office specialist I, effective February 14, 2018, pending satisfactory clearance for employment by the State Education Department.

e. **Substitute Athletic Trainer**

It is recommended that the following be appointed to the position of substitute athletic trainer, effective March 1, 2018, pending satisfactory clearance for employment by the State Education Department:

- James Murphy
- Gwendolyn Murphy
- Kristen Bassler

f. **Substitute Bus Driver**

It is recommended that John Latini, III be appointed to the position of substitute bus driver, effective February 14, 2018, pending satisfactory clearance for employment by the State Education Department.
7. New Business (cont’d.)

C. Resolution of Condolence

It is recommended that the following resolution be adopted:


RESOLVED, that the Board of Education express its sincere sympathy to the family of Thomas Pauley and that this resolution be spread upon the records of the district and a copy sent to the family.”

D. Treasurer’s Report

It is recommended that the December 31, 2017 Treasurer’s Reports be accepted.

E. Committee on Pre-School Special Education

The recommendations from the Committee on Pre-School Special Education’s meetings of January 19, 2018 (7) and February 2, 2018 (5) are presented for approval.

F. Committee on Special Education

The recommendations from the Committee on Special Education’s meetings of January 9, 2018 (7), January 19, 2018 (2), January 31, 2018 (3) and February 6, 2018 (3) are presented for approval.

G. 504 Committee

The recommendations from the 504 Committee’s meetings of January 9, 2018 (1), January 30, 2018 (12), January 31, 2018 (7), February 1, 2018 (9) and February 6, 2018 (2) are presented for approval.

H. Other Business

I. Adjournment
MEMBERS PRESENT: Mrs. Coombs, Mr. Jadhon, Mrs. King, Mrs. Lark, Mrs. Phillips, Mr. Stephens

EXCUSED: Ms. Bean

OTHERS PRESENT: Mr. Nole, Mr. Hyde, Mrs. Mandel, Mrs. Heil

The meeting was called to order at 7:01 p.m. by Board of Education President, Mrs. Coombs.

Pledge of Allegiance

Recognition of Visitors and Delegations

The following members of the audience addressed the Board:

- Hanbing Wang regarding Chinese language course not being offered at the 6th grade and Jr. High levels.
- Joleen Bressi regarding her son and special education.
- Jamie McNair regarding the public comment portion of Board of Education meetings.

Approval of Minutes

Mr. Stephens moved and Mrs. King seconded that the minutes of the Regular Meeting of December 20, 2017 be approved.

Ayes 6, nays 0, motion carried.

Correspondence and Communications

Mr. Nole referred the Board to an addendum to the agenda containing two additional recommendations for retirement resignations. He also distributed information regarding an upcoming OMH School Boards Institute General Membership Meeting titled “Legislative Forum” which is scheduled for Thursday, January 25, 2018 at Oneida BOCES.

Board Committee Reports

- Staffing & Curriculum – 12/6/17

Mrs. King reported: The committee received and discussed the Math Department and the Physical Education/Health Department Reports. They also reviewed and discussed the District Academic Intervention Services Plan.
- Community Relations – 12/7/17

Mrs. King reported: The committee met to review, discuss and finalize the December 2017 Report Card Newsletter.

- Buildings, Grounds & Transportation – 12/7/17

Mr. Stephens reported: The committee received an update on the capital project with targeted dates and current expectations. They also received a safety update.

- Budget & Finance Committee – 12/13/17

Mr. Jadhon reported: The committee reviewed the forecast on the major factors affecting the budget and also received an update on the status of the pending tax certiorari matters.

New Business

A. Personnel

1. Retirement Resignations
   a. Bus Driver

   Mr. Stephens moved and Mrs. King seconded that the retirement resignation of Barb Kivela from the position of bus driver be accepted, with deep regret, effective June 30, 2018.

   Ayes 6, nays 0, motion carried.

b. Science Teacher

   Mrs. King moved and Mrs. Phillips seconded that the retirement resignation of James Belcher from the position of Science teacher be accepted, with deep regret, effective June 30, 2018.

   Ayes 6, nays 0, motion carried.

c. Office Specialist I/Receptionist

   Mr. Stephens moved and Mrs. King seconded that the retirement resignation of Carolyn Solan from the position of office specialist I/receptionist be accepted, with deep regret, effective July 31, 2018.

   Ayes 6, nays 0, motion carried.
2. Appointments

a. Temporary School Monitor

Mrs. Phillips moved and Mrs. King seconded that Evelyn Faber be appointed to the position of temporary school monitor, effective January 10 through March 22, 2018.

Ayes 6, nays 0, motion carried.

b. Substitute Bus Drivers

Mrs. King moved and Mrs. Phillips seconded that the following be appointed to the position of substitute bus driver, effective January 10, 2018, pending satisfactory clearance for employment by the State Education Department:

Kevin Allen
Judy Micks

Ayes 6, nays 0, motion carried.

c. Substitute School Monitor/Substitute Teacher Aide

Mr. Stephens moved and Mrs. King seconded that Thomas Pfisterer be appointed to the substitute positions of school monitor and teacher aide, effective January 10, 2018, pending satisfactory clearance for employment by the State Education Department.

Ayes 6, nays 0, motion carried.

3. Abolishment of Vacant Position

Mrs. Phillips moved and Mrs. King seconded that the unfilled/vacant account clerk typist position (PNHCS – 25) be abolished, effective January 1, 2018.

Ayes 6, nays 0, motion carried.

4. Unpaid Leave of Absence

Mrs. King moved and Mrs. Lark seconded that an unpaid leave of absence be granted to Megan Owens for child rearing, effective at the end of her disability period through June 30, 2018.

Ayes 6, nays 0, motion carried.
B. Surplus Items

Mrs. King moved and Mrs. Lark seconded that the marching band uniforms, as submitted by the marching band director, be declared as surplus items for disposal.

Ayes 6, nays 0, motion carried.

C. Treasurer’s Report

Mrs. King moved and Mr. Jadhon seconded that the November 30, 2017 Treasurer’s Report be accepted.

Ayes 6, nays 0, motion carried.

D. Committee on Pre-School Special Education

Mrs. King moved and Mr. Jadhon seconded that the recommendations from the Committee on Pre-School Special Education’s meetings of December 1, 2017 (3), December 15, 2017 (6) and December 21, 2017 (2) be approved.

Ayes 6, nays 0, motion carried.

E. Committee on Special Education

Mrs. King moved and Mr. Jadhon seconded that the recommendations from the Committee on Special Education’s meetings of December 5, 2017 (1), December 6, 2017 (1), December 15, 2017 (3), December 19, 2017 (6) and December 21, 2017 (1) be approved.

Ayes 6, nays 0, motion carried.

F. 504 Committee

Mr. Jadhon moved and Mrs. King seconded that the recommendations from the 504 Committee’s meetings of December 5, 2017 (2) and December 19, 2017 (3) be approved.

Ayes 6, nays 0, motion carried.

Other Business

Executive Session

Mrs. King moved and Mr. Jadhon seconded that the Board enter into Executive Session at 7:26 p.m. to discuss an investigation of school safety which would harm the investigation if disclosed at this time.

Ayes 6, nays 0, motion carried.

The Board unanimously agreed to exit from Executive Session at 7:53 p.m.
Adjournment

Mrs. King moved and Mrs. Phillips seconded that the meeting be adjourned at 7:54 p.m.

Ayes 6, nays 0, motion carried.

Respectfully submitted,

Betty Heil, Clerk
NEW HARTFORD CENTRAL SCHOOL DISTRICT
BUILDINGS, GROUNDS AND
TRANSPORTATION COMMITTEE

Minutes
January 11, 2018
12:00 noon

Members Present:  Mr. Jim Stephens
                    Mrs. Pam King

Others Present:   Mr. Robert Nole
                    Mrs. Mary Mandel
                    Mr. Andy Morgan
                    Mr. Peter Gagliano

Mr. Stephens called the meeting to order at 12:04 p.m.

Bus Proposition 2018-2019 Budget:
Mr. Gagliano presented the bus replacement proposal for 2018-2019. This was followed by a committee
discussion on the bus replacement schedule including financial planning and state aid associated with bus
purchasing. Mrs. Mandel indicated that the buses are on a ten to eleven year replacement cycle. Mr.
Gagliano indicated that there has been a decrease in the trade-in values allowed for the retired buses;
therefore, he will continue to explore alternative options for the sale of the vehicles such as use of
Auctions International which has been successful in the past. This proposition will be recommended for
approval by the Board of Education at their March meeting.

Operations and maintenance Equipment Requests 2018-2019 Budget:
Mr. Morgan presented an analysis of the Buildings and Grounds Equipment Replacement Costs
reviewing replacement values and the associated life cycle expectancies of the equipment. In addition he
presented an update of the department’s current motor vehicle and grounds equipment inventory and
condition report. The document demonstrated the annual expenditure needed to support an average
blended life expectancy of 9.5 to 12.5 years respectively, for both vehicles and equipment. Mrs. Mandel
and Mr. Morgan discussed with the committee future equipment trade-ins and sales, proposed vehicle
purchases, upgrades, and replacement of equipment including use of retired transportation vehicles.

Fire Inspection:
Mrs. Mandel and Mr. Morgan distributed and reviewed a summary report for the annual fire inspection.
The inspection took place during the month of December 2017. The District passed the inspection with a
few minor non-conformities which were corrected prior to the due date submission to the State Education
Department of February 2018.
Capital Project Update:
Mrs. Mandel and Mr. Morgan provided the committee with an update on the capital project with targeted dates and current expectations. The capital project continues to be on schedule as planned. MARCH Associates continues to work with the State Education Department on the engineering review. Lastly, Pike Construction managers visited district buildings for construction phasing and scheduling. Meetings with principals to review building use for the period of construction and communication plan will be held from January 18 - January 29, 2018.

New York State Department of Labor – PESH:
Today the New York State Department of Labor (DOL) conducted an unannounced routine employee safety and health inspection of the High School and Bradley Elementary School buildings. An opening meeting to review the inspection process was held. Representatives from each bargaining unit, the two building Principals, Mr. Morgan, Oneida BOCES safety office coordinator, and Mrs. Mandel were present at this meeting, various times throughout the inspection, and for the exit interview at the conclusion of the day. Areas of primary focus were those that contained chemicals, gas, stored energy such as electrical and boiler rooms, storage areas, and safety training procedures and documentation.

The inspectors identified a limited number of violations which will be submitted to the District in approximately two months. We will have an established period of time to correct the violations with a follow-up inspection from DOL on only those areas. The inspectors were very complementary to the District in the area of safety and to the group of District representatives for their professionalism and cooperation throughout the day.

Bradley Office Odor:
In December, the Operations and Maintenance department was requested to investigate what was described as a musty odor in the Bradley Elementary Office. The area was cleaned immediately but the odor remained. Numerous approaches were made on a daily basis to find the source of the odor and simultaneously, implement proactive measures to eliminate the odor as well. We have consulted with and have had on-site visitations from the Oneida BOCES Safety office, an independent professional air cleaning service, and the Department of Labor safety representatives on this ongoing issue. We are implementing another strategy this weekend to address the odor and are in communication with the agencies listed above to determine the course of action moving forward.

Adjournment:
The meeting was adjourned at 12:58 p.m.
New Hartford Central School District
Budget and Finance Committee
Minutes
January 17, 2018
12:00 noon

Members Present: Mr. John Jadhon, Chair
Mrs. Cindy Phillips

Others Present: Mrs. Mary Mandel
Mr. Robert Nole

Call to Order: Mr. Jadhon called the meeting to order at 12:01 p.m.

Pre-Payment of School Taxes:
Mrs. Mandel reviewed Governor Cuomo’s executive order allowing prepayment of taxes, stating that per the school attorney and other sources, it is not applicable to school taxes for the 2018-2019 school year. As a result of some taxpayer confusion relative to this order, the district business office fielded a limited number of phone calls from taxpayers requesting to pre-pay their taxes. In addition, information was posted on the tax collection page of the district website indicating that we are not authorized to accept pre-payment of 2018-2019 school taxes.

New York State Fiscal Monitoring System:
The New York State Office of The State Comptroller will be releasing information in January on the level of fiscal stress on school districts in New York State. The goal of this fiscal stress monitoring system is to inform both municipal leaders and taxpayers of the economic budgetary challenges facing their locality so that actions can be taken when appropriate to avoid a fiscal crisis. The system uses data that has already been independently audited and also submitted by schools to the Comptroller’s office to calculate the fiscal stress score each year. There are four levels of financial indicator scores. The New Hartford Central School District has been at the level 1 or “No Designation” level since the system’s inception. Preliminary reports for the 2016-2017 fiscal year indicates that the District is classified as level 2 or “Susceptible to fiscal stress.” This is a result of large refunds on property taxes that have caused us to spend more than was planned for, and difficulty with generating additional revenue due to significant state aid reductions, and tax levy limit that has been below 2% for several years.

Adjournment:
The meeting was adjourned at 12:30 p.m.
New Hartford Central School District
Staffing and Curriculum Minutes
January 18, 2018
4:00 p.m.

Members Present: Annette Bean, Pamela King, and Cindy Phillips

Others Present: Robert Nole, Allen Hyde, Mark Benson, Tim Crowe, Ric Ripa, and Erika von Schiller-Deep

Members Excused: All present

Call to Order: by Pamela King at 4:05 pm

Received New Course Proposals
Highlights presented by: Mr. Allen Hyde and Mr. Mark Benson

- Two new course proposals were received. The courses will be titled Latin 5 (World Languages Department) and Math For Coding (Math Department).
- The prerequisite for the Latin 5 course is Latin 4 and the prerequisite for Math For Coding is Algebra II.
- As part of the course students will complete a wide variety of activities to demonstrate and document their learning. The Latin course will allow students to have a complete sequence of Latin, which is the same as French and Spanish.
- The new math course is a part of the STEAM initiative.
- The courses will be taught by staff members from the respective departments. No additional staff members will need to be hired.

Received Counseling Department Report
Highlights presented by: Mrs. Erika von Schiller-Deep

- All students at Perry continue to participate in Horizons Day - Students attend career related workshops.
- Department is following diploma changes as outlined by the New York State Education Department on a regular basis.
- Naviance is now offered to students at Perry. It is now a 7-12 program. Students create a portfolio that follows them from junior high to the senior high. Students are offered the opportunity to complete career searches. It also outlines courses that are needed in order to enter a specific career track. Students can also complete a learning style inventory as well as an interest inventory.
- Senior awards were discussed and the process utilized to establish award winners.
• The new regulations related to school counseling was discussed. A guidance document is being developed to provide additional direction for school districts as they implement the new regulations. The goal of the regulation is to offer career planning to elementary students.
• Counselors have submitted 917 college applications.

**Received Extracurricular Activity Participation Report for the Junior High**

Highlights presented by: Mr. Ric Ripa

• 45% of high school students participated in extracurricular activities.
• 70% of high school students participated in athletics.
• 85% participated in at least one club or athletic program.
• A club report was shared with the committee.
• A club fair is held annually to provide information about each club.
• The team will explore the criteria for minimum amount of members as well as presenting a three year trend outlining the number of members for each club.

**Received Extracurricular Activity Participation Report for the Senior High**

Highlights presented by: Mr. Tim Crowe

• 65% of high school students participated in extracurricular activities.
• 61% of high school students participated in athletics.
• 90% participated in at least one club or athletic program.
• A club report was shared with the committee.

**Received Information on the New York State Forensic League (NYSFL)**

Highlights presented by: Mr. Allen Hyde

• New York State Forensic League can be offered as a school club. It is currently being explored as a possible offering to Perry Junior High students. This club would lead into Model UN and Mock Trial at the high school.

Meeting adjourned by Pamela King at 5:25 pm

Next meeting for Staffing & Curriculum Committee: **February 15, 2018 at 4:00 pm in the Bradley Elementary Library.**
New Hartford Central School District  
33 Oxford Road  
New Hartford, NY 13413  

Minutes of the Policy Committee Meeting  
Wednesday, January 24, 2018  
12:00 p.m.  
Superintendent’s Conference Room  

Present: Jim Stephens, Chair  
Linda Lark  

Excused: Annette Bean  

Others Present: Robert Nole  
Betty Heil  

Call to Order:  

Mr. Stephens called the meeting to order at 12:04 p.m.  

Review of Policy Section 8000 – Personnel  

Mr. Nole outlined the policy review process for the committee noting that any suggested policy changes that result from this meeting will be noted on the policies and the entire section of policies will be submitted to the full Board of Education for first reading at the February 13, 2018 meeting.  

The Policy Committee reviewed the Section 8000 Policies that were audited by the BOCES Policy Development Service. The Policy Development Service had updated the policies to reflect best practices, regulatory, and legal changes. Policy numbers 8101, 8200, 8301 and 8402 were amended by the committee to reflect minor grammatical or clarifying language.  

Adjournment:  

The meeting was adjourned at 12:41 p.m.
<table>
<thead>
<tr>
<th>No.</th>
<th>Name</th>
<th>Previous No.</th>
<th>Proposed Action</th>
</tr>
</thead>
<tbody>
<tr>
<td>8000</td>
<td>Recruitment, Selection and Appointment of Personnel</td>
<td>8101</td>
<td>REVISE</td>
</tr>
<tr>
<td></td>
<td></td>
<td></td>
<td>Approved Y N</td>
</tr>
<tr>
<td></td>
<td></td>
<td></td>
<td>Date Approved:</td>
</tr>
<tr>
<td>8001</td>
<td>Recruitment and Selection of Coaching Staff</td>
<td>8102</td>
<td>REVIEW</td>
</tr>
<tr>
<td></td>
<td></td>
<td></td>
<td>Approved Y N</td>
</tr>
<tr>
<td></td>
<td></td>
<td></td>
<td>Date Approved:</td>
</tr>
<tr>
<td>8002</td>
<td>Complaints and Grievances by Employees</td>
<td></td>
<td>NEW</td>
</tr>
<tr>
<td></td>
<td></td>
<td></td>
<td>Approved Y N</td>
</tr>
<tr>
<td></td>
<td></td>
<td></td>
<td>Date Approved:</td>
</tr>
<tr>
<td>8003</td>
<td>Evaluation, Resignation and Termination</td>
<td></td>
<td>NEW</td>
</tr>
<tr>
<td></td>
<td></td>
<td></td>
<td>Approved Y N</td>
</tr>
<tr>
<td></td>
<td></td>
<td></td>
<td>Date Approved:</td>
</tr>
<tr>
<td>8100</td>
<td>Certification and Incidental Teaching</td>
<td></td>
<td>NEW</td>
</tr>
<tr>
<td></td>
<td></td>
<td></td>
<td>Approved Y N</td>
</tr>
<tr>
<td></td>
<td></td>
<td></td>
<td>Date Approved:</td>
</tr>
<tr>
<td>8101</td>
<td>Probation and Tenure (Educational Positions)</td>
<td></td>
<td>NEW</td>
</tr>
<tr>
<td></td>
<td></td>
<td></td>
<td>Approved Y N</td>
</tr>
<tr>
<td></td>
<td></td>
<td></td>
<td>Date Approved:</td>
</tr>
<tr>
<td>8102</td>
<td>Mentoring Programs For First Year Teachers</td>
<td></td>
<td>NEW</td>
</tr>
<tr>
<td></td>
<td></td>
<td></td>
<td>Approved Y N</td>
</tr>
<tr>
<td></td>
<td></td>
<td></td>
<td>Date Approved:</td>
</tr>
<tr>
<td></td>
<td>Required if District has Mentoring Program</td>
<td></td>
<td></td>
</tr>
<tr>
<td>8200</td>
<td>Leaves of Absence for Serious Health Conditions for Family Care</td>
<td>8202</td>
<td>REVISE</td>
</tr>
<tr>
<td></td>
<td></td>
<td></td>
<td>Approved Y N</td>
</tr>
<tr>
<td></td>
<td></td>
<td></td>
<td>Date Approved:</td>
</tr>
<tr>
<td>8200.1</td>
<td>Request for Family/Medical Leave</td>
<td>8202.1</td>
<td>SUPT. APPROVE</td>
</tr>
<tr>
<td></td>
<td></td>
<td></td>
<td>Approved Y N</td>
</tr>
<tr>
<td></td>
<td></td>
<td></td>
<td>Date Approved:</td>
</tr>
<tr>
<td>8200.2</td>
<td>Notice of Eligibility and Rights &amp; Responsibilities</td>
<td>8202.2</td>
<td>SUPT. APPROVE</td>
</tr>
<tr>
<td></td>
<td></td>
<td></td>
<td>Approved Y N</td>
</tr>
<tr>
<td></td>
<td></td>
<td></td>
<td>Date Approved:</td>
</tr>
<tr>
<td>8200.3</td>
<td>Certification of Health Care Provider for Employee’s Serious Health Condition</td>
<td>8202.3</td>
<td>SUPT. APPROVE</td>
</tr>
<tr>
<td></td>
<td></td>
<td></td>
<td>Approved Y N</td>
</tr>
<tr>
<td></td>
<td></td>
<td></td>
<td>Date Approved:</td>
</tr>
<tr>
<td>8200.4</td>
<td>Certification of Qualifying Exigency for Military Family Leave</td>
<td>8202.4</td>
<td>SUPT. APPROVE</td>
</tr>
<tr>
<td></td>
<td></td>
<td></td>
<td>Approved Y N</td>
</tr>
<tr>
<td></td>
<td></td>
<td></td>
<td>Date Approved:</td>
</tr>
<tr>
<td>8200.5</td>
<td>Certification of Health Care Provider for Family Member’s Serious Health Condition</td>
<td></td>
<td>SUPT. APPROVE</td>
</tr>
<tr>
<td></td>
<td></td>
<td></td>
<td>Approved Y N</td>
</tr>
<tr>
<td></td>
<td></td>
<td></td>
<td>Date Approved:</td>
</tr>
<tr>
<td>No.</td>
<td>Name</td>
<td>Previous No.</td>
<td>Proposed Action</td>
</tr>
<tr>
<td>-----</td>
<td>----------------------------------------------------------------------</td>
<td>--------------</td>
<td>-------------------------------</td>
</tr>
</tbody>
</table>
| 8201 | Absences from School for Elected or Appointed Governmental Office   |              | REVIEW
|      |                                                                      |              | Approved Y N Date Approved:   |
| 8202 | Leaves of Absence from Work (Instructional Employees)                | 8200         | REVISE
|      | Renumber                                                             |              | Approved Y N Date Approved:   |
| 8203 | Leave for Cancer Screening                                           |              | REVIEW
|      |                                                                      |              | Approved Y N Date Approved:   |
| 8204 | Accommodating Employee’s Need to Express Breast Milk                 |              | REVIEW
|      |                                                                      |              | Approved Y N Date Approved:   |
| 8205 | Jury Duty                                                             |              | NEW/OPTIONAL
|      |                                                                      |              | Approved Y N Date Approved:   |
| 8300 | Fingerprinting and Criminal History Record Checks for Prospective Employees |              | REVISE
|      | Policy is Required                                                   |              | Approved Y N Date Approved:   |
| 8300.1 | Payroll Deduction Authorization                                    |              | DELETE
|      |                                                                      |              | Approved Y N Date Approved:   |
| 8301 | Drug and Alcohol Testing                                            | 8401         | REVISE
|      | Renumber                                                             | 8401.1       | Approved Y N Date Approved:   |
| 8301.1 | Confirmation of Receipt Acknowledgement                          | 8401.2       | SUPT, APPROVE
|      | Renumber                                                             |              | Approved Y N Date Approved:   |
| 8302 | Drug-Free Workplace Policy                                          | 8400         | REVISE
|      | Renumber Policy is Required                                         |              | Approved Y N Date Approved:   |
| 8400 | Non-Negotiating Personnel                                           | 8100         | REVISE
|      | Renumber                                                             |              | Approved Y N Date Approved:   |
| 8400.1 | Managerial/Confidential Employees                                   | 8100.1       | REVIEW
<p>|      | Renumber – DISTRICT REVIEW                                          |              | Approved Y N Date Approved:   |</p>
<table>
<thead>
<tr>
<th>No.</th>
<th>Name</th>
<th>Previous No.</th>
<th>Action</th>
<th>Approved</th>
<th>Date Approved:</th>
</tr>
</thead>
<tbody>
<tr>
<td>1005</td>
<td>School Volunteers</td>
<td>8301</td>
<td>REVISE</td>
<td>Y</td>
<td>N</td>
</tr>
<tr>
<td></td>
<td>Renumber</td>
<td></td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td>8104</td>
<td>Staff Communications</td>
<td>8001</td>
<td>REVISE</td>
<td>Y</td>
<td>N</td>
</tr>
<tr>
<td></td>
<td>Renumber</td>
<td></td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td>8105</td>
<td>Staff Development</td>
<td>8000</td>
<td>REVISE</td>
<td>Y</td>
<td>N</td>
</tr>
<tr>
<td></td>
<td>Renumber</td>
<td></td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td>8106</td>
<td>Prohibition on Contracts/Leases, Etc.</td>
<td>8500</td>
<td>REVISE</td>
<td>Y</td>
<td>N</td>
</tr>
<tr>
<td></td>
<td>Renumber</td>
<td></td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td>8401</td>
<td>New Harford Substitute Use</td>
<td>8104</td>
<td>REVISE</td>
<td>Y</td>
<td>N</td>
</tr>
<tr>
<td></td>
<td>Renumber</td>
<td></td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td>8402</td>
<td>Substitute Teachers</td>
<td>8105</td>
<td>REVISE</td>
<td>Y</td>
<td>N</td>
</tr>
<tr>
<td></td>
<td>Renumber</td>
<td></td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td>8403</td>
<td>Substitute Non-Teaching Employees</td>
<td>8109</td>
<td>REVISE</td>
<td>Y</td>
<td>N</td>
</tr>
<tr>
<td></td>
<td>Renumber</td>
<td></td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td>8404</td>
<td>Staff Consulting Services</td>
<td>8107</td>
<td>REVISE</td>
<td>Y</td>
<td>N</td>
</tr>
<tr>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td>8405</td>
<td>Bus Driver Qualifications and Responsibilities</td>
<td>8108</td>
<td>REVISE</td>
<td>Y</td>
<td>N</td>
</tr>
<tr>
<td></td>
<td>Review</td>
<td></td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td>8406</td>
<td>Volunteer Coaches</td>
<td>8106</td>
<td>REVISE</td>
<td>Y</td>
<td>N</td>
</tr>
<tr>
<td></td>
<td>Renumber</td>
<td></td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td>8501</td>
<td>Early Retirement Incentive Program</td>
<td></td>
<td>REVISE</td>
<td>Y</td>
<td>N</td>
</tr>
<tr>
<td></td>
<td>Review I. J.</td>
<td></td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td>8502</td>
<td>Review Process Established Pursuant to Section 803 of the Retirement and Social Security Law</td>
<td></td>
<td>REVISE</td>
<td>Y</td>
<td>N</td>
</tr>
<tr>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td>8503</td>
<td>403 (B) Plans</td>
<td></td>
<td>REVISE</td>
<td>Y</td>
<td>N</td>
</tr>
<tr>
<td></td>
<td>Renumber</td>
<td></td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td></td>
<td>Job Descriptions 8600-8600.31</td>
<td></td>
<td>DISTRICT REVIEW</td>
<td></td>
<td></td>
</tr>
</tbody>
</table>
RECRUITMENT, SELECTION AND APPOINTMENT OF PERSONNEL OF INSTRUCTIONAL STAFF AND ADMINISTRATORS

I. The quality of an education program is highly dependent on the abilities and dedication of its staff. The Board of Education seeks to recruit, select, and employ the best qualified candidates available. Consideration is given to professional preparation and educational achievements, prior professional experience, general cultural background, character and the district's needs. The Board is committed to recruiting and hiring the best qualified candidates available while striving to develop a diverse work force. The New Hartford Central School District shall employ the procedures contained herein for the purpose(s) of recruiting and/or selecting qualified instructional staff.

II. Instructional Staff

A. Recruitment

1. Staff members will be encouraged to suggest outstanding candidates of their acquaintance to Building Principals or to the Superintendent. Recruitment of staff will be conducted at colleges and universities within and outside New York State. Recruiting procedures shall enable the District to seek qualified candidates from a variety of sources, including present staff.

2. Lines of communication should be established with Building Principals and Personnel Directors in adjacent districts, as well as with other employers with similar positions.

3. Contact should be developed with professional associations which periodically advertise position vacancies. The readership of local newspapers, periodicals and other forms of media should also be investigated for potential job applications.

4. Notices of teaching positions not filled according to contract shall be advertised in the local newspapers and/or other advertising media.

4. Care should be taken, however, to avoid any action that could appear to encourage a prospective employee to default on obligations to another school district or employer.

B. Application

All letters of application, application forms and placement office credentials should come into the school system through the Superintendent's office. All such applications, etc. will be acknowledged and filed.
POLICY

PERSONNEL

RECRUITMENT, SELECTION AND APPOINTMENT OF PERSONNEL
OF INSTRUCTIONAL STAFF AND ADMINISTRATORS

C. Screening

When a vacancy occurs, the Superintendent will send the papers of candidates to the
Assistant Superintendent for screening by the interview committee.

D. Interviews

Each promising candidate will be interviewed by more than one interviewer. The
interviewers will note their general reactions on the application form. Credentials shall
be secured, references analyzed and persons knowing that candidate questioned.

When a candidate has come from a long distance, the Principal may arrange an
immediate interview even though that candidate has not yet been judged as better than the
others.

E. Selection

The Superintendent will make the final selection in cooperation with the Building
Principal(s).

F. Appointment

All recommendations for appointment will be made by the Superintendent. These
recommendations will be subject to approval by the Board of Education.

2. A teacher or other certificated professional employee (other than a teaching
assistant) who receives a probationary appointment in this District after having
served the District for ten (10) or more years as a part time employee in the same
tenure area shall be eligible upon his/her request, to a probationary period of no
less than two years. In any such case, the Superintendent's decision as to whether
to recommend such individual for tenure, and the Board's decision as to whether
to grant tenure to such individual, shall remain discretionary. NEW POLICY

III. Appointment of School Administrators

In the case of an administrative opening (except the Superintendent of Schools and the Assistant
Superintendents), a screening/interview committee will be formed consisting of three (3)
teachers from the school where the opening exists, two (2) School Board members, one (1)
parent from the school where the opening exists, one (1) person to be chosen by the
Superintendent, and two (2) School Administrators (normally the Superintendent and the
Assistant Superintendent for Instruction). This committee shall screen applications, conduct
interviews and recommend top candidates to the Superintendent and Board of Education. The
POLICY

PERSONNEL

RECRUITMENT, SELECTION AND APPOINTMENT OF PERSONNEL
OF INSTRUCTIONAL STAFF AND ADMINISTRATORS

final selection shall be determined by the Superintendent. All recommendation(s) for
appointment will be made by the Superintendent. These appointments will be subject to
approval by the Board of Education. There may be occasions when this procedure may be
waived and the Board may promote from within.

IV. Non-Instructional Staff

The success of the support services program is highly dependent on the quality and abilities of
those employed to carry out this mission. Recruitment and hiring of support staff is governed by
the Civil Service Law. Candidates for competitive class positions must pass a civil service
examination and appear on the eligible list provided to the school district by the Oneida County
Personnel Department.

New Hartford Central School District
Legal Ref: Sections 23, subdivision 4-a, New York State Civil Service Law
Adopted: 09/83
Revised: 01/29/92, 07/07/92, 03/21/95, 02/04/97, 06/18/02, 03/06/07, 08/14/12, _____
RECRUITMENT AND SELECTION OF COACHING STAFF

I. Statement of Policy

A. It is the Policy of the District to appoint interschool athletic coaches in conformance with Sections 135.4 and 135.5 of the Commissioner's Regulations. This includes all head coaches and assistants for varsity, junior varsity, freshman and junior high (modified) teams.

B. Interschool athletic coaches shall be appointed by the Board, upon recommendation of the Superintendent.

C. This Policy governs the appointment of all interschool athletic coaches, whether serving in a paid or unpaid (volunteer) capacity.

II. Identifying Candidates

A. Recruiting procedures shall enable the district to seek qualified candidates from a variety of sources.

B. Notices of positions not filled by contract shall be advertised in local newspapers.

C. Commissioner's Regulation 135.4 Physical Education must be followed.

III. Application

A. All candidates will complete an application. Applications will be accepted from all interested candidates.

B. Applications will be filed in the Personnel Office after processing by the Superintendent’s office.

IV. Minimum Qualifications to Be Appointed An Interschool Athletic Coach

A. To be considered for appointment by the Board as an athletic coach, an individual must:

1. Be a certified physical education teacher with valid first aid and CPR certification, as described in Section 135.5 of the Commissioner’s Regulations, or

2. Be a teacher certified in an area other than physical education who

   a. possesses coaching qualifications and experience, and
RECRUITMENT AND SELECTION OF COACHING STAFF

b. has a valid first aid and CPR certification, as described in Section 135.5 of the Commissioner’s Regulations, and

c. has completed the education program for coaches described in Section 135.4(c)(7)(i)(c)(2), or has demonstrated a plan and intention to complete such a program within the time frame described there, and

d. on a biennial basis, complete a course instruction relating to mild traumatic brain injuries.

3. Hold a professional coaching certificate issued by the Commissioner and, if that certificate was issued before August 7, 2014, complete two-hours of coursework or training in child abuse and maltreatment in compliance with Section 3036 of the Education Law, or

4. If no one holding the qualifications described in subsections 1 through 3 above is a candidate, hold a temporary coaching license issued by the Commissioner, and, if that license was issued before August 7, 2014, complete two-hours of coursework or training in child abuse and maltreatment in compliance with Section 3036 of the Education Law, or

5. Have been employed as a coach in New York State schools on or before September 1, 1974.

C. When the District is unable to obtain the services of a teacher with coaching qualifications and experience, and a person with coaching qualifications and experience satisfactory to the Superintendent is available, the Superintendent is authorized to support that person’s application for a temporary coaching license by submitting to the Commissioner the statement described in Section 135.4(c)(7)(i)(c)(3)(i) of the Commissioner’s Regulations.

D. No one shall serve as an athletic coach in the District who has not undergone fingerprinting and received clearance from the State Education Department.

V. Screening

A. Applications will be forwarded to the athletic director for screening by the interview committee.

B. Criteria will be established by the interview committee.
VI. Interviews

A. The committee for varsity coaches will be the athletic director, superintendent's designee, and building principal. The superintendent may designate a substitute for these positions.

B. The committee for varsity assistants and non-varsity recommendations will be the athletic director and the varsity coach for that sport. The superintendent may designate a substitute for these positions.

C. The committee will make a minimum of three reference checks.

D. All recommendations will be submitted to the Superintendent.

VII. Evaluation of Coaches Holding A Professional Coaching Certificate

A. Each person who serves in the District as a coach pursuant to a professional coaching certificate shall be evaluated in writing each year. The evaluation shall be performed by the athletic director or principal who has been responsible for the supervision of the coach that year.

B. Each evaluation of a person holding a professional coaching certificate shall include an assessment of the following components:

1. communication and interpersonal skills, including interactions with colleagues, students, parents, and the general public,

2. supervisory capabilities,

3. organizational capabilities,

4. leadership capabilities,

5. knowledge and proficiency in first aid, CPR, sexual abuse guidelines, and athlete injury-related protocols and procedures,

6. compliance with District requirements and guidelines for purchasing equipment, uniforms, and related supplies, and for storing and maintaining sports equipment.

VIII. Compliance and Recordkeeping
RECRUITMENT AND SELECTION OF COACHING STAFF

A. The Superintendent shall establish procedures to insure that all appointed coaches complete any necessary courses and maintain current first aid skill and knowledge.

B. Permanent records of persons who serve in the District as athletic coaches shall be maintained.

New Hartford Central School District
Legal Ref.: 8 NYCRR 80-1.4, 135.4 and 135.5; Ed Law 3036
Adopted: 3/21/00
Revised: 03/06/07, 08/14/12, _______
COMPLAINTS AND GRIEVANCES BY EMPLOYEES

I. In accordance with the provisions of General Municipal Law and the collective bargaining agreements, all District personnel shall have the opportunity to present their complaints or grievances free from interference, coercion, restraint, discrimination or reprisal. The District shall provide at least two (2) procedural and an appellate stage for the settlement of any grievance.

II. Complaints or grievances not covered under employee contracts shall be handled and resolved whenever possible, as close to their origin as possible. The Superintendent is responsible for implementing regulations for redress of complaints or grievances through proper administrative channels.
EVALUATION, RESIGNATION AND TERMINATION

I. Evaluation:

A. All personnel in the district shall be subject to a continuous program of supervision and evaluation in order to promote improved performance and to make decisions regarding the occupancy of positions.

B. The process of evaluation during the probationary period shall be intensified and adequately documented to support the administrative recommendations regarding continued employment.

C. The Superintendent shall establish procedures for evaluation of all professional and non-professional staff.

D. The supervision and evaluation of the instructional staff shall be guided by the contractual agreement and the Annual Professional Performance Review Plan adopted by the Board of Education.

II. Resignation:

Employee resignations should be submitted in writing to the Superintendent with a minimum of thirty (30) days. Resignation notices of a shorter duration may be accepted and approved when mutually agreed upon.

III. Termination:

Termination of employment will be carried out in compliance with applicable laws, regulations and negotiated agreements.
CERTIFICATION AND INCIDENTAL TEACHING

I. All employees filling positions for which certification is required shall meet certification requirements of the Commissioner of Education as implemented through the State Education Department Office of Teaching Initiatives (Teacher Education and Certification).

II. Incidental Teaching

A. The Superintendent may assign a teacher to teach a subject not covered by the teacher's certificate for a period not to exceed five classroom hours per week when, after extensive recruitment, no certified teacher is available.

B. Upon making such an assignment, the Superintendent shall promptly apply to the Commissioner of Education for approval of the assignment, in accordance with the Commissioner's regulations.
PROBATION AND TENURE (EDUCATIONAL POSITIONS)

I. Scope of Policy

This Policy applies to all appointments of professional educators to full-time service in one or more positions in which tenure may be acquired in accordance with the provisions of the Education Law. This includes administrators, teachers in the classroom service, teachers in pupil personnel services, and teaching assistants.

II. Board Appointments

A. Appointments of professional educators are made by a majority vote of the Board upon recommendation of the Superintendent. The Board shall appoint and assign a full-time professional educator so that at least 40% of the educator’s time is devoted to a designated tenure area.

B. Each resolution of the Board making a probationary appointment or an appointment on tenure to a full-time position shall set forth:

1. The name of the appointee;

2. Each tenure area in which the professional educator will devote at least 40% of their time;

3. The beginning date of the appointment,

4. The expiration date of the appointment, if probationary. The resolution must state:

   a. to receive tenure, the individual must receive composite or overall APPR ratings of effective or highly effective in at least three of four preceding years; and

   b. if the professional educator receives an ineffective composite or overall APPR rating in their final year of probation, they will not be eligible for tenure at that time;

5. The certification status of the appointee in reference to the position(s) to which appointed.

C. Tenure Areas

1. The tenure area designated in each Board resolution of appointment to a full-time teacher or teaching assistant position shall be in conformance
POLICY

PERSONNEL

PROBATION AND TENURE (EDUCATIONAL POSITIONS)

with Part 30 of the Regents’ Rules. Administrative tenure areas shall be
determined by the Board, upon recommendation from the Superintendent.

2. If, at the time of initial appointment, the Board proposes to assign an
educator to devote 40% of their time to more than one tenure area, the
Board resolution shall designate each such tenure area.

3. After initial appointment, no professional educator may be assigned to
devote 40% or more of their time to a different tenure area without their
written consent. When an educator consents to such an assignment, a
separate resolution of probationary appointment in the new area shall be
adopted by the Board.

D. Probationary Period

1. It is the policy of the Board to provide responsible administrators with the
maximum allowable time to evaluate each professional educator before a
tenure determination is made. Therefore, appointments will be made for a
full four (4) year period except where a shorter period is provided for by
law.

2. The probationary period will not exceed three (3) years for professional
educators previously appointed to tenure in this or another school district
or BOCES within the state, provided that professional educator was not
dismissed from the prior district or BOCES and met the required annual
professional performance review (APPR) rating in their final year of
service there.

3. Jarema credit may be applied towards probationary service up to two (2)
years for a regular substitute teacher.

4. If the professional educator received an APPR rating of ineffective in their
final probation year, the Board may not award tenure, but may extend that
professional educator’s probationary time by an additional year.

III. Tenure Determinations

A. Superintendent Recommendation

With respect to each professional educator serving under a probationary
appointment, the Superintendent shall provide the Board with a written
recommendation as to whether that person should be awarded an appointment
with tenure. The recommendation shall be provided in time for Board action on
the recommendation to be taken at least thirty (30) days before the end of the
probationary appointment.

B. Board Action
POLICY

NEW Draft 09/29/2017
8101

PERSONNEL

PROBATION AND TENURE (EDUCATIONAL POSITIONS)

1. Where the Superintendent recommends an appointment upon tenure, the Board may accept that recommendation and make such an appointment by majority vote.

2. Where the Superintendent recommends an appointment upon tenure, the Board may nevertheless vote to deny tenure, which shall be considered a tentative action by the Board and shall be reconsidered at a second Board meeting, and the educator shall be provided at least thirty (30) days notice of the Board’s intent to deny tenure and the date set for final action.

3. Where the Superintendent recommends against an award of tenure, the Board shall adopt a resolution removing the individual from service with the District.

4. Where a professional educator has been appointed to devote 40% of their time to more than one tenure area, tenure shall be separately conferred or denied in each area.

New Hartford Central School District
Legal Ref: Sections 3012, 3014 and 2509, New York State Education Law; 8 N.Y.C.R.R. 30; Education Transformation Act 2015
Adopted: _______
I. All new teachers in the New Hartford Central School District holding an initial certificate must complete a mentored teaching experience within their first year of employment as a teacher. The District must incorporate the design and planning of such mentored experiences for all first year teachers in its employer into the District Professional Development Plans.

II. The purpose of the mentoring program is to provide support for new teachers in order to ease the transition from teacher preparation to practice, thereby increasing the retention of teachers, and to increase the skills of new teachers in order to improve student achievement in accordance with the New York State learning standards. The Professional Development Plan shall describe how the District will provide a mentoring program for teachers who must participate in a mentoring program to meet teaching experience requirement for the professional certificate as prescribed by Commissioner’s Regulations.

III. The mentoring program shall be developed and implemented consistent with any collective bargaining obligation required by Article 14 of the Civil Service Law (i.e., the Taylor Law); however, Commissioner’s Regulation does not impose a collective bargaining obligation that is not required by Taylor Law.

In accordance with Commissioner’s Regulations, the Professional Development Plan shall describe the following elements of the mentoring program:

A. The procedure for selecting mentors, which shall be published and made available to staff of the District and, upon request, to members of the public;

B. The role of mentors, which shall include but not limited to providing guidance and support to the new teacher;

C. The preparation of mentors, which may include but shall not be limited to the study of the theory of adult learning, the theory of teacher development, the elements of the mentoring relationship, peer coaching techniques, and time management methodology;

D. Types of mentoring activities, which may include but shall not be limited to modeling instruction for the new teacher, observing instructional planning with the new teacher, peer coaching, team teaching, and orienting the new teacher to the school culture; and

E. Time allotted for mentoring, which may include but shall not be limited to scheduling common planning sessions; releasing the mentor and the new teacher from a portion of their instructional and/or non-instructional duties; and providing time for mentoring during Superintendent conference days, before and after the school day, and during summer orientation sessions.
IV. Confidentiality of Mentor – New Teacher Interaction

The information obtained by a mentor through interaction with the new teacher while engaged in the mentoring activities of the program shall not be used for evaluating or disciplining the new teacher unless:

A. Withholding such information poses a danger to the life, health, or safety of an individual including, but not limited to, students and staff of the school; or

B. Such information indicates that the new teacher has been convicted of a crime, or has committed an act which raises a reasonable question as to the new teacher’s moral character or

C. The District has entered into an agreement, negotiated pursuant to Article 14 of the Civil Service Law whose terms are in effect, that provides that the information obtained by the mentor through interaction with the new teacher while engaged in the mentoring activities of the program may be used for evaluating or disciplining the new teacher.

V. Exemptions to above Mentoring Requirements

Pursuant to Commissioner’s Regulations, teachers holding initial certificates who have two (2) or more prior years of teaching experience do not need to be provided a mentored experience as enumerated in this policy.

VI. Recordkeeping Requirements

The District shall maintain documentation of the implementation of the mentoring program described in the Professional Development Plan for at least seven (7) years from the date of completion of the mentoring activity; and it shall be available for review by the State Education Department. Such documentation will include the information enumerated in Commissioner’s Regulations.
LEAVES OF ABSENCE FOR SERIOUS HEALTH CONDITIONS OR FAMILY CARE

I. Statement of Policy

A. It is the policy of the District to allow an employee to be absent from his/her duties for the reasons stated in the Family and Medical Leave Act (“FMLA”), as amended. This includes absence for the following purposes:

1. The employee’s own serious health condition that renders the employee unable to work at all, or unable to perform at least one of the essential functions of the employee’s job;

2. To care for a son, daughter, spouse, or parent with a serious health condition;

3. To adopt a child, or to receive a child into foster care;

4. To care for the employee’s newborn child;

5. To care for a son, daughter, spouse, parent, or next of kin who is a member of the armed services and who has a serious injury or illness incurred in the line of duty; or,

6. To respond to certain qualifying exigencies when a family member is on active duty or is called to active duty with the armed services.

B. An employee absent for a purpose within the scope of this Policy and compliant with obligations under this Policy will be reinstated to their same or an equivalent position at the end of the absence, provided the employee continues to meet the qualifications for the position and the employee’s employment would not have been terminated or altered had the employee not been absent.

C. This Policy and any administrative regulations or procedures approved by the Superintendent shall be implemented so as to comply with the FMLA and any applicable provisions of the District’s collective bargaining agreements.

II. Employee Eligibility

A. Length of Service

To be eligible for an allowed absence under this Policy, an employee must have been employed by the District for a minimum of twelve (12) months (52 weeks). Nonconsecutive periods of employment will be counted together to determine eligibility, provided no break in employment exceeds seven (7) years. Time spent fulfilling a
POLICY

LEAVES OF ABSENCE FOR SERIOUS HEALTH CONDITIONS OR FAMILY CARE

Reserve or National Guard obligation after initial employment with the District will be considered as time employed by the District.

B. Hours Worked

To be eligible for an allowed absence under this Policy, an employee must have worked a minimum of 1,250 hours for the District over the previous 12 months. Satisfaction of this requirement shall be calculated using the definition of “hours worked” under the Fair Labor Standards Act (“FLSA”). An employee who is away from work to fulfill a Reserve or National Guard obligation will be credited with “hours worked” as though the employee had performed their normal duties for the District during that time.

C. Serious Health Condition

An employee qualifies for an allowed absence under this Policy when the employee experiences an illness, injury, impairment, or physical or mental condition that involves inpatient care or continuing treatment by a health care provider; and when the employee’s presence is necessary to care for a parent, son, daughter, or spouse who experiences such a condition.

D. Care of a Newborn Infant

An employee who is the mother or father of a newborn infant qualifies for an allowed absence to care for the newborn during the 12 months following the birth.

E. Adoption or Foster Care

An employee who has a son or daughter placed with them for adoption or foster care qualifies for an allowed absence during the 12 months following the placement, as well as prior to the placement for purposes related to the placement (e.g., court appearances, counseling sessions).

F. Military Caregiver

An employee who is the son, daughter, spouse, parent, or next of kin of a current member of the Regular Armed Forces, the National Guard, or the Reserves, or of a veteran, qualifies for an allowed absence under this Policy if the military member is on the temporary disability retired list because of a serious injury or illness incurred in the line of duty for which they are undergoing medical treatment, recuperation, or therapy; is otherwise in outpatient status; or is otherwise on the temporary disability retirement list. In the case of a veteran, leave is available if the injury or illness manifested itself within five years of the treatment, recuperation, or therapy.
LEAVES OF ABSENCE FOR SERIOUS HEALTH CONDITIONS OR FAMILY CARE

G. Active Duty Qualifying Exigency

If the spouse, son, daughter, or parent of an employee is a member of the National Guard or Reserves, and is on active military duty, or is called to active duty, then the employee is allowed to be absent for one or more of these qualifying exigencies:

1. Short-notice deployment,
2. Military events and ceremonies, including family assistance or support meetings,
3. Childcare and school activities,
4. To make financial and legal arrangements related to the deployment,
5. Counseling services for the employee, covered military member, or a child in the required degree of relationship to the covered military member,
6. Rest and recuperation,
7. Post-deployment activities, and
8. Additional activities that arise out of the covered military member’s active duty or call to active duty, provided the District and the employee agree that the activities qualify as an exigency.

If the spouse, son, daughter, or parent of an employee is a member of the Regular Armed Forces and is deployed to a foreign country, then the employee is allowed to be absent for one or more of the above contingencies.

III. Duration of Excused Absence

A. An employee who qualifies for leave under any combination of purposes 1, 2, 3, 4, and 6 in Section I.A. of this Policy is allowed an absence of up to twelve (12) weeks. The twelve (12) month period shall be established as a "rolling" period of twelve (12) months starting from the date the employee takes the leave. Under this "rolling" twelve (12) month period, each time an employee takes FMLA leave the remaining leave balance entitlement would be the balance of the twelve (12) weeks which had not been used during the immediately preceding twelve (12) months (e.g., if an employee takes four (4) weeks beginning on February 1, 1995, four weeks (4) beginning June 1, 1995 and four (4) weeks beginning December 1, 1995 the employee would not be entitled to any additional leave until February 1, 1996. On February 1, the employee would be entitled to four (4) weeks of leave, and on June 1 an additional four (4) weeks, etc.)
LEAVES OF ABSENCE FOR SERIOUS HEALTH CONDITIONS OR FAMILY CARE

1. Where both the mother and the father of a newborn, adopted, or foster placed child are employees of the District, the total absence allowed under this Policy to the two parents for purposes 3 and 4 in section I.A. of this Policy shall be 12 weeks.

B. An employee who qualifies for leave to care for an injured or ill service member (purpose 5 in Section I.A.) is allowed a single absence of up to 26 weeks in a single 12 month time period. The single 12 month time period used for this purpose begins when the employee is first absent for this purpose.

1. During the 12 month time period used for this purpose, the employee’s total absence for all FMLA purposes may not exceed 26 weeks.

2. If the employee requests leave to care for more than one injured or ill service member, or requests leave due to more than one injury or illness of the same service member, the absence allowed by this Policy shall be calculated in accordance with the limitations and allowances of applicable federal regulations.

IV. Intermittent or Reduced Schedule Absence

A. Intermittent absences, or a reduced schedule, will be classified as an allowable leave under this Policy where it is certified as medically necessary because of the serious health condition of the employee, a covered family member of the employee, or a covered service member to whom the employee has the required relationship.

1. Intermittent leave shall be taken and recorded in increments of time consistent with the practice for other absences.

B. An employee will also be allowed intermittent absences related to a qualifying exigency arising from the active duty, or call to active duty, of a qualified military member.

C. An employee will not generally be allowed intermittent absences related to the birth, adoption, or foster placement of a child, but such absence may be allowed at the discretion of the Superintendent.

V. Information Provided by District to Employees

A. A notice explaining the FMLA, and providing other required information, shall be posted physically in District buildings in a manner that complies with federal regulations. A copy of this general notice shall also be provided to each new employee.
POLICY

PERSONNEL

LEAVES OF ABSENCE FOR SERIOUS HEALTH CONDITIONS OR FAMILY CARE

B. When an employee requests a leave of absence, or the District acquires knowledge that an employee’s absence may be for a purpose covered by this Policy and FMLA, the District shall, within five (5) business days, provide the employee with written notice of:

1. Whether the District considers the employee eligible for leave under FMLA and this Policy, and, if not, the reason; and

2. The employee’s rights and obligations, and the consequences of not fulfilling those obligations.

C. The District shall notify the employee in writing that the employee’s absence is designated as allowable leave under this Policy and FMLA, or it is not. This notice shall be given within five (5) business days of the District having sufficient information to make this determination.

1. The District’s requirement that the employee present a fitness-for-duty certification shall be explained in the determination notice, if applicable.

D. The District shall responsively answer questions from employees regarding their rights and responsibilities under FMLA and this Policy.

VI. Information Provided by Employees to District

A. Where the reason for an employee’s absence is foreseeable, the employee is required by this Policy and FMLA to give 30 days notice of the intended absence and the reason for it. Where 30 days notice is not possible, the employee must give as much notice as is practicable. This will apply to many cases of planned medical procedures (for the employee or a family member), adoptions and foster placements, and births.

1. An employee should provide this notice to their immediate supervisor.

2. Employees must consult with the District when planning medical treatment, and make a reasonable effort to schedule the treatment so as not to disrupt District operations.

B. Where the need for an employee’s absence is not foreseeable, the employee must provide the District with as much notice as is practicable under the circumstances. The employee should provide enough information to establish that the purpose of the absence fits the requirements of this Policy and FMLA, and the expected duration of the absence.

C. Employees shall responsively answer District questions intended to clarify whether an absence qualifies as an allowable absence, and to allow planning for the employee’s absence.
LEAVES OF ABSENCE FOR SERIOUS HEALTH CONDITIONS OR FAMILY CARE

VII. Coordination with Paid Leave

The general rule is that an employee is not paid for time spent away from work for one of the purposes covered by this Policy. However, if the employee has accrued paid benefit time, the employee may elect to apply that accrued time to the allowable absence, so that the employee is paid during the absence and the balance of accrued time is reduced accordingly. The amount of benefit time, and the category of benefit time used, is determined by the terms and conditions of applicable Board policies, established District practices, and applicable collective bargaining agreements. An employee electing this option shall so indicate in the employee’s notice to the District of the need for leave.

VIII. Continuation of Health Care Insurance

A. During any absence that qualifies for treatment under this Policy and FMLA, the District shall maintain the employee’s coverage under a group health insurance plan on the same conditions as coverage was provided prior to the absence. In addition,

1. Any changes made to the scope or terms of coverage provided to active employees under the group health plan will be made available to an employee absent from work in accordance with this Policy, and

2. Notice of any opportunity to change plans or benefit levels that occurs while the employee is absent will be given to the employee.

3. The District’s continuation of group health plan benefits will end if circumstances occur that end, or would have ended, the employment relationship with the absent employee.

B. During an allowable absence under this Policy and FMLA, an employee’s obligation to pay group health insurance premiums continues. Notice of this obligation will be given at the time that the absence is designated as coming under this Policy.

1. If paid leave is applied to an allowable absence, employee premium obligations shall be deducted from payroll in the usual manner.

2. If the allowable absence is unpaid, the employee is required to make payment to the District at the time that a payroll deduction would otherwise have been processed by the District.

a. If the employee’s payment is more than 30 days late, the Superintendent shall decide whether the District will exercise its right under FMLA to discontinue the employee’s coverage.
LEAVES OF ABSENCE FOR SERIOUS HEALTH CONDITIONS OR FAMILY CARE

b. If an employee fails to make a payment, the Superintendent shall decide whether the District will exercise its right under FMLA to recover the amount from the employee.

IX. Required Certifications

A. An employee’s request that an absence for medical reasons be treated as an allowable absence under this Policy shall be supported by a medical certification sufficient to allow the District to determine that the absence is related to a serious health condition of the employee, a family member, or a qualifying member of the armed services. Unless an alternate form is promulgated by the Superintendent, the certification shall be provided to the Superintendent within fifteen (15) calendar days from receipt of notice on the form included in the FMLA regulations of the U.S. Department of Labor.

1. If the District finds a submitted certification to not be complete and sufficient, it will notify the employee in writing what additional information is required and provide at least seven (7) calendar days for the employee to provide additional information.

2. The District may invite the employee to authorize direct communication with the employee’s health care provider, but may not require such authorization as a precondition of determining whether the absence qualifies as FMLA leave.

3. Recertifications will be requested as permitted by FMLA and applicable regulations.

B. The first time an employee requests that an absence be classified as allowable because of a qualifying exigency arising out of active duty (or call to active duty) of a covered military member, the employee shall provide a copy of the covered military member’s active duty orders or other documentation issued by the military sufficient to allow the District to determine that the absence qualifies for treatment under this Policy.

C. At the discretion of the Superintendent, the District shall require an employee absent pursuant to this Policy and FMLA to periodically report on the employee’s status and intent to return to work.

D. An employee whose allowable absence was related to the employee’s own serious health condition shall be required to submit a fitness-for-duty certification, addressing only the conditions described in previously submitted medical certifications, before returning to work.
LEAVES OF ABSENCE FOR SERIOUS HEALTH CONDITIONS OR FAMILY CARE

X. Superintendent Responsibility

The Superintendent shall insure that required notices are properly posted in District buildings, that required information is distributed to staff members, and that supervisory personnel are familiar with the District’s obligations under FMLA and the internal procedures for meeting those obligations.

New Hartford Central School District
Adopted: 03/21/95
Revised: 07/11/06, 08/14/12, _____
REQUEST FOR FAMILY/MEDICAL LEAVE

Employee Name: ___________________________  Date of Request: ___________________

Department: ____________________________  Position Title: _______________________

Hire Date: _______________________________

I request a Family/Medical Leave for the following reason (check one):

_____1. The employee’s own serious health condition that renders the employee unable to work at all, or unable to perform at least one of the essential functions of the employee’s job;

_____2. To care for a son, daughter, spouse, or parent with a serious health condition;

_____3. To adopt a child, or to receive a child into foster care;

_____4. To care for the employee’s newborn child;

_____5. To care for a son, daughter, spouse, parent, or next of kin who is a member of the armed services and who has a serious injury or illness incurred in the line of duty; or,

_____6. To respond to certain qualifying exigencies when a family member is on active duty or is called to active duty with the armed services.

Method of Leave Requested

_____ 1. Consecutive Leave

_____ 2. Intermittent or Reduced Leave Schedule (Specify Schedule Below)

________________________________________________________________________

________________________________________________________________________

________________________________________________________________________

Date leave is to begin: ________________ Expected duration of leave: ________________

New Hartford Central School District
Superintendent Approved: 08/14/12, _____
In general, to be eligible an employee must have worked for an employer for at least 12 months, meet the hours of service requirement in the 12 months preceding the leave, and work at a site with at least 50 employees within 75 miles. While use of this form by employers is optional, a fully completed Form WH-381 provides employees with the information required by 29 C.F.R. § 825.300(b), which must be provided within five business days of the employee notifying the employer of the need for FMLA leave. Part B provides employees with information regarding their rights and responsibilities for taking FMLA leave, as required by 29 C.F.R. § 825.300(b), (c).

[Part A – NOTICE OF ELIGIBILITY]

TO: ____________________________
   Employee

FROM: __________________________
   Employer Representative

DATE: __________________________

On ___________________________, you informed us that you needed leave beginning on ___________________________ for:

___ The birth of a child, or placement of a child with you for adoption or foster care;

___ Your own serious health condition;

___ Because you are needed to care for your ___ spouse; ___ child; ___ parent due to his/her serious health condition.

___ Because of a qualifying exigency arising out of the fact that your ___ spouse; ___ son or daughter; ___ parent is on covered active duty or call to covered active duty status with the Armed Forces.

___ Because you are the ___ spouse; ___ son or daughter; ___ parent; ___ next of kin of a covered service member with a serious injury or illness.

This Notice is to inform you that you:

___ Are eligible for FMLA leave (See Part B below for Rights and Responsibilities)

___ Are not eligible for FMLA leave, because (only one reason need be checked, although you may not be eligible for other reasons):

   ___ You have not met the FMLA’s 12-month length of service requirement. As of the first date of requested leave, you will have worked approximately ___ months towards this requirement.

   ___ You have not met the FMLA’s hours of service requirement.

   ___ You do not work and/or report to a site with 50 or more employees within 75-miles.

If you have any questions, contact ___________________________ or view the FMLA poster located in ___________________________.

[PART B-RIGHTS AND RESPONSIBILITIES FOR TAKING FMLA LEAVE]

As explained in Part A, you meet the eligibility requirements for taking FMLA leave and still have FMLA leave available in the applicable 12-month period. However, in order for us to determine whether your absence qualifies as FMLA leave, you must return the following information to us by ___________________________. (If a certification is requested, employers must allow at least 15 calendar days from receipt of this notice; additional time may be required in some circumstances.) If sufficient information is not provided in a timely manner, your leave may be denied.

___ Sufficient certification to support your request for FMLA leave. A certification form that sets forth the information necessary to support your request ___ is/are not enclosed.

___ Sufficient documentation to establish the required relationship between you and your family member.

___ Other information needed (such as documentation for military family leave):

________________________________________

________________________________________

No additional information requested

CONTINUED ON NEXT PAGE
If your leave does qualify as FMLA leave you will have the following responsibilities while on FMLA leave (only the checked blanks apply):

- Contact _________________________________ at _________________________________ to make arrangements to continue to make your share of the premium payments on your health insurance to maintain health benefits while you are on leave. You have a minimum 30-day (or, if applicable) grace period in which to make premium payments. If payment is not made timely, your group health insurance may be cancelled, provided we notify you in writing at least 15 days before the date that your health coverage will lapse, or, at our option, we may pay your share of the premiums during FMLA leave, and recover these payments from you upon your return to work.

- You will be required to use your available paid ______ sick, ______ vacation, and/or ______ other leave during your FMLA absence. This means that you will receive your paid leave and the leave will also be considered protected FMLA leave and counted against your FMLA leave entitlement.

- Due to your status within the company, you are considered a "key employee" as defined in the FMLA. As a "key employee," restoration to employment may be denied following FMLA leave on the grounds that such restoration will cause substantial and grievous economic injury to us. We ______ have/____ have not determined that restoring you to employment at the conclusion of FMLA leave will cause substantial and grievous economic harm to us.

- While on leave you will be required to furnish us with periodic reports of your status and intent to return to work every __________________________. (Indicate interval of periodic reports, as appropriate for the particular leave situation.)

If the circumstances of your leave change, and you are able to return to work earlier than the date indicated on the this form, you will be required to notify us at least two workdays prior to the date you intend to report for work.

If your leave does qualify as FMLA leave you will have the following rights while on FMLA leave:

- You have a right under the FMLA for up to 12 weeks of unpaid leave in a 12-month period calculated as:
  - the calendar year (January – December).
  - a fixed leave year based on ____________________________
  - the 12-month period measured forward from the date of your first FMLA leave usage.
  - a "rolling" 12-month period measured backward from the date of any FMLA leave usage.

- You have a right under the FMLA for up to 26 weeks of unpaid leave in a single 12-month period to care for a covered servicemember with a serious injury or illness. This single 12-month period commenced on ____________________________

- Your health benefits must be maintained during any period of unpaid leave under the same conditions as if you continued to work.
- You must be reinstated to the same or an equivalent job with the same pay, benefits, and terms and conditions of employment on your return from FMLA-protected leave. (If your leave extends beyond the end of your FMLA entitlement, you do not have return rights under FMLA.)
- If you do not return to work following FMLA leave for a reason other than: 1) the continuation, recurrence, or onset of a serious health condition which would entitle you to FMLA leave; 2) the continuation, recurrence, or onset of a covered servicemember’s serious injury or illness which would entitle you to FMLA leave; or 3) other circumstances beyond your control, you may be required to reimburse us for our share of health insurance premiums paid on your behalf during your FMLA leave.
- If we have not informed you above that you must use accrued paid leave while taking your unpaid FMLA leave entitlement, you have the right to have ______ sick, ______ vacation, and/or ______ other leave run concurrently with your unpaid leave entitlement, provided you meet any applicable requirements of the leave policy. Applicable conditions related to the substitution of paid leave are referenced or set forth below. If you do not meet the requirements for taking paid leave, you remain entitled to take unpaid FMLA leave.
- For a copy of conditions applicable to sick/vacation/other leave usage please refer to ____________________________ available at ____________________________.
- Applicable conditions for use of paid leave:
  __________________________
  __________________________
  __________________________
  __________________________

Once we obtain the information from you as specified above, we will inform you, within 5 business days, whether your leave will be designated as FMLA leave and count towards your FMLA leave entitlement. If you have any questions, please do not hesitate to contact:

__________________________

PAPERWORK REDUCTION ACT NOTICE AND PUBLIC BURDEN STATEMENT

It is mandatory for employers to provide employees with notice of their eligibility for FMLA protection and their rights and responsibilities. 29 U.S.C. § 2617, 29 C.F.R. §825.300(b), (c). It is mandatory for employers to retain a copy of this disclosure on their records for three years. 29 U.S.C. § 2616, 29 C.F.R. § 825.500.

Persons are not required to respond to this collection of information unless it displays a currently valid OMB control number. The Department of Labor estimates that it will take an average of 10 minutes for respondents to complete this collection of information, including the time for reviewing instructions, searching existing data sources, gathering and maintaining the data needed, and completing and reviewing the collection of information. If you have any comments regarding this burden estimate or any other aspect of this collection information, including suggestions for reducing this burden, send them to the Administrator, Wage and Hour Division, U.S. Department of Labor, Room S-3502, 200 Constitution Ave., NW, Washington, DC 20210. DO NOT SEND THE COMPLETED FORM TO THE WAGE AND HOUR DIVISION.
SECTION I: For Completion by the EMPLOYER
INSTRUCTIONS to the EMPLOYER: The Family and Medical Leave Act (FMLA) provides that an employer may require an employee seeking FMLA protections because of a need for leave due to a serious health condition to submit a medical certification issued by the employee's health care provider. Please complete Section I before giving this form to your employee. Your response is voluntary. While you are not required to use this form, you may not ask the employee to provide more information than allowed under the FMLA regulations, 29 C.F.R. §§ 825.306-825.308. Employers must generally maintain records and documents relating to medical certifications, recertifications, or medical histories of employees created for FMLA purposes as confidential medical records in separate files/records from the usual personnel files and in accordance with 29 C.F.R. § 1630.14(c)(1), if the Americans with Disabilities Act applies, and in accordance with 29 C.F.R. § 1635.9, if the Genetic Information Nondiscrimination Act applies.

Employer name and contact:

Employee’s job title: ___________________________ Regular work schedule: ___________________________

Employee’s essential job functions:

Check if job description is attached: _____

SECTION II: For Completion by the EMPLOYEE
INSTRUCTIONS to the EMPLOYEE: Please complete Section II before giving this form to your medical provider. The FMLA permits an employer to require that you submit a timely, complete, and sufficient medical certification to support a request for FMLA leave due to your own serious health condition. If requested by your employer, your response is required to obtain or retain the benefit of FMLA protections. 29 U.S.C. §§ 2613, 2614(c)(3). Failure to provide a complete and sufficient medical certification may result in a denial of your FMLA request. 29 C.F.R. § 825.313. Your employer must give you at least 15 calendar days to return this form. 29 C.F.R. § 825.305(b).

Your name: ____________________________________________

FirstMiddle Last

SECTION III: For Completion by the HEALTH CARE PROVIDER
INSTRUCTIONS to the HEALTH CARE PROVIDER: Your patient has requested leave under the FMLA. Answer, fully and completely, all applicable parts. Several questions seek a response as to the frequency or duration of a condition, treatment, etc. Your answer should be your best estimate based upon your medical knowledge, experience, and examination of the patient. Be as specific as you can; terms such as “lifetime,” “unknown,” or “indeterminate” may not be sufficient to determine FMLA coverage. Limit your responses to the condition for which the employee is seeking leave. Do not provide information about genetic tests, as defined in 29 C.F.R. § 1635.3(f), genetic services, as defined in 29 C.F.R. § 1635.3(e), or the manifestation of disease or disorder in the employee’s family members, 29 C.F.R. § 1635.3(b). Please be sure to sign the form on the last page.

Provider’s name and business address: ________________________________

Type of practice / Medical specialty: ________________________________

Telephone: (_________) Fax: (_________)
PART A: MEDICAL FACTS
1. Approximate date condition commenced: ________________________________

Probable duration of condition: _______________________________________

**Mark below as applicable:**
Was the patient admitted for an overnight stay in a hospital, hospice, or residential medical care facility?
__No  __Yes. If so, dates of admission:

_________________________

Date(s) you treated the patient for condition:

_________________________

Will the patient need to have treatment visits at least twice per year due to the condition? __No  __Yes.

Was medication, other than over-the-counter medication, prescribed? __No  __Yes.

Was the patient referred to other health care provider(s) for evaluation or treatment (e.g., physical therapist)?
__No  __Yes. If so, state the nature of such treatments and expected duration of treatment:

_________________________

2. Is the medical condition pregnancy? __No  __Yes. If so, expected delivery date: ________________________

3. Use the information provided by the employer in Section I to answer this question. If the employer fails to
provide a list of the employee’s essential functions or a job description, answer these questions based upon
the employee’s own description of his/her job functions.

Is the employee unable to perform any of his/her job functions due to the condition: __No  __Yes.

If so, identify the job functions the employee is unable to perform:

_________________________

4. Describe other relevant medical facts, if any, related to the condition for which the employee seeks leave
(such medical facts may include symptoms, diagnosis, or any regimen of continuing treatment such as the use
of specialized equipment):

_________________________

_________________________

_________________________

_________________________

_________________________
PART B: AMOUNT OF LEAVE NEEDED

5. Will the employee be incapacitated for a single continuous period of time due to his/her medical condition, including any time for treatment and recovery? ___No ___Yes.

If so, estimate the beginning and ending dates for the period of incapacity: __________________________

6. Will the employee need to attend follow-up treatment appointments or work part-time or on a reduced schedule because of the employee’s medical condition? ___No ___Yes.

If so, are the treatments or the reduced number of hours of work medically necessary? ___No ___Yes.

Estimate treatment schedule, if any, including the dates of any scheduled appointments and the time required for each appointment, including any recovery period:

________________________

Estimate the part-time or reduced work schedule the employee needs, if any:

________ hour(s) per day: ________ days per week from ___________ through ___________

7. Will the condition cause episodic flare-ups periodically preventing the employee from performing his/her job functions? ___No ___Yes.

Is it medically necessary for the employee to be absent from work during the flare-ups? ___No ___Yes. If so, explain:

________________________

Based upon the patient’s medical history and your knowledge of the medical condition, estimate the frequency of flare-ups and the duration of related incapacity that the patient may have over the next 6 months (e.g., 1 episode every 3 months lasting 1-2 days):

Frequency: _____ times per ____ week(s) _____ month(s)

Duration: _____ hours or ____ day(s) per episode

ADDITIONAL INFORMATION: IDENTIFY QUESTION NUMBER WITH YOUR ADDITIONAL ANSWER.
PAPERWORK REDUCTION ACT NOTICE AND PUBLIC BURDEN STATEMENT
If submitted, it is mandatory for employers to retain a copy of this disclosure in their records for three years. 29 U.S.C. § 2616; 29 C.F.R. § 825.500. Persons are not required to respond to this collection of information unless it displays a currently valid OMB control number. The Department of Labor estimates that it will take an average of 20 minutes for respondents to complete this collection of information, including the time for reviewing instructions, searching existing data sources, gathering and maintaining the data needed, and completing and reviewing the collection of information. If you have any comments regarding this burden estimate or any other aspect of this collection information, including suggestions for reducing this burden, send them to the Administrator, Wage and Hour Division, U.S. Department of Labor, Room S-3502, 200 Constitution Ave., NW, Washington, DC 20210. DO NOT SEND COMPLETED FORM TO THE DEPARTMENT OF LABOR; RETURN TO THE PATIENT.
SECTION I: For Completion by the EMPLOYER

INSTRUCTIONS to the EMPLOYER: The Family and Medical Leave Act (FMLA) provides that an employer may require an employee seeking FMLA leave due to a qualifying exigency to submit a certification. Please complete Section I before giving this form to your employee. Your response is voluntary, and while you are not required to use this form, you may not ask the employee to provide more information than allowed under the FMLA regulations, 29 CFR 825.309.

Employer name: ____________________________

Contact Information: ____________________________

SECTION II: For Completion by the EMPLOYEE

INSTRUCTIONS to the EMPLOYEE: Please complete Section II fully and completely. The FMLA permits an employer to require that you submit a timely, complete, and sufficient certification to support a request for FMLA leave due to a qualifying exigency. Several questions in this section seek a response as to the frequency or duration of the qualifying exigency. Be as specific as you can; terms such as “unknown,” or “indeterminate” may not be sufficient to determine FMLA coverage. Your response is required to obtain a benefit. 29 CFR 825.310. While you are not required to provide this information, failure to do so may result in a denial of your request for FMLA leave. Your employer must give you at least 15 calendar days to return this form to your employer.

Your Name: ____________________________
First ____________ Middle ____________ Last ____________

Name of military member on covered active duty or call to covered active duty status: ____________

First ____________ Middle ____________ Last ____________

Relationship of military member to you: ____________________________

Period of military member’s covered active duty: ____________________________

A complete and sufficient certification to support a request for FMLA leave due to a qualifying exigency includes written documentation confirming a military member’s covered active duty or call to covered active duty status. Please check one of the following and attach the indicated document to support that the military member is on covered active duty or call to covered active duty status.

A copy of the military member’s covered active duty orders is attached.

Other documentation from the military certifying that the military member is on covered active duty (or has been notified of an impending call to covered active duty) is attached.

I have previously provided my employer with sufficient written documentation confirming the military member’s covered active duty or call to covered active duty status.
PART A: QUALIFYING REASON FOR LEAVE

1. Describe the reason you are requesting FMLA leave due to a qualifying exigency (including the specific reason you are requesting leave):

_________________________________________________________________________

_________________________________________________________________________

_________________________________________________________________________

2. A complete and sufficient certification to support a request for FMLA leave due to a qualifying exigency includes any available written documentation which supports the need for leave; such documentation may include a copy of a meeting announcement for informational briefings sponsored by the military; a document confirming the military member’s Rest and Recuperation leave; a document confirming an appointment with a third party, such as a counselor or school official, or staff at a care facility; or a copy of a bill for services for the handling of legal or financial affairs. Available written documentation supporting this request for leave is attached.

Yes □  No □  None Available □

PART B: AMOUNT OF LEAVE NEEDED

1. Approximate date exigency commenced:__________________________________________

Probable duration of exigency:_____________________________________

2. Will you need to be absent from work for a single continuous period of time due to the qualifying exigency?  
Yes □  No □

If so, estimate the beginning and ending dates for the period of absence:

_________________________________________________________________________

3. Will you need to be absent from work periodically to address this qualifying exigency?  Yes □  No □

Estimate schedule of leave, including the dates of any scheduled meetings or appointments:

_________________________________________________________________________

_________________________________________________________________________

Estimate the frequency and duration of each appointment, meeting, or leave event, including any travel time (i.e., 1 deployment-related meeting every month lasting 4 hours):

Frequency: ______ times per ______ week(s) ______ month(s)

Duration: ______ hours ______ day(s) per event.
PART C:

If leave is requested to meet with a third party (such as to arrange for childcare or parental care, to attend counseling, to attend meetings with school, childcare or parental care providers, to make financial or legal arrangements, to act as the military member’s representative before a federal, state, or local agency for purposes of obtaining, arranging or appealing military service benefits, or to attend any event sponsored by the military or military service organizations), a complete and sufficient certification includes the name, address, and appropriate contact information of the individual or entity with whom you are meeting (i.e., either the telephone or fax number or email address of the individual or entity). This information may be used by your employer to verify that the information contained on this form is accurate.

Name of Individual: ____________________________________________________________________________

Organization: ________________________________________________________________________________

Address: _____________________________________________________________________________________

Telephone: (_______) __________________________ Fax: (_______) __________________________

Email: _______________________________________________________________________________________

Describe nature of meeting:

___________________________________________________________________________________________

___________________________________________________________________________________________

___________________________________________________________________________________________

PART D:

I certify that the information I provided above is true and correct.

Signature of Employee ________________________________________________________________________ Date ____________

PAPERWORK REDUCTION ACT NOTICE AND PUBLIC BURDEN STATEMENT

If submitted, it is mandatory for employers to retain a copy of this disclosure in their records for three years. 29 U.S.C. 2616; 29 CFR 825.500. Persons are not required to respond to this collection of information unless it displays a currently valid OMB control number. The Department of Labor estimates that it will take an average of 20 minutes for respondents to complete this collection of information, including the time for reviewing instructions, searching existing data sources, gathering and maintaining the data needed, and completing and reviewing the collection of information. If you have any comments regarding this burden estimate or any other aspect of this collection information, including suggestions for reducing this burden, send them to the Administrator, Wage and Hour Division, U.S. Department of Labor, Room S-3502, 200 Constitution AV, NW, Washington, DC 20210. DO NOT SEND THE COMPLETED FORM TO THE WAGE AND HOUR DIVISION; RETURN IT TO THE EMPLOYER.
Certification of Health Care Provider for Family Member’s Serious Health Condition (Family and Medical Leave Act)

SECTION I: For Completion by the EMPLOYER

INSTRUCTIONS to the EMPLOYER: The Family and Medical Leave Act (FMLA) provides that an employer may require an employee seeking FMLA protections because of a need for leave to care for a covered family member with a serious health condition to submit a medical certification issued by the health care provider of the covered family member. Please complete Section I before giving this form to your employee. Your response is voluntary. While you are not required to use this form, you may not ask the employee to provide more information than allowed under the FMLA regulations, 29 C.F.R. §§ 825.306-825.308. Employers must generally maintain records and documents relating to medical certifications, recertifications, or medical histories of employees’ family members, created for FMLA purposes as confidential medical records in separate files/records from the usual personnel files and in accordance with 29 C.F.R. § 1630.14(c)(1), if the Americans with Disabilities Act applies, and in accordance with 29 C.F.R. § 1635.9, if the Genetic Information Nondiscrimination Act applies.

Employer name and contact: ________________________________

SECTION II: For Completion by the EMPLOYEE

INSTRUCTIONS to the EMPLOYEE: Please complete Section II before giving this form to your family member or his/her medical provider. The FMLA permits an employer to require that you submit a timely, complete, and sufficient medical certification to support a request for FMLA leave to care for a covered family member with a serious health condition. If requested by your employer, your response is required to obtain or retain the benefit of FMLA protections. 29 U.S.C. §§ 2613, 2614(c)(3). Failure to provide a complete and sufficient medical certification may result in a denial of your FMLA request. 29 C.F.R. § 825.313. Your employer must give you at least 15 calendar days to return this form to your employer. 29 C.F.R. § 825.305.

Your name: ________________________________

First
Middle
Last

Name of family member for whom you will provide care: ________________________________

First
Middle
Last

Relationship of family member to you: ________________________________

If family member is your son or daughter, date of birth: ________________________________

Describe care you will provide to your family member and estimate leave needed to provide care:

__________________________________________________________

__________________________________________________________

__________________________________________________________

__________________________________________________________

__________________________________________________________

Employee Signature: ________________________________

Date: ________________________________
SECTION III: For Completion by the HEALTH CARE PROVIDER

INSTRUCTIONS to the HEALTH CARE PROVIDER: The employee listed above has requested leave under the FMLA to care for your patient. Answer, fully and completely, all applicable parts below. Several questions seek a response as to the frequency or duration of a condition, treatment, etc. Your answer should be your best estimate based upon your medical knowledge, experience, and examination of the patient. Be as specific as you can; terms such as “lifetime,” “unknown,” or “indeterminate” may not be sufficient to determine FMLA coverage. Limit your responses to the condition for which the patient needs leave. Do not provide information about genetic tests, as defined in 29 C.F.R. § 1635.3(f), or genetic services, as defined in 29 C.F.R. § 1635.3(e). Page 3 provides space for additional information, should you need it. Please be sure to sign the form on the last page.

Provider’s name and business address: ________________________________

Type of practice / Medical specialty: ________________________________

Telephone: (_____) ___________________ Fax:(_____) ___________________

PART A: MEDICAL FACTS

1. Approximate date condition commenced: ____________________________

Probable duration of condition: ________________________________

Was the patient admitted for an overnight stay in a hospital, hospice, or residential medical care facility?  
____No  ____Yes. If so, dates of admission: ____________________________

Date(s) you treated the patient for condition: ____________________________

Was medication, other than over-the-counter medication, prescribed?  ____No  ____Yes.

Will the patient need to have treatment visits at least twice per year due to the condition?  ____No  ____Yes

Was the patient referred to other health care provider(s) for evaluation or treatment (e.g., physical therapist)?  
______No  ____Yes. If so, state the nature of such treatments and expected duration of treatment:

_________________________________________________________________

_________________________________________________________________

2. Is the medical condition pregnancy?  ____No  ____Yes. If so, expected delivery date: ____________________________

3. Describe other relevant medical facts, if any, related to the condition for which the patient needs care (such medical facts may include symptoms, diagnosis, or any regimen of continuing treatment such as the use of specialized equipment):

_________________________________________________________________

_________________________________________________________________
PART B: AMOUNT OF CARE NEEDED: When answering these questions, keep in mind that your patient's need for care by the employee seeking leave may include assistance with basic medical, hygienic, nutritional, safety or transportation needs, or the provision of physical or psychological care:

4. Will the patient be incapacitated for a single continuous period of time, including any time for treatment and recovery? __No __Yes.

   Estimate the beginning and ending dates for the period of incapacity: ________________________________

   During this time, will the patient need care? __ No __ Yes.

   Explain the care needed by the patient and why such care is medically necessary:

   ________________________________________________________________

   ________________________________________________________________

   ________________________________________________________________

   ________________________________________________________________

5. Will the patient require follow-up treatments, including any time for recovery? __No __Yes.

   Estimate treatment schedule, if any, including the dates of any scheduled appointments and the time required for each appointment, including any recovery period:

   ________________________________________________________________

   Explain the care needed by the patient and why such care is medically necessary:

   ________________________________________________________________

   ________________________________________________________________

6. Will the patient require care on an intermittent or reduced schedule basis, including any time for recovery? __No __ Yes.

   Estimate the hours the patient needs care on an intermittent basis, if any:

   _____ hour(s) per day; _____ days per week from _____________ through ________________

   Explain the care needed by the patient and why such care is medically necessary:

   ________________________________________________________________

   ________________________________________________________________

   ________________________________________________________________
7. Will the condition cause episodic flare-ups periodically preventing the patient from participating in normal daily activities? ___No ___Yes.

Based upon the patient’s medical history and your knowledge of the medical condition, estimate the frequency of flare-ups and the duration of related incapacity that the patient may have over the next 6 months (e.g., 1 episode every 3 months lasting 1-2 days):

Frequency: _____ times per _____ week(s) _____ month(s)

Duration: _____ hours or ___ day(s) per episode

Does the patient need care during these flare-ups? ___ No ___ Yes.

Explain the care needed by the patient, and why such care is medically necessary: ________________________________

______________________________

______________________________

______________________________

______________________________

ADDITIONAL INFORMATION: IDENTIFY QUESTION NUMBER WITH YOUR ADDITIONAL ANSWER.

________________________________________________________________________

________________________________________________________________________

________________________________________________________________________

________________________________________________________________________

Signature of Health Care Provider

Date

PAPERWORK REDUCTION ACT NOTICE AND PUBLIC BURDEN STATEMENT

If submitted, it is mandatory for employers to retain a copy of this disclosure in their records for three years. 29 U.S.C. § 2616; 29 C.F.R. § 825.500. Persons are not required to respond to this collection of information unless it displays a currently valid OMB control number. The Department of Labor estimates that it will take an average of 20 minutes for respondents to complete this collection of information, including the time for reviewing instructions, searching existing data sources, gathering and maintaining the data needed, and completing and reviewing the collection of information. If you have any comments regarding this burden estimate or any other aspect of this collection information, including suggestions for reducing this burden, send them to the Administrator, Wage and Hour Division, U.S. Department of Labor, Room S-3502, 200 Constitution Ave., NW, Washington, DC 20210.

DO NOT SEND COMPLETED FORM TO THE DEPARTMENT OF LABOR; RETURN TO THE PATIENT.

Page 4

New Hartford Central School District

Approved by the Superintendent: ____________________________
ABSENCES FROM SCHOOL FOR ELECTED OR
APPOINTED GOVERNMENTAL OFFICE

It shall generally be the policy of the New Hartford Central School District to cooperate with
school employees who serve in elected or appointed governmental positions at the local, county
and state levels where the position is of such a nature which requires only occasional or periodic
absences from duty. However, requests for absences shall be subject to the following
considerations.

I. If elected or appointed to governmental office, the school district will cooperate subject
to considerations of sound educational policy.

II. Employees who have been elected or appointed to governmental office and requesting in
writing to be excused from duty, may be authorized by the Superintendent (or his/her
designee) only:

   A. If a qualified substitute or replacement can be secured;

   B. If the educational well being of the students is not being disrupted;

   C. If such requests are only occasional and the privilege is not being abused; and

   D. When the Building Principal verifies in writing that the educational needs of the
      students are fully met.

III. An employee who is excused from duty pursuant to this policy will only be paid for
     his/her absence if pay is required under his/her labor contract.

IV. If any provision of the policy shall be determined to be contrary to law, then such
    provision shall not be deemed valid except to the extent permitted by law. All other
    provisions will continue in full force and effect.

New Hartford Central School District
Adopted: 10/11/77, 11/08/77
Revised: 06/20/06, 08/14/12
Reviewed: _______
LEAVES OF ABSENCE FROM WORK (INSTRUCTIONAL EMPLOYEES)

Leaves of absence from work can only be at written request of the employee and written approval of the Superintendent and the Board of Education. Vacation trips, etc. should be planned to coincide with non-school days as per the school calendar, which is set a year in advance. Leaves from school for vacation and/or recreational purposes will not be approved. Employees who are absent without leave will be subject to penalties.
LEAVE FOR CANCER SCREENING

I. Statement of Policy

Each employee of the District shall have, upon request, a paid leave of absence for a sufficient period of time, not to exceed four (4) hours on an annual basis, to undergo screening for breast cancer.

Each employee of the District shall have, upon request, a paid leave of absence for a sufficient period of time, not to exceed four (4) hours on an annual basis, to undergo screening for prostate cancer.

Leave taken pursuant to this policy ("Cancer Screening Leave") shall be granted in two (2) hour increments, shall be excused leave, and shall not be charged against any other leave to which the employee may be entitled.

II. Procedure

An employee seeking Cancer Screening Leave must ask his/her supervisor for time off three or more work days in advance of the desired time off.

An employee returning to work from Cancer Screening Leave must provide his/her supervisor or the personnel office with a physician’s statement, verifying appropriate use of the Cancer Screening Leave. The verification must be provided within three work days of the employee’s return to work.

III. Responsibility of Superintendent

The Superintendent shall inform all building principals, directors, and other staff members who are responsible for responding to employee leave requests of this policy; and shall institute a system for recording leave taken pursuant to this policy.
ACCOMMODATING EMPLOYEE’S NEED TO EXPRESS BREAST MILK

I. Statement of Policy

It is the policy of the New Hartford Central School District to provide breastfeeding employees with reasonable unpaid break time each day to express breast milk for their nursing child, for up to three years following the child’s birth. Where a block of break time is less than 20 minutes, it shall be classified as paid time. Employees may also use paid meal time, or other paid break time available under District policies or collective bargaining agreements, to express breast milk.

The District will make reasonable efforts to provide a room or other location in close proximity to the employee’s work area where a breastfeeding employee can express breast milk in privacy.

The District will not discriminate in any way against employees who choose to express breast milk in the workplace.

II. Superintendent’s Responsibility

The Superintendent shall inform all building principals, directors, and other staff members who are responsible for responding to employee requests of this policy.
PERSONNEL

JURY DUTY

I. Any New Hartford Central School District employee called upon by court to serve on jury duty shall be compensated at full pay for time served, subject to the following conditions.

II. Such compensation for time served on jury duty is subject to the following conditions:

A. The employee returns to the District all compensation received, if any, except mileage paid by the county, state, federal and/or local government for serving jury duty.

B. In departments where work schedules may be adjusted, the employee's work schedule may be adjusted.

C. If the employee's work schedule is adjusted for this period, and he/she completes a normal workweek, provision (A) above shall not prevail.

D. The employee shall notify his/her supervisor, or appropriate person, promptly of his/her notice to appear for jury duty.

New Hartford Central School District
Legal Ref: Judiciary Law Section 521(b)
Adopted: ________
I. Statement of Policy

A. The District shall not employ or utilize a prospective school employee unless that person has been granted a clearance for employment by the State Education Department (SED), or an emergency conditional appointment has been made in a manner consistent with this Policy and applicable Regulations of the Commissioner.

B. The term “prospective school employee” means any individual who is reasonably expected to provide services that will involve direct contact with students under the age of 21 and who is:

1. seeking a compensated position with the District and is not currently employed by the District or a student enrolled in the instructional program of a grade level in such covered school;

2. an employee of a provider of contracted services to the District who is to be placed within the District; or

3. a worker who is to be placed within the District under a public assistance employment program pursuant to title 9-B of article V of the Social Services Law, directly or through contract.

C. The term “prospective school employee” does not include any individual who:

1. is seeking a position as a school bus driver or school bus attendant and is cleared for employment pursuant to sections 509-cc, 509-d and/or 1229-d of the Vehicle and Traffic Law after fingerprinting and a criminal history record check and whose fingerprints remain on file with DCJS;

2. has provided services for the District in the previous school year either: in a compensated position, or as an employee of a provider of contracted services to such covered school, or as a worker placed within the covered school under a public assistance employment program pursuant to title 9-B of article V of the Social Services Law directly or through contract; or

3. is reasonably expected to provide services for the District on no more than five days in the school year in which services are to be performed, provided that the District will be providing in-person supervision of such individual while that individual is providing such services. Individuals providing such time-limited and supervised services may include but shall not be limited to: artists, guest lecturers and speakers, and sports officials.
II. Procedure For Clearance

A. In situations where a prospective school employee has been previously fingerprinted and entered into the State Education Department’s (SED) criminal history file, the individual shall notify the District that a file exists at SED, and the District shall notify SED of that fact and request clearance.

B. In situations where a prospective school employee has not previously been fingerprinted and entered into the SED records, the District shall notify the prospective school employee of the fingerprinting requirement, and provide instructions regarding how and when the individual may arrange to complete the fingerprinting, including providing copies of necessary forms. 

C. In situations where a prospective school employee has not previously been fingerprinted and entered into the SED records, the individual shall be advised of the amount of the fee associated with the fingerprint clearance process, and the procedure for paying that fee to SED or any authorized State vendor, and shall also be advised that:

1. the fee may not be charged if:
   
   a. the fee is associated with the employee’s participation in an authorized public assistance employment program, or
   
   b. the individual is receiving certain employment services through the Federal Temporary Assistance for Needed Families Block Grant.

2. the individual may submit a request to the Board of Education, on a form provided by SED, for a waiver of the fee based on financial hardship.

III. Notification of Employment/Separation from Employment

When a prospective employee who was fingerprinted and cleared for employment is initially employed or leaves employment the District is required to notify SED on the mandated forms.

IV. Employment Based on Conditional Clearance

A. To the extent permitted by law, the Superintendent may recommend that the Board make a conditional appointment pending notification from SED of clearance. Before making such a recommendation, the Superintendent shall insure that the prospective school employee has signed a statement indicating whether to the best of their knowledge they are not the subject of a pending criminal charge
FINGERPRINTING AND CRIMINAL HISTORY RECORD
CHECKS FOR PROSPECTIVE EMPLOYEES

or a conviction in any jurisdiction outside New York State, and shall submit a request for conditional clearance to the Commissioner.

B. If the Board makes a conditional appointment, the appointment shall not be effective until the Commissioner has notified the District that conditional clearance has been granted.

C. If a conditional appointment becomes effective, it shall terminate 45 days later, or when the Commissioner notifies the District as to whether clearance has been granted, whichever is earlier. If the Commissioner notifies the District that clearance for employment has been granted, the conditional appointment shall continue as a regular appointment.

V. Employment Based on Emergency Conditional Appointment

A. To the extent permitted by law, the Superintendent may recommend that the Board make an emergency conditional appointment when the following conditions exist:
   - a vacancy occurred less than ten (10) business days before the start of school or during any school session, including summer school, without sufficient notice to allow for clearance or conditional clearance; and
   - no other qualified person is available to fill the vacancy temporarily; and
   - to maintain services which the District is legally required to provide or services necessary to protect the health, education or safety of students or staff.

B. Before making such a recommendation, the Superintendent shall insure that the prospective school employee has signed a statement indicating whether to the best of their knowledge they are not the subject of a pending criminal charge or a conviction in any jurisdiction, including New York State. The Superintendent shall also insure that a request for conditional clearance is promptly submitted to the Commissioner.

C. If the Board makes a conditional appointment, the appointment may be made effective prior to notice from the Commissioner of conditional clearance.

D. If an emergency conditional appointment becomes effective, it shall terminate 20 business days later, or when the Commissioner notifies the District as to whether conditional clearance or clearance has been granted, whichever is earlier. If the Commissioner notifies the District that conditional clearance for employment has been granted, the emergency conditional appointment shall terminate and the appointment shall continue as a conditional appointment.
VI. Safety of Students who have Contact with Conditionally Employed Employees

A. The District affirms its commitment to the safety of students who have contact with an employee holding a conditional or emergency conditional appointment.

B. Supervisors of any employee holding a conditional or emergency conditional appointment shall be informed of the basis of such appointment and be directed to supervise such employee closely. If feasible, supervisors shall be asked to assign conditionally employed individuals in a manner where they do not work alone with children.

I. Policy

A. The New Hartford School District shall require a prospective employee who is not in the State Education Department criminal history file to be fingerprinted for purposes of a criminal history record check.

B. All fingerprint applications must be completed online using the TEACH system.

II. Who Must Be Fingerprinted

- Applicants for employment in the District;
- Student employees not enrolled in grade level of same covered school;
- Clerical staff who have direct contact with students;
- Janitorial staff who have direct contact with students;
- Coaches;
- Substitute Teachers;
- Paid Student Teachers or Student Interns;
- Hall Monitors;
- Cafeteria employees;
- Adult Continuing Education Instructors who have direct contact with students;
- Home and Hospital Instructors;
- Sports Officials;
- Bus Aides (unless they have been cleared pursuant to Section 1229-d of the Vehicle and Traffic Law);
- Secretaries at bus garage who occasionally fill in as a bus aides;
- Bus Drivers who also serve another role in covered school and have direct contact with students;
- Individuals who have been fingerprinted for another purpose (i.e., teachers from another state, former police officers);
- Workers placed in the covered school under a public assistance employment program;
- Employees of contract service providers who are placed within the school; and
FINGERPRINTING AND CRIMINAL HISTORY RECORD CHECKS FOR PROSPECTIVE EMPLOYEES

- Employees of Supplemental Education Services Providers.

III. Required Fees

   A. The fee for the criminal history record search will be paid by the District.

IV. Request for Clearance when Fingerprint are on File

   A. In situations where a prospective employee or applicant for certification has been previously fingerprinted and entered into the State Education Department's (SED) criminal history file, such employee must notify the District that he/she has been fingerprinted and a file exists at SED.

   B. A fee will not be charged by SED for the criminal background check in this situation.

V. Notification of Employment/Separation from Employment

   A. When a prospective employee who was fingerprinted and cleared for employment is initially employed or leaves employment, the District is required to notify SED on the mandated forms.

New Hartford Central School District
Legal Ref: Chapter 179 of the Laws of 2009, 8 NYCRR 80-1.1 and 87; Correction Law Sections 752 and 753; and Executive Law Section 296(16).
Adopted: 09/05/01
Revised: 07/11/06, 03/04/08, 08/14/12,
PAYROLL DEDUCTION AUTHORIZATION

I have received information in the fingerprinting packet supplied by the NYS Education Department that explains the obligation of the District to fingerprint prospective employees who are appointed on or after July 1, 2001.

I understand that the fees for the required fingerprinting/criminal background check are the responsibility of the employee, unless exempted by law.

I elect the following option for the payment of the required fee of ($99.00):

☐ pay the NYSED directly via the online system (TEACH).
☐ authorize the District to make such payment and authorize payroll deduction to repay the $91.50 fee by equal installments of $18.30 per payroll for five (5) payroll periods. Summer school payroll deductions will be made over four (4) pays from July through August.

If electing salary reduction, I understand that if I leave paid employment with the District before full repayment is made that the remaining balance due will be deducted from my final paycheck. If a substitute employee, I understand that if the entire amount is not repaid by April 1st of the first year of employment, the remaining balance will be deducted from the next paycheck of that year.

__________________________________________  ______________________
Employee Signature                          Date

Central Business Office Use Only

__________________________________________  ______________________
Received By                                Date

Superintendent Approved: 08/14/12
Policy

PERSONNEL

8301 Renumber 8401, 8401.1

DRUG AND ALCOHOL TESTING

I. Purpose

To establish a District-based alcohol and drug testing program to help prevent accidents and injuries resulting from the misuse of alcohol and drugs by covered drivers of commercial motor vehicles in compliance with the Department of Transportation regulations and pursuant to the Omnibus Transportation Employee Testing Act of 1991 (the Act) and 49 CFR Part 40.

II. Applicability

This policy applies to all District employees or applicants who have been extended a conditional offer of employment who operate commercial motor vehicles and are subject to the commercial driver’s license (CDL) requirements established by the DOT.

III. Objectives

To establish rules and procedures to deter all illegal drug use, and deter on-duty, pre-duty and post-accident alcohol use, as well as on-duty alcohol impairment stemming from pre-duty use, for all covered drivers who perform safety sensitive functions;

To detect and eliminate the possibility that District covered drivers will perform safety-sensitive functions after testing positive for alcohol or drugs;

To comply with applicable federal and state laws, including the Omnibus Transportation Employee Testing Act of 1991;

To provide reasonable measures for the early detection of personnel not fit to perform activities within the scope of this policy;

To maintain a workplace free of drugs and alcohol; and

To inform employees through education, in service training and other appropriate forums, about illegal drugs, and alcohol abuse, their use, possession, distribution, and the effects of such substances.

IV. Testing

There are several occasions when an individual will be subject to drug and alcohol tests pursuant to this policy. Prior to the administration of the following tests, the District or its testing agent will notify the covered driver that the test is required under the Code of Federal Regulations.

The testing occasions shall include:
POLICY

Draft 09/29/2017

PERSONNEL

8301 Renumber 8401, 8401.1

DRUG AND ALCOHOL TESTING

1. Pre-duty testing
   a. Pre-duty testing is testing for drugs that the District will administer after a conditional offer of employment has been extended and prior to any covered driver’s performance of a safety-sensitive function. The District will not allow any covered driver to commence the performance of any safety-sensitive function unless the drug testing reveals a verified negative test result.
   b. The District may, in its sole discretion, forego pre-duty testing where the exceptions promulgated by the regulations relating to drug and alcohol testing of covered drivers by their previous employers, are satisfied.

2. Reasonable Suspicion testing
   a. "Reasonable suspicion testing is alcohol and drug testing that the District will conduct when it has reasonable suspicion to believe that a covered driver has engaged in conduct prohibited by this policy. Reasonable suspicion must be based upon specific, contemporaneous, articulable observations concerning the appearance, behavior, speech, or body odors of a covered driver by the Director of Special Education, Occupational Education, Assistant Directors of such programs or any other supervisor as determined by the District who is specially trained to recognize alcohol misuse or drug use. The observations may include indications of the chronic and withdrawal effects of controlled substances.
   b. A written record shall be made of observations leading to reasonable suspicion, signed by the supervisor or person who made the observations, within twenty-four (24) hours of the observed behavior or before the results of drugs test are released, whichever is earlier.
   c. The District shall not administer a reasonable suspicion alcohol test more than eight (8) hours following a determination that reasonable suspicion exists to believe that the alcohol prohibitions of this policy have been violated. Covered drivers are subject to reasonable suspicion alcohol testing as follows: Immediately prior to performing safety sensitive functions, while performing safety sensitive functions, or immediately following the performance of safety sensitive functions. Reasonable suspicion drug testing may be conducted at any time the covered driver is on duty for the district.

3. Random testing
POLICY

Draft 09/29/2017

PERSONNEL

8301 Renumber 8401, 8401.1

DRUG AND ALCOHOL TESTING

a. Random testing is unannounced testing for alcohol and drugs administered in a statistically random manner throughout the year to covered drivers employed by the District in ratios as required by the DOT regulations, so that all covered drivers have an equal probability of selection each time a random test is administered.

b. Covered drivers are subject to random alcohol testing as follows: immediately prior to performing safety sensitive functions, or while performing safety sensitive functions, or immediately following the performance of safety sensitive functions. Random drug testing may be conducted at any time the covered driver is on duty for the district.

4. Post Accident testing

a. A post-accident test is a test for alcohol and drugs administered following an accident involving a commercial motor vehicle to each surviving covered driver:

1. who was performing safety sensitive functions with respect to the vehicle, if the accident involved the loss of human life; OR

2. who receives a citation under state or local law for a moving violation arising from the accident; AND

   i. if the accident resulted in one or more motor vehicles incurring substantial structural damages as a result of the accident; OR

   ii. if the accident resulted in bodily injury to a person who as a result of the injury immediately receives medical treatment away from the scene of the accident.

b. The District will not administer a post-accident alcohol test more than eight hours following the accident and will not administer a post-accident drug test more than 32 hours following the accident. A covered driver who is subject to post-accident testing shall remain readily available for such testing or may be deemed by the District to have refused to submit to testing. This shall not be construed to require the delay of necessary medical attention for injured individuals following an accident or to prohibit a covered driver from leaving the scene of an accident for the period necessary to obtain assistance in responding to the accident or to obtain necessary emergency medical care.
POLICY

 Draft 09/29/2017

 PERSONNEL
 8301 Renumber 8401, 8401.1

 DRUG AND ALCOHOL TESTING

c. The results of a breath or blood test for the use of alcohol or a urine test for the use of drugs, conducted by federal, state, or local officials having independent authority for the test, shall be considered to meet the requirements of the policy concerning post-accident testing, provided such tests conform to applicable federal, state, or local requirements and that the results of the test are obtained by the District. If such a test results in an alcohol concentration below 0.02, a 24 hour out-of-service order may be issued by the law enforcement official.

5. Return to duty testing

Return to duty testing is alcohol and/or drug testing conducted after a covered driver has engaged in prohibited conduct under this policy prior to the employee’s return to the performance of a safety-sensitive function. The alcohol test result must indicate an alcohol concentration of less than .02 and/or a drug test must indicate a verified negative result for illegal drugs.

6. Follow-up testing

Follow-up tests are given following a determination by the Substance Abuse Professional (SAP) that a driver is in need of assistance in resolving problems associated with misuses of alcohol and/or drugs. This is an unannounced test, given at least six (6) times within twelve (12) months with the actual frequency and number of tests determined by the substance abuse professional (SAP), but in no event may the follow up testing continue for a period beyond 60 months from the covered driver’s return to duty. The substance abuse professional may terminate the requirement of follow-up testing at any time after the first six (6) tests have been administered if he or she determines that follow-up testing is no longer necessary.

Covered drivers are subject to follow-up alcohol testing as follows: immediately prior to performing safety sensitive functions, or while performing safety sensitive functions, or immediately following the performance of safety sensitive functions. Follow-up drug testing may be conducted at any time the covered driver is on duty for the district.

V. Testing Procedures

The District shall retain an approved company to perform collection and testing, to ensure chain of custody requirements, and to ensure the correct employee is tested and matched with the correct test results. Such company will be required to follow the federal regulations to ensure compliance with the blind sample, calibration of the EBT, laboratory certification and proper training of the Breath Alcohol Technician (BAT). Testing for alcohol and/or controlled substances will be taken on-site or at the laboratory,
DRUG AND ALCOHOL TESTING

in a secure location that affords visual and aural privacy and with the proper safeguards to ensure the integrity of the specimens collected. The Drug and Alcohol Coordinator (see appendix) can be contacted to request the name of the company hired to perform the drug and alcohol testing services.

If the test comes back positive dilute, that shall be considered a positive verified test and the covered driver shall not be allowed to take another test.

If the test comes back negative dilute for (can limit to pre-employment testing, return to duty testing and follow up testing or extend to all forms of testing covered by policy), then the covered driver shall (shall not) be required to take another test. If re-tested, there will be a fee for the second test. Employees to be re-tested must be given the minimum possible advance notice that he or she must go to the collection site. The result of the second test becomes the test of record. If an employee is directed to take another test, and the employee declines to do so, the employee has refused the test for the purpose of this policy and the federal drug and alcohol testing regulations. If the test comes back canceled, neither positive nor negative for drugs or alcohol, the employee shall not be allowed to perform safety sensitive functions if a negative result is required by the regulations. The District shall order a recollection in the case of a canceled test for the purpose of re-testing in the case of pre-employment, return to duty or follow up testing.

1. **Alcohol**

   Alcohol testing will be administered by a trained and qualified BAT. The evidential breath testing device (EBT) used for testing shall meet the standards promulgated by the DOT and have a quality assurance plan developed by the manufacturer to insure proper calibration.

   If the initial test reveals an alcohol concentration of .02 or greater, a confirmatory test must be performed. The confirmatory test result is the final test result for the purposes of this policy.

2. **Drugs**

   A Department of Health and Human Services certified laboratory will perform drug testing on urine samples provided by covered drivers. The drugs for which tests will be conducted are: Marijuana (THC), Cocaine, Phencyclidine (PCP), Opiates, and Amphetamines. The cutoff levels for these drugs will be those set forth in the DOT regulation.

3. **Uncompleted testing**

   If a screening or confirmation test cannot be completed, or if an event occurs that would invalidate the test, the BAT, shall, if practicable begin a new screening or
confirmation test, as applicable, e.g., using a new breath alcohol testing form with a new sequential test number.

VI. Requirements Prior to Commencing Safety Sensitive Position

1. Pre-duty request for prior employment drug and alcohol testing

In the case of all new safety sensitive employees, the District shall request the following written information, after obtaining the prospective employee’s written consent, from DOT regulated employers who have employed the employee at any time during the two years prior to the date of the employee’s application or transfer:

   a. Alcohol tests with a result of 0.04 or higher alcohol concentration
   b. Verified positive drug test
   c. Refusal to be tested
   d. Other violations of DOT agency drug and alcohol testing; and
   e. With respect to any employee who violated a DOT drug and alcohol regulation, documentation of the employee’s successful completion of DOT return to duty requirements.

The above listed information should be obtained and reviewed before the prospective employee commences performing any safety sensitive functions. However, the District has a 30 day grace period from the day the employee starts to perform safety sensitive functions in which to obtain or make and document a good faith effort to obtain this information. The District must not allow any employee to continue performing safety sensitive functions after 30 days if the District has not obtained or made and documented a good faith effort to obtain this information.

The District must ask the prospective employee whether he/she has tested positive, or refused to test, on any pre-employment drug or alcohol test administered by an employer to which the employee applied for but did not obtain safety sensitive transportation work covered by DOT agency drug and alcohol testing rules during the past two years.

If the prospective employee admits that he/she has tested positive or a refusal to test then the District may choose not to hire the prospective employee. However, if the District does choose to hire a prospective employee that has admitted that he/she has tested positive or refused to test, the District must not use the employee to perform safety sensitive functions, until and unless the employee documents successful completion of return to duty process.

VII. Prohibited Conduct
POLICY

Draft 09/29/2017

PERSONNEL

8301 Renumber 8401, 8401.1

DRUG AND ALCOHOL TESTING

1. No covered driver shall report for duty or remain on duty requiring the performance of safety sensitive functions while having an alcohol concentration of 0.02 or greater.

2. A covered driver shall not be on duty or operate a commercial motor vehicle while the covered driver possesses alcohol.

3. A covered driver shall not use alcohol while performing safety sensitive functions.

4. No covered driver shall perform safety-sensitive functions within six (6) hours after using alcohol.

5. A covered driver required to take a post accident alcohol test shall not use alcohol for eight (8) hours following the accident, or until he/she undergoes a post accident alcohol test, whichever is first.

6. A covered driver shall not report for duty or remain on duty requiring the performance of safety sensitive functions when the driver is using drugs, except when the use is pursuant to the instructions of a physician who has advised the driver that the drug does not affect the driver’s ability to safely operate a commercial motor vehicle.

7. No driver shall report for duty, remain on duty or perform a safety-sensitive function, if the driver tests positive for controlled substances.

8. Independent of the requirements of the Act and the regulations promulgated thereunder, the covered driver must provide written notice from the physician to the Drug and Alcohol Coordinator that he or she is using controlled substances pursuant to the instructions of the physician and that he or she advised the driver that the substance does not adversely affect the driver’s ability to safely operate a commercial motor vehicle.

9. A covered driver shall not refuse to submit to an alcohol or drug test required under this policy.

10. An applicant for employment, who has been given a conditional offer of employment may not refuse to sign a release authorizing the District to request from all former employer’s, where the employee was a covered driver, his or her drug and alcohol testing records.

VIII. Consequences for covered drivers

Pursuant to the Act and the regulations:

1. A covered driver who has an alcohol concentration of at least 0.02 shall be removed immediately from his/her performing safety sensitive position for at least 24 hours and shall not return until he/she is evaluated by a substance abuse professional, completes any other steps required by the SAP and takes a return to duty test.

2. A covered driver who has an alcohol concentration of at least 0.04 shall be removed immediately from his/her safety sensitive position and may not return until he or she is evaluated by a substance abuse professional, completes any other
POLICY

PERSONNEL

8301 Renumber 8401, 8401.1

DRUG AND ALCOHOL TESTING

steps required by the SAP and takes a return to duty test.

3. A covered driver who has a verified positive result on a drug test, shall be prohibited from performing safety sensitive functions until the employee is evaluated by a substance abuse professional, completes any other steps required by the SAP and takes a return to duty test.

4. A covered driver who refuses to submit to a test, shall be prohibited from performing safety sensitive functions until the employee is evaluated by substance abuse professional, completes any other steps required by the SAP and takes a return to duty test.

5. A covered driver may not perform safety-sensitive functions, if there exists a reasonable suspicion that the driver is under the influence of, or impaired by, alcohol as shown by the behavioral, speech, and performance indicators of alcohol misuse, until an alcohol test is administered and the driver’s alcohol concentration measures less than .02 or 24 hours have elapsed following a determination that reasonable suspicion exists to believe that the alcohol prohibitions of this policy have been violated.

6. A covered driver may not perform safety-sensitive functions even if his or her alcohol concentration is less than 0.02, or the alcohol concentration is unknown, if the employer detects the presence of alcohol in the driver by other means.

Independent of the requirements of the Act and the regulations promulgated thereunder, a covered driver may not perform safety-sensitive functions, if there exists a reasonable suspicion that the driver is under the influence of, or impaired by, drugs as shown by the behavioral, speech, and performance indicators of drug abuse, until a drug test is administered and there is a verified negative result.

Independent of the requirements of the Act and the regulations promulgated thereunder, covered drivers who have been found to have violated the prohibited conduct under this policy will be immediately suspended from their safety-sensitive function without pay pending a complete review of the test results and what led to the test results, if appropriate. After review, if the covered driver was found to have an alcohol concentration of 0.04 or greater, a positive drug test, or refused to submit to a test, the employee shall be terminated. If the covered driver was found to have an alcohol concentration between 0.02 and 0.04, he or she shall be required to be evaluated by a substance abuse professional, complete any other steps required by the SAP and take a return to duty test before returning to work.

A covered driver who is an applicant for employment who has been extended a conditional offer of employment shall have such conditional offer revoked if:

1. He/she undergoes a drug test which reveals a verified positive test result, or

2. He/she admits, during the pre-duty request for prior employment drug and alcohol testing, they had a positive test or refused to test on any pre-employment drug or alcohol testing administered by the employer to which the employee applied for, but did not obtain safety sensitive transportation work covered by DOT agency
POLICY

PERSONNEL

DRUG AND ALCOHOL TESTING

drug and alcohol testing rules during the past two years and the Board chooses not to hire the prospective employee, or

3. He/she previously failed to successfully complete a rehabilitation program (return to duty process) established by a substance abuse professional resulting from a violation of that employer’s policy or the Act, or

4. He/she fails to provide a release for the District to request from former employer’s where the individual was a covered driver.

5. The above actions shall be taken in accordance with the provisions of the employee’s collective bargaining agreement, §75 of the Civil Service Law and/or §3020-a of Education Law, whichever is applicable.

IX. Referral, evaluation, and treatment

The requirements of this section do not apply to applicants who refuse to submit to a pre-duty drug test or who have a pre-duty drug test with a verified positive test result.

1. The District shall make available to a covered driver who has violated this policy, information regarding the resources available for evaluating and resolving problems associated with the misuse of alcohol and use of drugs, including the names, addresses, and telephone numbers of substance abuse professionals and counseling and treatment programs. The District shall ensure that the listed substance abuse professionals do not refer the covered driver to the substance abuse professional’s private practice, or to a person or organization from which the substance abuse professional receives remuneration, or in which the substance abuse professional has a financial interest.

2. The District requires that each covered driver who engages in conduct prohibited by this policy shall be evaluated by a substance abuse professional who shall determine what assistance, if any, the employee needs in resolving problems associated with alcohol misuse and drug use. The substance abuse professional shall also determine if follow up testing is necessary and if so, the number and frequency of such testing. The costs associated with this evaluation shall be the responsibility of the covered driver.

3. Before a covered driver returns to duty requiring the performance of a safety-sensitive function after engaging in conduct prohibited by this policy, the covered driver shall undergo a return to duty test.

4. The substance abuse professional will determine if the covered driver has properly followed any rehabilitation program prescribed following the evaluation.
X. Employee Notification

The District shall provide a copy of this policy to each covered driver and to his/her collective bargaining agent. Each covered driver is required to sign a statement certifying that (s)he has received this information. The District shall maintain the original signed certification for the duration of the employee’s employment or a two (2) years, whichever is longer. The District will provide a copy of the certification to the covered driver upon request.

XI. Savings Clause

If any provision of this policy is, or shall at any time be contrary to the law, then such policy provision shall be considered modified or deleted so as to comply with the superseding legal requirements, without any effect on the remaining policy provisions.

---

New Hartford Central School District
Legal Ref: U.S. Constitution, 4th Amendment
Omnibus Transportation Employee Testing Act of 1991, 49 USC §§31136; 31306
Americans with Disabilities Act, 42 USC §§12111-12117
49 CFR Parts 40, 382 and §§395.20 and 521(b)
New York Vehicle and Traffic Law, §§509-l; 1192; 1193
New York Labor Law, §201-d

Adopted: 03/21/95
Revised: 03/19/02, 06/20/06, 08/14/12, ________
POLICY

Draft 09/29/2017

PERSONNEL

8301 Renumber 8401, 8401.1

DRUG AND ALCOHOL TESTING

Appendix A

Drug and Alcohol Testing Definitions

Alcohol: The intoxicating agent in beverage alcohol, ethyl alcohol, or other low molecular weight alcohol’s, including methyl and isopropyl alcohol.

Alcohol use: The consumption of any beverage, mixture, or preparation, including any medication containing alcohol.

Breath Alcohol Technician (BAT): An individual who operates an evidential breath testing device and instructs and assists individuals in the alcohol testing process.

BAC or Alcohol Concentration: Breath Alcohol Concentration (BAC) or alcohol concentration, is the amount of alcohol in a volume of breath expressed in terms of grams of alcohol per 210 liters of breath as indicated by an evidential breath test.

Commercial Motor Vehicle: A motor vehicle or a combination of motor vehicles used in commerce to transport passengers or property if the motor vehicle:

1. has a gross combination weight of 26,001 or more pounds inclusive of a towed unit with a gross vehicle weight rating of more than 10,000 pounds; or
2. has a gross vehicle weight rating of 26,001 or more pounds; or
3. is designed to transport 16 or more passengers, including the driver; or
4. is of any size and is used in the transportation of materials found to be hazardous for the purposes of the Hazardous Materials Transportation Act and which require the motor vehicle to be placarded under the Hazardous Material Regulations.

Confirmation test: In drug testing, a second analytical procedure to identify the presence of a specific drug or metabolite that is independent of the screening test and that uses a different technique and chemical principle from that of a screening test in order to ensure reliability and accuracy. Gas chromatography/mass spectrometry (GC/MS) is the only authorized confirmation method for cocaine, marijuana, opiates, amphetamines, and phencyclidine. In alcohol testing, a second test following a screening test with a result of .02 or greater, that provides quantitative data of alcohol concentration.

Covered driver: District employees who operate commercial motor vehicles and applicants for employment with the district who are applying for positions as drivers of commercial motor vehicles (for the purposes of pre-duty testing only).
DRUG AND ALCOHOL TESTING

Appendix A

Drug and Alcohol Testing Definitions

Drug and Alcohol Coordinator:
The Drug and Alcohol Coordinator shall be the Jefferson - Lewis BOCES Health and Safety Coordinator who is located at 20104 NYS Rt. 3, Watertown, NEW YORK 13601, and may be reached at 779-7000.

Evidential breath testing device (EBT):
A device approved by the National Highway Traffic Safety Administration (NHTSA) for the evidential testing of breath and placed on NHTSA’s Conforming Product’s List of Evidential Breath Measurement Devices."(CPL)

Medical Review Officer (MRO):
A licensed physician responsible for receiving laboratory results generated by the District’s drug test program, who has knowledge of substance abuse disorders and has appropriate medical training to interpret and evaluate an individual’s positive test result together with his or her medical history and any other relevant biomedical information.

Refuse to submit (to an alcohol or drug test):
Means that a covered driver refused to take a drug test if they:

1. fail to appear for any test (except a pre-employment test) within a reasonable time, as determined by the employer, consistent with applicable DOT agency regulations, after being directed to do so by the employer,

2. fail to remain at the testing site until the testing process is complete, provided that an employee who leaves the testing site before the testing process commences for a pre-employment test is not deemed to have refused to test,

3. fail to provide a urine specimen for any drug test required by this policy or DOT agency regulations,

4. in the case of a directly observed or monitored collection in a drug test, fail to permit the observation or monitoring of your provision of a specimen,

5. fail to provide a sufficient amount of urine when directed, and it has been determined, through a required medical evaluation, that there was no adequate medical explanation for the failure,

6. fail or decline to take a second test the employer or collector has directed the individual to take,

7. fail to undergo a medical examination or evaluation, as directed by the MRO as part of the verification process,

8. fail to cooperate with any part of the testing process, or

9. if the MRO reports that you have a verified adulterated or substituted test result or you refuse to take a drug test.
POLICY

PERSONNEL

8301 Renumber 8401, 8401.1

Draft 09/29/2017

DRUG AND ALCOHOL TESTING

Appendix A
Drug and Alcohol Testing Definitions

Screening test:
In alcohol testing, means an analytical procedure to determine whether a driver may have a prohibited concentration of alcohol in his or her system. In drug testing, an immunoassay procedure to eliminate “negative” urine specimens from further consideration.

Safety sensitive function:
Any of those on-duty functions (promulgated at 49 CFR §395.2 On-Duty time) as listed below:

1. All time at a carrier or shipper plant, terminal, facility, or other property, waiting to be dispatched, unless the driver had been relieved from duty by the District.

2. All time inspecting equipment as required by the Federal Motor Carrier Safety Regulations (FMCSR’S), or otherwise inspecting, servicing, or conditioning any commercial motor vehicle at any time.

3. All time spent at the driving controls of a commercial motor vehicle in operation.

4. All time, other than driving time, spent on or in a commercial motor vehicle (except for time spent resting in the sleeper berth.)

5. All time spent loading or unloading a commercial motor vehicle, supervising, or assisting in the loading or unloading, attending a vehicle being loaded or unloaded, remaining in readiness to operate the vehicle, or in giving or receiving receipts for shipments loaded or unloaded.

6. All time spent performing the driver’s requirements associated with an accident promulgated at 49 CFR §§392.40 and 392.41.

7. All time repairing, obtaining assistance, or remaining in attendance upon a disabled vehicle.

Substance Abuse Professional:
A substance abuse professional means a licensed physician (Medical Doctor or Doctor of Osteopathy), or a licensed or certified psychologist, social worker, employee assistance professional, or addiction counselor (certified by the National Association of Alcoholism and Drug Abuse Counselors Certification Commission) with knowledge of and clinical experience in the diagnosis and treatment of alcohol and drugs-related disorders.
CONFIRMATION OF RECEIPT ACKNOWLEDGEMENT

I have received a copy of New Hartford Central School District’s drug and alcohol testing policies and procedures as approved by the Board of Education.

Date

Employee’s Signature

Employee's Name (Printed)

Please sign and return this card to the Transportation Supervisor.

New Hartford Central School District
Superintendent Approved: 08/14/12,
I. Statement of Policy

A. The New Hartford Central School District is committed to maintaining a drug free work environment and adopts this policy to ensure compliance with the Drug Free Workplace Act of 1988.

B. The unlawful manufacture, distribution, dispensation, possession, or use of a “controlled substance” (any substance listed in any schedule of 21 U.S.C. Section 812) is prohibited on District property and at District-sponsored events. The use or possession of a prescribed medication in any manner other than as prescribed is also prohibited on District property and at District-sponsored events.

II. Drug-Free Awareness Program

A. Each new employee shall be given a copy of this Policy.

B. The Superintendent shall adopt a procedure that will ensure that each District employee is informed about:

1. This Policy,
2. The dangers of drug abuse in the workplace,
3. Available drug counseling and rehabilitation services and the District’s employee assistance program, and
4. The penalties that may be imposed upon District employees for violations of this Policy.

III. Consequences for Violation of Policy

A. Penalties for violations of this Policy shall be determined by the Superintendent based on all of the facts of a particular case, including the nature of the substance involved. The Board considers any violation of this Policy by an employee to be detrimental to the District’s pedagogical mission to educate students not to use or abuse illegal substances, and any penalty assessed should reflect this.

1. The penalty for a violation of this Policy typically will be a reprimand, an unpaid suspension, a fine, a demotion, or dismissal from employment.
DRUG-FREE WORKPLACE POLICY

2. Where the Superintendent deems appropriate, a disciplinary consequence may be held in abeyance pending the employee’s satisfactory completion of medical treatment, counseling, community service, or other appropriate rehabilitative activity.

B. Penalties for violations of this Policy shall be administered in a manner consistent with applicable statutes, collective bargaining agreements that relate to employee discipline and the District’s Code of Conduct.

IV. Special Rules Relating to Employees Working under a Federal Grant

A. The District will notify each employee working under a federal grant that as a condition of working under the grant, the employee will abide by the terms of this policy.

B. When a District employee working under a federal grant is convicted of a violation of a criminal drug statute:

1. The Employee must notify the District of the conviction no later than five days after the conviction; and

2. The Superintendent (or designee) will notify the federal agency providing the grant of the employee’s conviction no later than ten days after it learns of the conviction; and

3. The District will initiate appropriate disciplinary action and/or will require the employee to participate in an appropriate rehabilitation program no later than 30 days after it learns of the conviction.
NON-NEGOTIATING PERSONNEL

I. The District employs a variety of administrative, managerial, confidential and support level personnel who are not part of a collective bargaining unit and who are not represented by a labor union. The District nevertheless recognizes these employees as "Non-Negotiating Personnel."

II. The Board of Education directs the Superintendent of Schools to consider cost efficiency and the relevant job market when establishing the terms and conditions of employment for Non-Negotiating Personnel. The Board of Education further directs the Superintendent of Schools to develop regulations that accurately reflect the terms and conditions of employment for Non-Negotiating Personnel.

New Hartford Central School District
Adopted: 06/19/07
Revised: 08/14/12, _____
MANAGERIAL/CONFIDENTIAL EMPLOYEES

I. **Purpose:** The District employs managerial and/or confidential employees who are not certificated school administrators and who are not members of a collective bargaining unit. These employees shall be known as “Managerial/Confidential Employees.” This regulation governs the terms and conditions of employment of Managerial/Confidential Employees.

II. **Payroll:** The option of direct deposit shall be made available. Additionally, the following payroll deductions shall be made available to all employees shall also be provided:
- Credit Union
- Tax-Sheltered Annuity

III. **Sick Time:**

A. **Accrual:** Full time employees shall receive twelve (12) sick days at the beginning of each fiscal year. A newly hired employee who was not employed by the District at the beginning of the fiscal year shall receive a prorated benefit for the balance of the fiscal year. (For example, an employee who begins work anytime in December shall receive six (6) sick days until the beginning of the next fiscal year. Similarly, an employee who begins work anytime in April shall receive two (2) sick days until the beginning of the next fiscal year).

B. **Accumulation:** Unused sick leave shall be unlimited in accumulation.

C. **Work related injury:** In case of personal injury sustained in the performance of duty through no negligence of the employee, as determined by the Superintendent, the employee shall receive full pay with no loss of days deducted from accumulated leave to a maximum of thirty (30) days per calendar year. The District will file with the Worker's Compensation Board for reimbursement, to the extent of the employee's Worker's Compensation award, for both the period covered by the thirty day provision above and subsequent sick leave pay. The employee's sick leave utilized following the thirty (30) day period will be reinstated at a prorated amount determined by dividing the reimbursement obtained from the carrier by the employee's salary. Such reinstatement is subject to reimbursement by Worker's Compensation.

D. **Termination:** If the District or an employee terminates the employee's employment prior to the end of a fiscal year, the employee's final check will reflect a deduction of pay at the rate of one (1) sick day per month for the remaining months of the fiscal year.

E. **Retirement:** A full-time employee who submits a irrevocable letter of retirement six (6) or more months in advance of the effective date of retirement shall be
reimbursed for accrued and unused sick time at the rate of thirty-six ($36) per day. However, for an employee who intends to retire between July 1st and August 31st, the deadline for the irrevocable letter of retirement shall be the preceding March 1st. For the purposes of this benefit, “death” is considered to be the same as retirement.

F. Sick Bank:

1. The confidential employees’ sick leave bank consists of 260 days.

2. A confidential employee may not receive more than the maximum of one year’s regular salary or participate in the bank for more than one (1) year.

3. The bank will be replenished when it has dropped below 180 days. Each confidential employee will contribute 1 day and the District will contribute the balance. Replenishment will take place no more than 1 time per fiscal year.

4. The sick leave bank is to be used only after the employee has used up his/her own sick days.

5. Any long-term illness must be certified by a medical doctor and must certify that the employee will be absent for at least (15) consecutive workdays for extended, unforeseen, long-term illness or injury during the employee’s normal work year.

6. The employee must continue under a medical doctor’s care throughout the period of disability and the District may request a doctor’s certificate at any time during this period.

7. In cases where the employee is collecting District insurance, social security, worker’s compensation or other disability insurance, the District will pay only the difference between the insurance amount and the employee’s regular rate of pay.

8. All communication involving the bank would be directed to the Superintendent. The Superintendent shall decide if the requirements of the bank have been met when application is made for use of the bank by a confidential employee.

9. Normal maternity and recovery will not be considered extended, unforeseen or long-term and therefore will not qualify and employee for the use of the sick leave bank. Extended, unforeseen and long-term
MANAGERIAL/CONFIDENTIAL EMPLOYEES

physical disability caused by complications or abnormal delivery will be considered proper qualifications for use of the sick leave bank.

IV. Personal Leave:

A. Accrual And Use: Full time employees are granted up to five (5) non-cumulative personal days per fiscal year. A newly hired employee who was not employed by the District at the beginning of the fiscal year shall receive a pro-rated benefit for the balance of the fiscal year. (For example, an employee who begins work anytime in January shall receive two and one half (2.5) personal leave days until the beginning of the next fiscal year). The Personal Leave Day benefit provided for in this paragraph may only be used for the following purposes:

1. Sick Or Injured Family Member: To care for a sick or injured member of the employee’s immediate family (spouse, child, grandparent, parent, sibling, in-law or any member of the family or household who has clearly stood in the same relationship with the employee as any of these).

2. Personal Or Legal Business: To conduct personal or legal business that cannot be conducted outside of regular work hours.

B. Additional Personal Leave Day: Full time employees who have completed three (3) or more years of full time consecutive district service are granted one (1) additional non-cumulative personal leave day per fiscal year that may be used for any purpose.

C. Prior Approval: An employee must receive prior approval from the Superintendent or his/her designee before using personal leave time, unless prior approval is impossible (for example, when a family member is suddenly sick or injured). Prior approval is required even when an employee is using his/her above described “Additional Personal Leave Day” benefit.

D. Unused Personal Leave Time: At the end of each fiscal year, accrued and unused personal leave time will be added into the employee’s accumulated sick time total.

V. Floating Holidays:

A. Accrual: An employee is entitled to one floating holiday per year, provided that the employee has used no more than one (1) two (2) personal leave days during the previous year (one family illness and one without reason).
MANAGERIAL/CONFIDENTIAL EMPLOYEES

B. **Approval:** An employee must submit his/her request to use a floating holiday at least two weeks in advance of the date of his/her desired use. The Superintendent and/or his designee have the discretion to approve and/or deny all requests.

C. **Accumulation:** The Floating Holiday must be used in the fiscal year it is earned and cannot be rolled over into a subsequent fiscal year.

VI. **Bereavement Leave:**

A. **Five Day Benefit:** An employee may use up to five days per incident per year for the death of the following members of the employee’s family: Parent, sibling, child, spouse or any member of the family or household who has clearly stood in the same relationship with the employee as any of these.

B. **Two Day Benefit:** An employee may use up to two days per incident per year for the death of the following members of the employee’s family: Father-in-law, mother-in-law.

VII. **Leaves of Absence:** FMLA leaves of absence will be granted in accordance with the District’s Family and Medical Leave Act Policy. Additionally, the Board of Education may grant a requesting employee a non-FMLA leave of absence without pay for a period of up to one year.

VIII. **Jury Duty:** Upon the submission of a jury duty notice to the Superintendent, an employee who has been summoned for jury duty will be released from school without loss of pay. The employee must reimburse the District for any amount he/she receives in jury fees, excluding mileage allowance.

IX. **Health Insurance:**

A. **Medical Insurance:** The District shall pay 95% of the employee’s individual medical insurance premium and 95% of the employee’s family medical insurance premium.

B. **Retirement:** An employee must have worked at least ten (10) consecutive years for the district immediately prior to retirement and must have been eligible to receive the District premium contribution for at least three (3) full years immediately prior to retirement, in order to be eligible for insurance coverage with District contribution while on retirement status.

C. **Medical Insurance Buy Out:** Active employees who are eligible for District contributions towards the purchase of health insurance will have the opportunity to receive a payment for not participating in all or part of the health insurance
MANAGERIAL/CONFIDENTIAL EMPLOYEES

program. Individuals voluntarily agreeing to waive family coverage will receive $800. Individuals agree to waive their individual coverage would receive $600. Individuals agree to waive both would receive $1,400.

Employees who elect not to participate in the Health Insurance Plan and to utilize the buyout option must present proof of alternative insurance coverage to the Superintendent of Schools or his/her designee each year.

The insurance company will agree to allow individuals to re-enter the plan without restrictions on pre-existing conditions. When the insurance company agrees to incorporate that into the plan, individuals will be provided a form on which they may exercise their option. Participation in this program would be absolutely voluntary. If the insurance company does not agree to the protections for the individuals to re-enter, the provision for the buy-out will be void.

D. Dental Insurance: The District shall pay $171 towards the cost of an employee’s individual dental insurance premium and $271 towards the cost of an employee’s family dental insurance premium per annum.

X. Life Insurance: The District will provide each employee with a life insurance policy with a value that is equal to the employee’s annual salary. There shall be no cost to the employee.

XI. Vacation:

A. Accrual: If an employee begins employment with the District prior to September 15th, she/he will receive the full vacation amount the following July 1st. If an employee begins employment after September 15th, she/he will be subject to a pro-rated benefit. Vacation time will be credited on the July 1st following the prior year’s service:

i. Upon the completion of 1 year of service: 2 weeks per year.
ii. Upon the completion of 4 years of service: 3 weeks per year.
iii. Upon the completion of 9 years of service: 4 weeks per year.
iv. Upon the completion of 20 years of service: 5 weeks per year.

B. Rollover: An employee may rollover no more than one (1) week of accrued and unused vacation time into the next fiscal year.

C. Rollover Exception: The Payroll/System Operations Clerk position consists of job responsibilities that make the coordination and scheduling of regular vacation time inherently difficult and burdensome for the District. The Payroll/System Operations Clerk is therefore permitted to rollover up to twenty-five (25) vacation
MANAGERIAL/CONFIDENTIAL EMPLOYEES

days into a subsequent fiscal year, provided that the Payroll/System Operations
Clerk shall never have more than a total of fifty (50) accrued and unused vacation
days at any one time.

XII. Holidays: The Board of Education will approve an annual calendar for employees, which
includes the following fifteen (15) paid holidays: Independence Day, Columbus Day,
Three (3) Days for Thanksgiving Break, Two (2) Days for Christmas Break, Martin
Luther King Day, Good Friday, Labor Day, Veterans Day, Two (2) Days for New Years’
Day Break, President’s Day and Memorial Day.

XIII. Emergency Closings: In the event of a school closing due to a weather related or other
emergency, employees shall not be required to attend work and shall suffer no loss of
pay. If an employee’s supervisor requests his/her attendance at work during a school
closing, the employee shall be compensated at the regular hour rate.

XIV. Job Related Degree Stipends And License Reimbursements:

A. Job Related Degree Stipends: If the Superintendent determines that an employee
has obtained a job related Associates Degree or Bachelors degree, he/she may
authorize the following annual stipend payment to the employee: $400 for a job
related Associates degree or $600 for a job related Bachelors degree. The annual
stipends do not compound (the employee cannot receive both stipends) and are
not added to the employee’s base rate of pay (the stipends are not affected by the
employee’s annual raise).

B. License Reimbursements: The Plant Engineer shall be reimbursed for his annual
license fee, provided he has submitted appropriate verification of payment.

XV. Salary Ranges: The Superintendent shall consider trends in the relevant job market
before proposing a starting salary for a given employee or a salary increase for any
employee or group of employees. The Board of Education must approve all starting
salaries and changes to salaries. Each employee shall receive a salary notice annually
and whenever his/her rate of pay is changed by the Board of Education.

New Hartford Central School District
Adopted: 07/10/12
Revised: _____
SCHOOL VOLUNTEERS

I. The Board of Education recognizes that the use of volunteers strengthens school/community relations through positive participation, builds an understanding of school programs among interested citizens, and assists employees in providing more individualization and enrichment opportunities in instruction.

II. Volunteers may come from all backgrounds and age groups and may include any persons willing to give their time for the purpose of helping children through planned auxiliary services. Volunteers may be involved in many facets of school operations, from mentor/tutor relationships to clerical tasks. School personnel who are responsible for tasks or projects that will make use of volunteers will identify appropriate tasks and time schedules for such activities, as well as make provisions for adequate supervision, in-service programs, and evaluation. Volunteers will not be used to provide transportation for school-sponsored activities.

III. Volunteers are persons who are willing to donate their time and energies to assist principals, teachers, and other school personnel in implementing various phases of school programs. They will serve under the direct supervision of school personnel as approved by the building principal.

IV. An application shall be filled out by each volunteer who is applying for a regularly scheduled (on a daily or weekly basis) position; and forwarded to the appropriate building principal for evaluation. All other volunteers to the school shall comply with the district policy regarding VISITORS TO THE SCHOOLS. All persons performing volunteer services shall be screened and interviewed by one or more members of the regular school staff. A volunteer may or may not be added to the District list pending approval from the Superintendent of Schools.

New Hartford Central School District
Adopted: 12/16/97, 07/11/06
Revised: 11/16/99, 11/20/01, 08/14/12, _____
PERSONNEL

STAFF COMMUNICATIONS

I. All communications from staff shall follow the established channels of communication, as follows:

A. Communications To the Board of Education:

All staff communications relating to school matters intended for the Board of Education shall be made with the knowledge of the Building Principal and the Superintendent.

B. Communications To the Public:

All letters, questionnaires, news releases, etc. relating to school business shall be sent out to the public only with the knowledge and approval of the Building Principal and the Superintendent.
STAFF DEVELOPMENT

I. The Board of Education believes that the success of educational programs and operational goals depends on the professional growth and effectiveness of the entire staff. The Board also recognizes its responsibility to encourage staff development through goal setting, budgetary commitment, and monitoring the staff development activities.

II. To support these beliefs, the Board will review and approve on an annual basis a district-wide staff development goals statement as developed and presented to the Board by the Superintendent of Schools. The Superintendent will work with appropriate members of staff to formulate a staff development plan to address district goals and staff development experiences that relate to the mission of the school district. The Superintendent will have the authority to approve release time for individual staff members' attendance at professional conferences, in-service courses, etc., based on the recommendation of the individual's Building Principal and Assistant Superintendent for Curriculum and Instruction. The Superintendent will have the authority to authorize expense reimbursements related to an employee's participation in these programs only in accordance with written school board policy.
PROHIBITION ON CONTRACTS/LEASES, ETC.

All employees of the New Hartford Central School District are prohibited from entering into contracts, leases or other financial arrangements for school related purposes without the written approval of the School District's Purchasing Agent.

New Hartford Central School District
Adopted: 09/88, 07/11/06
Revised: 08/14/12, _____
NEW HARTFORD SUBSTITUTE USE

I. Instructional Positions

1. At Perry Junior High School Instructional substitutes shall receive a half day's pay when they are employed for four (4) periods or less. More than four (4) periods shall equal a full day's pay. Additionally, any substitute teacher who teaches four (4) classes in a given day shall receive a full day's pay.

At the Senior High School Instructional substitutes shall receive a half day’s pay when they are employed for two (2) blocks or less. More than two (2) blocks shall equal a full day’s pay.

2. Half day Instructional substitutes working in the elementary school shall be defined as working solely morning or afternoon (half the number of hours) in the teaching day.

3. Secondary teacher substitutes called in to work less than a full day may be given additional assignments to provide a full day's work at full compensation, except that substitutes called in to work as Department Chairperson shall be paid a full day's pay and the District may assign such substitute additional work beyond the Department Chairperson's schedule to provide a full day of employment.

4. No substitute teacher will normally be assigned more than a full teacher's load. If it is determined that an additional assignment above the teacher's load is necessary, the substitute shall receive ten dollars ($10.00) at Perry Junior High for said assignment and twenty dollars ($20.00) for Senior High Assignment.

New Hartford Central School District
Adopted: 09/83, 03/06/07
Revised: 09/07/99, 08/14/12, _____
SUBSTITUTE TEACHERS

The District establishes the following procedures relative to Substitute Teachers:

I. Recruitment and Selection

A. Candidates for substitute teaching positions must fill out the "Substitute Teacher Application Form" (attached) and return it to the Personnel Clerk, New Hartford Central School District, New Hartford, New York 13413.

B. Copies of teaching certificates, transcripts, and/or other pertinent data should also be sent to the Personnel Clerk to expedite the application process.

C. Applicants may then be scheduled for an interview with an appropriate administrator.

D. Substitute teachers shall be approved on the basis of certification, personal qualifications and the administrative interview.

E. Substitute teachers shall be selected by the Building Principals (or others who have this responsibility) from an available list approved by the Superintendent. The list shall be periodically updated.

F. Substitute teachers should inform the Office of the Superintendent when they are no longer available for substitute work or of other restrictive circumstances.

II. Compensation

Substitute compensation is part of the teachers' contract.

III. Duties of the Substitute Teacher

A. Each building will have written guidelines for substitute teachers. The substitute teacher should review all such guidelines in a particular building.

B. The substitute teacher is expected to be at school at least twenty (20) minutes before school opens, and may leave after school is dismissed. Substitute teachers should report to the school office upon arrival to obtain keys and instructions.

C. All regular and other assigned duties of the regular teacher are to be assumed by the substitute teacher. (I.E. bus, hall and cafeteria duties.)

D. The substitute teacher shall complete all forms required by the Building Principal.

E. All information regarding students is to be considered strictly confidential.
POLICY

PERSONNEL

Draft 10/30/2017
8402 Renumber 8105

SUBSTITUTE TEACHERS

F. Check the office mailbox of the absent teacher before school, at noon and before leaving the building at night.

G. Make the school day as productive as possible based on the plans left by the regular teacher, carrying on all classes and other assignments of that person.

H. Report to the office at the end of the day and place in the teacher's mailbox a summary of the work accomplished.

IV. General Provisions:

A. Be on time.

B. Report in at Principal's Office.

C. Look over regular teacher's plans ahead of class, if possible.

D. Follow the regular teacher's plans as closely as possible.

E. Be friendly to students.

F. Never criticize the regular teacher's methods.

G. Use the better students in class if subject matter is unfamiliar.

H. Leave a note for the regular teacher describing work covered and any irregularities in students' behavior.

I. Report serious violations of good conduct immediately.

J. Report departure at the end of the day at the Principal's Office.

V. Corporal Punishment

Substitute teachers should not, under any circumstances, strike, hit, slap, etc. a student! The only possible exception to the rule would be for purposes of self protection as defined by the District’s Code of Conduct (Policy No. 1010).

Discipline cases should be referred to the Building Principal's office.

VI. Administrative Responsibilities
POLICY

PERSONNEL

SUBSTITUTE TEACHERS

Substitute teachers shall be employed only from the approved list provided by the Superintendent. Whenever possible, teachers qualified within a subject matter area shall be assigned to substitute teach within that area.

A. The job of the Principal in relation to the substitute teacher is to create a system that acquaints the substitute with building and system-wide procedures. Therefore, the Principal and/or designee shall:

1. Help acquaint the substitute teacher with the building:
   a) Cafeteria and gymnasium
   b) Teachers' lounge and rest rooms
   c) Fire exits and fire extinguishers
   d) Individual classrooms

2. Have the substitute teacher introduced to teachers of the same grade level and other staff members.

3. Have the substitute teacher taken to the homeroom:
   a) Check over lesson plans with the substitute.
   b) See that appropriate textbooks, manuals, seating charts and seatwork (elementary) are available.

4. Have procedures explained for:
   a) Taking lunch count
   b) Cafeteria procedure
   c) Recess and dismissal
   d) Taking attendance
   e) Special pupil classes -- speech, band, vocal music, etc.

5. Make sure the substitute teacher knows where help may be obtained for any type of emergency.

B. The green form, "Substitute Teachers Report", shall be completed for each substitute on the first day of work and sent to the Personnel Clerk for review by the District Superintendent. An oath of allegiance must also be signed.

C. Unsatisfactory service by a substitute teacher should be reported as soon as possible to the Superintendent for removal from the approved list.

VII. Regular Teacher's Responsibilities
POLICY

SUBSTITUTE TEACHERS

In order to aid the substitute teacher in doing the assigned job as well as possible, it is necessary for the regular teacher to plan each day as though a substitute were going to take over. A notice of absence should be given as far in advance as possible.

It is suggested that the teacher:

A. Leave plans that are clearly outlined and easily followed.
   1. Completed plans should be crossed out.
   2. Plans should note pages in books and manuals.
   3. If a project or unit of work has been started, a detailed plan must be attached to the plan book.

B. Have Teacher's Manuals, desk copies of textbooks and seatwork (elementary) available.

C. Leave an up-to-date seating chart.

D. List daily duties on plan book.

E. Attach the class schedule to the plan book.

F. Leave important information about any child.
   (1) Physical defect, e.g. sight, hearing, epilepsy.
   (2) Emotional instability.

G. List of Reading, Arithmetic and other groups.

I. List names of pupils for special classes; e.g. speech, band, chorus, etc.

J. Specify any special plan for classroom procedure.

K. Names of pupils who can be of help to the substitute teacher.

Each teacher should prepare his/her class for the event of a substitute teacher assignment.

New Hartford Central School District
Cross Ref: Policy No. 1010, Code of Conduct.
Revised: 04/04/07
Revised: 08/14/12, _____
I. The Board of Education authorizes supervisors/administrators to secure substitute employees to replace absent employees when deemed necessary. Substitutes will be selected by the appropriate supervisor.

II. When employing individuals to serve as substitutes for non-instructional employees, their placement on the then applicable pay scale shall be done in accordance with the following:

A. Substitutes shall be compensated at ninety percent of the entry rate for the following positions:

<table>
<thead>
<tr>
<th>Position</th>
<th>Title Rate</th>
</tr>
</thead>
<tbody>
<tr>
<td>Cleaner/Maintenance/Grounds</td>
<td>Cleaner</td>
</tr>
<tr>
<td>Monitor</td>
<td>Monitor</td>
</tr>
<tr>
<td>Teacher aide 1/Bus aide</td>
<td>Teacher aide 1</td>
</tr>
<tr>
<td>Teacher aide 2</td>
<td>Teacher aide 2</td>
</tr>
<tr>
<td>Office Specialist</td>
<td>Office Specialist 1</td>
</tr>
<tr>
<td>Driver</td>
<td>Driver</td>
</tr>
<tr>
<td>Nurse</td>
<td>Nurse</td>
</tr>
</tbody>
</table>

B. Employees hired before 1/1/15 will remain at their current substitute rate if the current rate exceeds the proposed 90% rate.
PERSONNEL

STAFF CONSULTING SERVICES

I. The Board of Education expects staff to devote undiminished attention and energy to the concerns of the school district. Nevertheless, the Board also recognizes that educational consulting work with other agencies or school districts may be a source of renewal and a rewarding experience in terms of professional growth for talented and experienced professional staff members.

II. Therefore, the Board permits teaching staff and building administrators to undertake occasional consultative work pursuant to this policy and any regulations approved by the Superintendent. All absences for consultation work must be approved in advance by the Superintendent of Schools and will not normally exceed two days at any one assignment during the school year. The agency or school district involved will pay to the district the cost of a substitute teacher. Preparation time for consulting work will be the responsibility of the employee and shall not conflict with the employee's obligations to the district.

New Hartford Central School District
Adopted: 06/17/97, 07/11/06
Revised: 08/14/12
BUS DRIVER QUALIFICATIONS AND RESPONSIBILITIES

I. Bus Drivers Qualifications

A. NYS Education Law Section 3624 authorizes the Superintendent to require each school bus driver to have a physical examination by a duly licensed physician within two weeks prior to the beginning of service in each school year. The physician's written evaluation of the driver will be used by the Superintendent in determining the fitness of the driver to operate or to continue to operate school buses.

B. Federal and state laws require all school bus drivers to have a commercial driver’s license (CDL). Under federal law, school bus drivers required to have a CDL are subject to alcohol and drug testing.

C. School districts must conduct an investigation of a person’s driving record before employing him/her as a school bus driver. The district must obtain the driving record of each bus driver it employs from the appropriate agency in every state in which that driver resided or worked and/or held a driver’s license or learner’s permit during the preceding three years.

D. By law, all school bus drivers must be fingerprinted so the district may obtain any criminal record from state and federal authorities.

E. The Head Bus Driver shall be responsible for the required training of all school bus drivers throughout the school year, as required by law.

F. Bus drivers are held responsible for the reasonable behavior of pupils while in transit.

G. Bus drivers are responsible for emergency drills on school buses. Such drills shall include instruction in the use of windows as a means of escape in case of fire or accident. A minimum of three drills shall be held on each school bus during the year as provided in Section 3623 of the Education Law.

H. Absence from Work

In order to secure qualified substitutes, employees are expected to give sufficient notice when unable to report for work. (Supervisor will furnish specific directives.)

I. Prolonged Illness Reporting

A physician's statement as to status of health is to be submitted to the Superintendent after two (2) weeks of continuous absence. (Additional information may be requested before employee is permitted to return to work.)
BUS DRIVER QUALIFICATIONS AND RESPONSIBILITIES

J. Use of Garage Facilities (Mechanics Only)

Administrative policy has been established governing the use of garage facilities to work on employees own cars in the Bus Garage.

1. Prior permission of the Transportation Supervisor is required.

2. Work does not conflict with regular assignments or garage schedule.

3. All supplies and parts are to be furnished at the employee’s expense.

K. Notification of a Conviction

Any driver who receives a notice that his/her license, permit or privilege to operate a motor vehicle has been revoked, suspended or withdrawn or who is convicted of a traffic infraction in any jurisdiction shall notify the motor carrier that employs such person of the contents of the notice before the end of the business day following the day he/she receives it.

A driver who fails to notify his/her employer of such suspension, revocation or conviction shall be subject to a five (5) working day suspension or a suspension equivalent to the number of working days such driver was not in compliance with this article, whichever is longer.

II. Rules for Driving Safely

A. Keep to the right of the center line of the highway.

B. Pass overtaken vehicles on the left, but only after sounding horn and only when the road ahead is clear enough to permit getting back to the right with a wide margin for safety.

C. Never attempt to pass an overtaken vehicle at an intersection, on a curve or approaching the crest of a hill.

D. At intersections, be prepared to stop if a vehicle on an intersecting road is moving into the intersection, and do not try to take the right of way.

E. Keep far enough in back of the vehicle ahead to allow a safe braking distance in the event that the other vehicle makes a sudden stop. Except in emergency, do not stop so suddenly as to cause collision by a following vehicle.
BUS DRIVER QUALIFICATIONS AND RESPONSIBILITIES

F. Signal before making a turn and further insure safety by looking to see whether a vehicle is approaching from the rear. Wait before pulling out from the curb until making such observation(s).

G. Always keep both hands on the steering wheel and keep eyes on the road ahead while driving. Look behind before backing.

H. Always stop before crossing railroad tracks. After carefully looking in both directions and listening, proceed only if it is safe beyond any possible doubt and then proceed in low gear, gears not being shifted until all tracks have been cleared.

I. When stopping on a highway, pull as far off the hard surface as road conditions permit, and when the stop is prolonged, see that the rear of the vehicle is adequately protected.

J. Do not operate at excessive speeds at any time. At curves, blind crossings, crests of hills, in fog or whenever the view is curtailed, reduce speed so as to be able to stop within the distance of clear vision.

III. Special Driving Regulations for the School Bus Driver

A. Drivers shall be familiar with the Vehicle and Traffic Law, Regulations of the Commissioner of Motor Vehicles, and Regulations of the Commissioner of Education pertaining to pupil transportation.

All provisions of Article 19-A must be obeyed, including a road test, written test, driving review, and an annual review of operating record, etc.

It is imperative that all school bus drivers be aware of the "Provisions of the Motor Vehicle and Traffic Law" outlined in Section 509-I.

B. No gasoline tank shall be filled when there are pupils in the bus.

C. No pupil shall be allowed to occupy any position that will interfere with the vision of the driver or his/her driving. All pupils must remain behind the white line.

D. Every school bus MUST make a complete stop at highway intersections protected by "STOP" signs, and the driver must exercise the utmost care before proceeding. All drivers are to obey all other traffic signs and signals.

E. Drivers shall make a full stop at all railroad crossings and at the State highways before crossing; and must not change gears when crossing railroad tracks.
BUS DRIVER QUALIFICATIONS AND RESPONSIBILITIES

F. The school bus driver must not leave the school bus when children are inside, except in case of emergency. In such case, before leaving the bus, the driver shall stop the motor, remove the ignition key, set the auxiliary brake and leave the transmission in gear.

G. Vehicle and Traffic Law specifies a maximum speed limit of fifty-five (55) miles per hour for all vehicles. Posted speeds must be obeyed. The speed limit within the school grounds is ten (10) miles per hour.

H. No bus shall be operated with the clutch disengaged, except when coming to a stop.

I. The doors of the bus shall be closed at all times when the bus is in motion. Drivers are not to permit students to operate the bus door at any time.

J. Drivers shall give warning before making a left-hand or right-hand turn. No school bus may turn on any red light.

K. The driver shall not back the bus on school grounds or at loading or unloading stops without proper signals from another responsible adult.

L. The main aisle and the aisle to the door of a school bus may not be restricted pursuant to New York State Department of Transportation Law, Section 721.4 720.22. The District forbids parcels, packages, pets or large musical instruments on school buses.

M. The law forbids any bus driver from consuming alcohol at any time they are on duty, or less than eight (8) hours prior to reporting for work.

N. The school bus driver shall not permit any person, other than pupils, authorized teachers and other persons designated to supervise such pupils, to ride the school bus. Drivers reporting for work must report alone (no children, spouses, friends, pets, etc. may accompany them at any time).

O. No smoking on buses.

P. At the High School complex, buses are to enter on Graham Avenue and exit at Daly Place.

Q. When parking the bus in the garage, the parking brake must be engaged and transmission in the neutral position. Automatic transmission equipped vehicles must be in the park position. On diesel equipped buses, be sure to leave fuel shut off in the out position. Do not depend on the master shut-off switch; shut off all switches.

R. Buses entering or leaving the storage garage are to use the proper lane.
BUS DRIVER QUALIFICATIONS AND RESPONSIBILITIES

S. Drivers using keys on sport or field trips must sign keys in and out at the garage office. Trip sheets must be turned in as soon as possible after the trip is completed.

T. A pre-trip inspection will be conducted according to State and Federal guidelines.

U. Post-trip inspections will be performed after every run regardless of the type or duration of the run. Attention will be given to students missing their stop, books, clothing, and damage to the interior.

IV. Defensive Driving

In addition to the Commissioner’s Regulations, there are certain defensive driving practices which should be observed by all school bus drivers. These include the following:

A. Safety is first, schedules are secondary. Safe driving takes precedence over all other considerations.

B. Definition of a safe, defensive driver is one who is careful not to commit driving errors him/herself, who makes allowances for the lack of skill or lack of proper attitudes on the part of other drivers, and makes allowances for weather and road conditions or the actions of pedestrians and other drivers to avoid an accident. He/She keeps continually on the alert, recognizes and accident-producing situation far enough in advance to apply the necessary preventative action and concedes the right of way when necessary to prevent an accident.

C. Brakes must be tested before operating the school bus. The bus must be operated within its mechanical limitations. If the brakes are inadequate for safe operation, park the bus off the road if possible, and immediately call the Transportation Supervisor. Better yet, don’t start on a trip when the condition of the brakes is questionable.

D. Windshields and mirrors are to be kept clean for clear visibility. Open the side window for proper ventilation if necessary, and report any defective defroster. Check heater hoses and hose clamps for leaks. Mirrors are to be properly adjusted. Report for repair any cracked or defective mirror. A hand cloth should be in every operator’s kit.

E. Smooth starts and smooth stops will prevent personal injuries and preserve equipment. Reduce speed over rough roads. Gears are to be meshed without clashing. The bus is to be held by the foot brake on any grade and not by power.

F. Avoiding collisions at intersections is the bus operator’s responsibility. Approach at a prudent rate of speed, observe to right and left, and have bus under control to stop if
BUS DRIVER QUALIFICATIONS AND RESPONSIBILITIES

necessary. Professional school bus drivers must come to a complete stop at all rural road intersections. Before making a turn, make sure that no vehicle is approaching from the rear and that the turn can be made without interference with oncoming traffic or pedestrians. Use turn signals. Get into the proper lane for a turn.

G. Be sure of clearance before attempting to pass, sound horn if needed, and check for clearance before returning to your proper lane. Use mirrors and turn signals when changing lanes.

H. When following traffic, maintain a safe braking distance between your bus and the vehicle ahead for full assurance that you can stop, should the vehicle ahead make a sudden stop. There is no excuse for colliding with the vehicle ahead.

I. When approaching a stop to pick up children, give a right turn signal when you are certain the move to the right can be done safely. Then turn to the right and establish your position in the correct stopping lane. Be sure to turn off the right turn signal at this point. Pull to a stop, allowing plenty of room for unexpected actions of the children. There will never be any excuse for running over a child who is unexpectedly pushed in front of a school bus by others around him/her, or who suddenly makes a move placing him/herself in such danger. Allow every student to be seated before starting.

J. When pulling onto the highway, check to make sure that the move can be done with safety. Give a left turn signal, then move out into traffic, turning off the left turn signal when you have established your position in the right-hand lane of traffic.

K. When stopping, aim high in traffic, check the passengers and the traffic following in the rear-view mirrors, before making a smooth stop. Make the stop in a manner so as not to endanger passengers or place the bus in danger of being struck in the rear by another vehicle.

L. Be certain that all backing movements can be done with absolute safety. Be certain that there is no child behind the bus. Be certain there are no vehicles behind your bus in a place where you could back into them. Get a guide whenever possible. Eliminate backing on the school grounds.

M. No bus shall be driven at a speed greater than is reasonable and prudent, having due regard for weather, traffic and road conditions. A maximum route speed of thirty-five (35) miles per hour is recommended. At a maximum speed of thirty-five (35) miles per hour you will be able to complete your route in a reasonable time.

N. Whenever passengers must stand while the bus is in operation, make certain that they move to the rear, and that none is standing ahead of the floor marking.
BUS DRIVER QUALIFICATIONS AND RESPONSIBILITIES

O. All lights on a school bus must be in operating condition. Burned out or defective lights must be repaired before operating the school bus under conditions where these lights must be in operation.

P. No passenger is to be permitted to board or alight while the bus is in motion. Doors must be kept closed while the bus is in motion.

Q. School bus operators should give pedestrians the right of way at all times.

R. Bus drivers should make an effort to get a disabled bus out of the roadway and into a safe place where it is protected from further damage. It is recommended that emergency equipment, such as flares and flags, be displayed.

S. When drivers have knowledge of road hazards, such as ruts or holes in the roadway, dangerous bus stops, projecting objects such as tree limbs or leaning poles, make a report to your Supervisor for investigation and correction. State road commissions, generally speaking, are responsible for clearing brush from roadways so that buses can operate without damage to the vehicle or injury to the passengers within the vehicle. With school buses this is especially important. During the fall and late spring, when the days are warm, the children often lower the bus windows. When a bus with lowered windows drives past brush, twigs on the brush slap along the side of the bus. Parts have been known to fly into the bus and injure students. Be especially cautious when operating a bus under these conditions.

T. When parking the bus at the end of each run, be certain that it is positioned well off the roadway where it cannot become a hazard to other motorists. Don't expect them to know that the bus is not in use. Do not allow the bus to stand beside the road.

V. Emergency "Stop" Situations

Drivers must be on the bus at all times when students are on the bus. If a driver has to leave his/her unit in an emergency situation, the following procedure must be followed:

A. Stop engine.

B. Remove ignition key (leave bus in gear).

C. Set emergency brake.

D. Curb wheels.

E. Do not assign students responsibilities in your absence.
BUS DRIVER QUALIFICATIONS AND RESPONSIBILITIES

F. Ask a passing motorist or resident to call your message in to the Transportation Supervisor or the police.

G. Assist passing motorists if involved in traffic situation (until police authorities arrive).

VI. Rules Affecting Pupils

A. The driver shall not allow pupils to enter or leave the bus while it is in motion. Drivers must make every effort to have students seated before starting the bus, and have them seated when the bus is in motion.

B. The driver is held responsible for reasonable behavior of pupils. Drivers are to require reasonable behavior of students. Students not conforming are to be reported on the proper form available at the office.

C. Students are to be transported directly to and from school. No stops are to be made for ice cream, candy, etc.

D. The driver shall not allow pupils to extend any portion of their body out of an open window or throw anything out of windows.

E. The driver of a school bus when discharging pupils who must cross the highway shall instruct such pupils to cross ten (10) feet in front of the bus and far enough ahead of the bus to be in the vision of the driver. The driver shall keep such school bus halted with red signal lights flashing until such pupils have reached the opposite side of the highway.

VII. School Bus Accident Procedures

Each year a number of accidents involving school buses occur in this State. The driver should be aware of his/her responsibility and the exact procedures to be followed if he/she is involved in a traffic mishap. In this regard, there are certain basic rules which should be followed by each driver who is involved in an accident.

In the event of an accident involving any school bus, the bus driver should complete the following steps:

1. Stop immediately and check any possible injuries. If there are any serious injuries, have someone call an ambulance immediately. Render assistance to the injured.

2. Protect the scene by the use of flares, flags, etc. Do not move the vehicle unless instructed to do so by a police officer. If it is in a dangerous position (hills, curves,
BUS DRIVER QUALIFICATIONS AND RESPONSIBILITIES

etc.), place warning devices at least one hundred (100) feet, but not more than three hundred (300) feet, from the vehicle. (If this situation is true, evacuate students and move them to a safe place until help arrives. However, in most cases, this is not necessary.)

3. Notify Transportation Department using two-way radio, if possible. Transportation Department can assist in notifying ambulance and police departments.

4. Have the transportation department call the students' school building. The transportation department staff will also notify school administrative offices.

5. Get all pertinent information for the accident report including the names of occupant(s) of the other vehicle, the other driver's identification, insurance company, license number of the vehicle, names of students on the bus and their location on the bus at the time of the accident, and witnesses, if possible.

6. It is the bus driver's responsibility to report to the Transportation Supervisor. Fill out all necessary reports pertaining to the accident, which will be processed by the Transportation Supervisor.

a) The reporting of accidents or mishaps in writing cannot be emphasized strongly enough. In any given case, it may be necessary to report to one or more of the following agencies:

1) Local authorities and school administrators
2) Commissioner of Motor Vehicles
3) New York State Department of Transportation
4) State Education Department

b) The driver should fill out the MV-104 Form for any injury to any passenger no matter how trivial he/she may feel it is. (These types of injuries may include bumped knees, cut lips or an injury caused by falling on the stepwell of the bus.)

In any case where the driver is unaware of such injuries/accidents, but has them brought to his/her attention by the school administration or the parent, he/she should fill out the appropriate form, making a statement to the effect that he/she "was not aware of anything out of the ordinary happening" on the school bus that day. The driver has the obligation to tell the truth and not to report on what students think they saw.

The driver should immediately report all personal injuries to authorized personnel employed by the District.
BUS DRIVER QUALIFICATIONS AND RESPONSIBILITIES

c) All accidents, regardless of their seriousness, or whether personal injury resulted, must be reported to the Division of Educational Management Services of the State Education Department. The necessary form can be secured from that office.

7. Under NO circumstances should the bus driver make any statement to the news media with respect to the accident. Do not sign any statements.

New Hartford Central School District
Cross Ref: Policy 8301 & 8404, Drug and Alcohol Testing
Adopted: 10/03/95, 09/01/98
Revised: 01/05/10, 08/14/12, _______
VOLUNTEER COACHES

I. A. The Board of Education recognizes that from time to time, it may be appropriate for the Board to appoint volunteer coaches to assist regular coaches in the conduct of interscholastic sports within the District.

B. Volunteer coaches will work under the supervision of regular coaches at all times and may not assume sole responsibility for student athletes at any time.

C. All assignments are considered to be on a season-to-season basis and are subject to the recommendations of the administration and approval of the Board of Education.

D. Prospective Volunteer Coaches must:

1. File an application with the Athletic Director.
2. Possess Coaching Certification as outlined in the “Guidelines for the Coaching Requirements,” issued by the New York State Education Department. The exception to this will be a Physical Education Student Teacher who will be serving for one season in a training (student coaching) experience.
3. Interview before a committee consisting of the Athletic Director, head coach, and building principal.
4. Be appointed by the Board of Education.

E. After completing one season of service and receiving a satisfactory review using the coaching evaluation instrument, Volunteer Coaches may receive reimbursement from the District for the cost of courses leading to Coaching Certification.

F. Effective September 2011, all Volunteer Coaches who served prior to the 2010-2011 school year must have completed all appropriate certification requirements in order to continue as a volunteer coach.

G. The Board delegates to the Athletic Director, in concert with the appropriate principal, the right to limit the number of volunteer coaches per sport and to terminate the services of any volunteer coach with or without the recommendation of the head coach. The Board will be informed of any termination.

H. Volunteer Coaches must possess and maintain a valid Red Cross standard first-aid/CPR card.
EARLY RETIREMENT INCENTIVE PROGRAM

I. A. An early retirement incentive program is hereby adopted as a policy of the New Hartford Central School District Board of Education. The purpose of this program is to provide qualified District employees with an Early Retirement Incentive.

B. The duration of this policy and program shall be from September 2, 2014 through June 30, 2018, and notwithstanding Section 209(a)(1)(c) of the Civil Service Law, shall expire fully and completely as of June 30, 2018.

C. The first year of retirement eligibility shall be defined as the first year in which an employee is eligible to retire from the district and immediately receive a service retirement benefit from the New York State Teachers’ Retirement System or the New York State Employees’ Retirement System.

II. Eligibility Requirements

A. In order to be eligible for any payment under this program, the individual must (1) be a full-time employee of the District; (2) not hold a “Disqualified Position” (as defined below); (3) have rendered at least ten (10) years of continuous full-time service to the District; and (4) be on the payroll of the District on January 1 of the year in which the eligible employee submits the application. “Disqualified Position” shall include the following positions: Superintendent of Schools, any Assistant Superintendent positions and effective July 1, 2016, any unit member of the New Hartford Teachers’ Administrative Group. Individuals employed in any such Disqualified Position shall not be eligible to receive any benefits under the Early Retirement Incentive Program Policy.

Employees meeting all of the requirements in A above will be eligible to apply for participation in this program by following the procedures set forth in B or C below.

B. Any eligible employee who is at least fifty-five (55) years of age and reaches his or her first, second or third year of retirement eligibility between January 1 and August 31 of any year during the time period of October 19, 2010 through June 30, 2018 must submit his/her irrevocable letter of retirement to the Board of Education no later than February 1, stipulating an effective date of retirement no sooner than July 1 nor later than August 31 of that year. The letter may be turned in before the employee becomes fifty-five (55) or reaches the first date of eligibility.

C. Any eligible employee who is at least fifty-five (55) years of age and reaches his/her first, second or third year of retirement eligibility after August 31, but not later than December 31, of any year during the time period of October 19, 2010
EARLY RETIREMENT INCENTIVE PROGRAM

through June 30, 2018 must submit his/her irrevocable letter of retirement to the Board of Education no later than the following February 1, stipulating an effective date of retirement no sooner than July 1 nor later than the August 31 following the first date of eligibility. However, by mutual consent, employees qualifying according to this clause may retire during the July 1 - August 31 window period prior to the start of the school year when eligibility first occurs according to this policy. The irrevocable letter of retirement to the Board of Education would have to be turned in before the preceding February 1 and before the employee becomes fifty-five (55) or reaches the first year of eligibility.

III. Benefit

Any employee who has met all of the eligibility requirements in A, as well as B or C and actively retires on the specified effective date which occurs during the period of October 19, 2010 through June 30, 2018 shall be eligible for the following Early Retirement Incentive Benefit.

An employee will be eligible for the retirement incentive plan when the employee first meets all of the criteria. If an employee had prior service in the retirement system and met the retirement system criteria but failed to meet the District’s length of service criteria, the eligibility window for the incentive would be in the first through the third year after all criteria were met including the District’s length of service criterion.

A qualified employee shall receive a total dollar amount prior to any legal deductions equal to one-half (1/2) of his/her regular base annual salary paid during the first year of retirement eligibility. This base salary amount shall exclude any extra payments, such as, but not limited to overtime, extra-duty pay, coaching pay or any other additional pay stipend.

IV. Payment Schedule

Within thirty (30) calendar days immediately following the employee’s effective date of retirement the employee shall receive a lump sum check of the total appropriate benefit amount.

New Hartford Central School District
Legal Ref:  The Older Workers Benefit Protection Act of 1990
Adopted:  12/15/89
Revised:  11/17/92, 01/03/95, 11/05/96, 12/16/97, 11/16/99, 02/04/03, 07/01/04, 01/04/05, 03/21/06, 01/15/08, 10/19/10, 08/14/12, 09/02/14, 08/23/16
Reviewed:  ______
I. Upon receipt of the Employer Affidavit required pursuant to Section 803 of the Retirement and Social Security Law, the Superintendent of Schools or his/her designee shall undertake a review to determine the employee's eligibility to receive retroactive retirement credit.

II. The Superintendent or his/her designee shall notify, in writing, the applicant submitting such affidavit that a meeting to review such application shall be held at a date no later than thirty (30) business days after receipt of such affidavit.

III. The applicant shall be advised, in writing, that he/she must appear at such meeting, and that he/she may be accompanied by legal counsel or a representative of his/her labor organization, if any. The applicant must bring with him/her any and all documentation in support of his/her claim for retroactive membership.

IV. At such meeting, the District Business Office and/or other appropriate District personnel or representatives shall also present evidence, including documentary records if available, as to why such employee is/is not eligible for such action. A record shall be made of such meeting and, upon request, a copy of such record shall be given to the applicant.

V. The Superintendent or his/her designee shall, within ten (10) business days of such meeting, set forth his/her determination, in writing, and forward a copy of such determination to the applicant.

VI. If the decision is to grant the request, the Superintendent or his/her designee shall complete the Affidavit in accordance with the decision.

VII. If the decision is to deny the request, the applicant may request review and/or reconsideration of such determination by submitting such a request to the Superintendent or to the person making the initial determination within ten (10) business days of receipt of the initial determination.

VIII. If the applicant does not make a timely request for review and/or reconsideration, then the Superintendent or his/her designee will complete the Affidavit in accordance with the decision. The decision of the Superintendent or his/her designee, as set forth on the Affidavit, will be deemed to be the final determination of the District with respect to such claim.

IX. If the applicant makes a timely request for review and/or reconsideration, the applicant will be given the opportunity to submit additional documentation to the Superintendent or his/her designee in support of his/her application which was not available at the time of
the initial meeting or which is in response to evidence presented at the initial meeting. Upon the request of either the applicant or the Superintendent or his/her designee, a meeting with the Superintendent or his/her designee will be scheduled. The submission of such additional documentation and meeting will take place within twenty (20) business days of receipt of the request for review and/or reconsideration. The Superintendent or his/her designee will review the record of the initial meeting, and the applicant, or his/her counsel or representative, will be given an opportunity to submit any additional documentation, summarize his/her position and answer any questions which the Superintendent or his/her designee may ask. The Superintendent or his/her designee may also consider additional evidence from other sources (e.g., the records of the District and the applicable retirement system); if so, the applicant will be permitted to review such evidence.

X. Within ten (10) business days after the meeting, the Superintendent or his/her designee will notify the applicant of his/her decision, and will complete the Affidavit in accordance with the determination.

XI. The decision of the Superintendent or his/her designee, as set forth on the Affidavit, shall be deemed to be the final determination of the district with respect to such claim.

XII. In the course of investigating the claim, the Superintendent or his/her designee shall have the power, under Section 1724(2) of the Education Law, to take evidence, examine witnesses under oath, and issue subpoenas.

XIII. If the District requires additional time to investigate the applicant’s claim, the Superintendent or his/her designee may extend any of the time limits under this process.
403 (B) PLANS

I. The Board of Education is authorized by law and employee contract to make certain deductions from the salaries of its employees. The Board contracts with a third party administrator to be the 403 (b) administrators for the New Hartford Central School District.

II. Pursuant to written authorization of the employee and approval by the third party administrator, a deduction from the employee’s salary may be made for the purchase of an annuity for such employee from the specific list of 403 (b) providers, or five (5) or more employees may contribute to a new company as long as the company is so authorized to transact the business of a 403 (b) Plan (tax shelter) as specified by law and is approved by the third party administrator.

III. Requests of employees for salary deductions to purchase 403 (b) Plans will be accepted after the third party administrator compliance form has been properly executed and approved.

New Hartford Central School District
Legal Ref: Section 403(B) of the Internal Revenue Code
Adopted: 02/04/97, 05/01/07
Revised: 08/14/12
Reviewed: ________