

**DRAFT**

**BOARD AGENDA  
BUSINESS MEETING**

Thursday, November 16, 2023  
7:00 PM In the School Cafeteria

CV-S Central School  
Cherry Valley, NY

**I. OPENING OF MEETING**

A. QUORUM CHECK

B. CALL TO ORDER

C. PLEDGE OF ALLEGIANCE

D. PUBLIC HEARING - Policy 5300 Code of Conduct - 5300.55 Corporal Punishment

E. SPECIAL PRESENTATIONS - Community Service, Student Representative, Administration, Board Committee Reports, Social Studies - Ms. Waterman, Mrs. Schecter & Mr. King and Transportation - Mr. Collins

F. ADDITIONS TO AGENDA

G. CORRESPONDENCE RECEIVED

H. SUPERINTENDENT'S REPORT

I. RECOGNITION OF VISITORS

**II. PROPOSED EXECUTIVE SESSION SUBJECT TO BOARD APPROVAL**

**III. CONSENT AGENDA ITEMS** – Consider motion to approve consent agenda items to include RESOLUTIONS 1-11-2023 through RESOLUTION 14-11-2023

A. RESOLUTION 1-11-2023  
APPROVAL OF MINUTES – October 19, 2023

B. RESOLUTION 2-11-2023  
ACKNOWLEDGE RECEIPT OF TREASURER'S AND FINANCIAL REPORTS – October 2023

C. FINANCIAL  
RESOLUTION 3-11-2023  
RESOLVED, that the Board of Education of the Cherry Valley-Springfield Central School District, upon the recommendation of the Superintendent, does hereby accept the Tax Collectors Report for the 2023-2024 school year per Attachment III C.

#### **D. PERSONNEL**

##### **RESOLUTION 4-11-2023**

**RESOLVED**, that the Board of Education of the Cherry Valley-Springfield Central School District, upon the recommendation of the Superintendent, does hereby appoint the following Extracurricular assignment for the 2023-2024 school year: David Mayton - Modified Girls Basketball

##### **RESOLUTION 5-11-2023**

**RESOLVED**, that the Board of Education of the Cherry Valley-Springfield Central School District, upon the recommendation of the Superintendent, does hereby appoint Jodi Mravlja, who is certified as a Level III Teaching Assistant, on tenure as a Licensed Teaching Assistant effective December 19, 2023.

##### **RESOLUTION 6-11-2023**

**RESOLVED**, that the Board of Education of the Cherry Valley-Springfield Central School District, upon the recommendation of the Superintendent, does hereby appoint the following as Instructional Support Substitutes for the 2023-2024 school year: Emily Schwall Michael Fassett Luke Dubben

##### **RESOLUTION 7-11-2023**

**RESOLVED**, that the Board of Education of the Cherry Valley-Springfield Central School District, upon the recommendation of the Superintendent, does hereby appoint the following as a Substitute Teacher for the 2023-2024 school year: Michael Fassett Luke Dubben

##### **RESOLUTION 8-11-2023**

**RESOLVED**, that the Board of Education of the Cherry Valley-Springfield Central School District, upon the recommendation of the Superintendent, does hereby accept the resignation of Sara Crews as a Food Service Helper effective November 20, 2023. So she is able to accept a position as a Cook for a probationary period beginning November 20, 2023 through May 20, 2024.

##### **RESOLUTION 9-11-2023**

**RESOLVED**, that the Board of Education of the Cherry Valley-Springfield Central School District, upon the recommendation of the Superintendent, does hereby appoint Jennifer Bishop to a position as a Teacher's Aide for a probationary period beginning November 20, 2023 through May 20, 2024 or until the position is deemed unnecessary.

##### **RESOLUTION 10-11-2023**

**RESOLVED**, that the Board of Education of the Cherry Valley-Springfield Central School District does hereby amend the following (to include a probationary period):

##### **RESOLUTION 19-9-2023**

**RESOLVED**, that the Board of Education of the Cherry Valley-Springfield Central School District, upon the recommendation of the Superintendent, does hereby appoint Tessa Clapper to a position as a part-time food service helper for the 2023-2024 school year, effective September 25, 2023.

**RESOLVED**, that the Board of Education of the Cherry Valley-Springfield Central School District, upon the recommendation of the Superintendent, does hereby appoint Tessa Clapper to a position as a part-time food service helper for a probationary period beginning September 25, 2023 through March 25, 2024.

RESOLUTION 11-11-2023

RESOLVED, that the Board of Education of the Cherry Valley-Springfield Central School District, upon the recommendation of the Superintendent, does hereby appoint the following After School Program assignment for the 2023-2024 school year: After School Program Student Peer Mentor - Hope Morrison

RESOLUTION 12-11-2023

RESOLVED, that the Board of Education of the Cherry Valley-Springfield Central School District, upon the recommendation of the Superintendent, does hereby appoint David Evans to the position as a Bus Driver/Cleaner for a probationary period beginning November 1, 2023 through May 1, 2024.

RESOLUTION 13-11-2023

RESOLVED, that the Board of Education of the Cherry Valley-Springfield Central School District, upon the recommendation of the Superintendent, does hereby appoint Emily Schwall to a position as a part-time School Monitor for a probationary period beginning November 1, 2023 through May 1, 2024.

RESOLUTION 14-11-2023

RESOLVED, that the Board of Education of the Cherry Valley-Springfield Central School District, upon the recommendation of the Superintendent, does hereby approve the following as volunteers for the 2023-2024 school year: BJ Whiteman Nikki All Sarah Waterman Tamara Ackerman Maegan Ingle Deb Zvirzdin Terry Zvirzdin Tara Dygert Sarah Stannard Tanya Lighthall Jennifer Bishop

IV. NEW BUSINESS

V. OLD BUSINESS

A. POLICY REVIEW

RESOLUTION 15-11-2023

RESOLVED, that the Board of Education of the Cherry Valley-Springfield Central School District does hereby conduct a second reading of Policy, and Regulation 4321.12 Timeout and Physical Restraint (All Students) and Policies 5300.55 Corporal Punishment, 5605 Student Voter Registration and Pre-Registration, 6710 Purchasing Authority, and 9520.6 Rights of Employees to Express Breast Milk in the Workplace.

RESOLUTION 16-11-2023

RESOLVED, that the Board of Education of the Cherry Valley-Springfield Central School District does hereby direct the District Clerk to transmit to NYSSBA updated Policy and Regulation 4321.12 Timeout and Physical Restraint (All Students) and Policies 5300.55 Corporal Punishment, 5605 Student Voter Registration and Pre-Registration, 6710 Purchasing Authority, and 9520.6 Rights of Employees to Express Breast Milk in the Workplace to the New York State School Boards Association by November 30, 2023.

VI. PROPOSED EXECUTIVE SESSION SUBJECT TO BOARD APPROVAL

- Matters leading to the employment of particular individual(s)
- Employment history of particular individual(s) or corporation(s)
- Review recommendations made by the Committee on Preschool Special Education and the Committee on Special Education

VII. ADJOURNMENT



11/13/23 11:24 AM

All Tax Rolls

Zero, Partial, Full Paid Only

Cherry Valley-Springfield Central School

COLLECTOR'S SUMMARY REPORT

All SWIS Codes

Year = 2023

School Tax

Posting Date on or before 11/13/23

SWIS	Municipality	Taxable Value	Amount of Tax Levy	Total Taxes Collected	Inst Fees Received	Late Fees Received	Taxes Returned to County	Late Fee Added	County Fee Added	Tax, Fee, and County Fee
272289	CANAJOHARIE	9,583,150	99,868.77	93,978.12	0.00	164.13	5,890.65	176.71	0.00	6,067.36
273089	MINDEN	19,469,403	252,544.49	218,848.41	0.00	684.38	33,696.08	1,010.88	0.00	34,706.96
362401	CHERRY VALLEY	27,487,703	342,251.70	319,918.43	0.00	524.36	22,333.27	670.01	0.00	23,003.28
362489	CHERRY VALLEY - VILLAGE	62,499,174	772,636.15	688,560.42	0.00	1,662.54	84,075.73	2,003.50	0.00	86,079.23
362600	DECATUR	594,600	15,127.67	8,305.35	0.00	2.78	6,822.32	77.38	0.00	6,899.70
363889	MIDDLEFIELD	44,846,422	790,748.28	716,516.93	0.00	840.86	74,231.35	2,226.97	0.00	76,458.32
365089	OTSEGO	468,081	5,821.33	5,821.33	0.00	0.00	0.00	0.00	0.00	0.00
365800	ROSEBOOM	55,854,047	706,244.59	567,055.35	0.00	1,223.91	139,189.24	2,546.31	0.00	141,735.55
366000	SPRINGFIELD	158,654,401	2,166,685.00	1,998,725.25	0.00	2,169.64	167,959.75	5,038.82	0.00	172,998.57
366400	WESTFORD	2,622,498	35,174.25	32,398.55	0.00	53.26	2,775.70	83.28	0.00	2,858.98
<b>Report Totals</b>		<b>382,079,479</b>	<b>5,187,102.23</b>	<b>4,650,128.14</b>	<b>0.00</b>	<b>7,325.86</b>	<b>536,974.09</b>	<b>13,833.86</b>	<b>0.00</b>	<b>550,807.95</b>



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# TIMEOUT AND PHYSICAL RESTRAINT (ALL STUDENTS)

**(X) Required**

- (x) Local
- (x) Notice

This policy applies to all students, whether or not they are students with disabilities. The Board of Education recognizes that sometimes students exhibit challenging behaviors that impede learning and pose concern for the physical safety of themselves or others. The Board is required by state law and state regulations to adopt a policy that establishes administrative practices and procedures on the use of timeout and physical restraint to address such challenging behaviors.

As required by state regulations, the district will utilize positive, proactive, evidence- and researched-based strategies through a multi-tiered system of supports, to reduce the occurrence of challenging behaviors, eliminate the need to the use of timeout and physical restraint, and improve school climate and the safety of all students. Such strategies will include intervention and prevention procedures and de-escalation techniques. However, these strategies may not always be effective in keeping the school environment safe.

Pursuant to state regulations 8 NYCRR §19.5, timeout and physical restraint will not be used as discipline or punishment, retaliation, or as a substitute for positive, proactive intervention strategies that are designed to change, replace, modify, or eliminate a targeted behavior. Timeout and physical restraint may only be used when:

1. Other less restrictive and intrusive interventions and de-escalation techniques would not prevent imminent danger of serious physical harm to the student or others;
2. There is no known medical contraindication to its use on the student; and
3. School staff using such interventions have been trained in its safe and appropriate application, as required by state regulations.

For purposes of this policy and regulation, the term "parent" refers to parents and persons in parental relation.

The Superintendent is directed to establish administrative regulations to implement this policy.

## I. Precipitating Factors and Time Limitations

Generally, timeout and physical restraint will be used when students exhibit behavior that puts themselves or others at risk of physical injury. Timeout and physical restraint will be used for the least amount of time necessary, generally only until the student has de-escalated, can return to their educational program, and no longer poses a risk of injury to themselves or others.

## II. Timeout for Students with Disabilities Pursuant to a Behavioral Intervention Plan

In addition to situations posing an immediate concern for the physical safety of a student or others as described in this policy and administrative regulation, timeout may be used for students with disabilities in conjunction with a behavioral intervention plan (BIP), as part of the student's individualized education program (IEP), as permitted by state regulations 8 NYCRR §200.22.

## III. Staff training

The district will provide annual training to staff on the use of timeout and physical restraint as required by state regulations and outlined further in the accompanying administrative regulation.

#### IV. Information Provided to Parents

As required by state regulations, the district will provide this policy and accompanying administrative regulation to the parents of students for whom timeout and physical restraint has been used.

#### V. Parent Notification of Timeout or Restraint

The Building Principal or designee will notify parents on the same day that timeout or physical restraint is used on a student, including a timeout used in conjunction with a student's BIP. The notification will offer the parent the opportunity to meet regarding the incident. Parents will also be provided with a copy of the documentation of the incident within three school days of the use of timeout or physical restraint.

If the parent cannot be contacted after making reasonable attempts, the Principal will record the attempts made to contact the parent. In the case of students with disabilities, the Principal will report such attempts to the student's committee on preschool special education or committee on special education.

#### VI. Data Collection to Monitor Patterns

As required by state regulations, the district will document each incident of the use of timeout (including those used in conjunction with a BIP) and physical restraint, debrief following each incident of timeout and physical restraint, and review its documentation to monitor patterns of timeout and physical restraint.

#### VII. Prohibited Actions

Students may not be placed in a locked room or space in a room where the student cannot be continuously observed and supervised by school staff. Students may not be placed in a prone restraint (a physical or mechanical restraint while the student is in a face down position).

Additionally, district teachers, administrators, officers, employees, or agent may not use corporal punishment, mechanical restraint and other aversive interventions, or seclusion (which differs from timeout) against a student, as defined in state regulations. State regulations include school resource officers in the term "agent" except when a student is under arrest and handcuffs are necessary for the safety of the student and others.

#### VIII. Annual Reporting

District staff must report all allegations of corporal punishment, mechanical restraint and other aversive interventions, prone physical restraint, or seclusion to the Superintendent. The Superintendent or designee will investigate the allegations, and determine whether they are substantiated or unsubstantiated, and will compile the reports annually.

The district will submit a report to the State Education Department, on a form and at a time prescribed by the Commissioner of Education, on the use of timeout and physical restraint, as well as substantiated and unsubstantiated allegations of the use of corporal punishment, mechanical restraint and other aversive interventions, prone physical restraint and seclusion.

#### IX. Public Availability and Posting of Policy

This policy and accompanying administrative regulation will be made publicly available for review at the district administrative offices, at each school building, and posted on the district's website.



Ref: Education Law §4402(9)  
8 NYCRR §§19.5; 200.22

Adoption date:

Adoption Date:

Classification:

Revised Dates: ; **02.16.2023, 11.16.23**



# **TIMEOUT AND PHYSICAL RESTRAINT (ALL STUDENTS) REGULATION**

This regulation contains administrative procedures addressing the use of timeout and physical restraint, as required by state regulations.

## **I. Timeout**

Timeout is defined in state regulations as a behavior management technique that involves the monitored separation of a student in a non-locked setting, implemented for the purpose of de-escalating, regaining control, and preparing the student to meet expectations to return to their education program.

Timeout does not include:

1. a student-initiated or student-requested break to utilize coping skills, sensory input, or self-regulation strategies;
2. use of a room or space containing coping tools or activities to assist a student to calm and self-regulate, or the use of such intervention strategies consistent with a student with a disability's behavioral intervention plan; or
3. a teacher removal, in-school suspension; or any other appropriate disciplinary action.

### **A. Use of Timeout**

Timeout may only be used in situations that pose an immediate concern for the physical safety of the student or others. Staff must return students to their educational program as soon as they have safely de-escalated, regained control and are prepared to meet expectations.

### **B. Physical Requirements for Rooms or Spaces Used for Timeout**

The room or physical space ("space") used for purposes of timeout may be located within a classroom or outside of the classroom. The space must be unlocked, and any door must be able to be opened from the inside. The space must allow for continuous visual and auditory monitoring of the student, and school staff will continuously monitor students in timeout. The space will be large enough to allow a student to move freely and lay down comfortably. The space will be clean and free of objects and fixtures that could be potentially dangerous to a student, and will meet all local fire and safety codes. Wall and floor coverings will, to the extent practicable, be designed to prevent student injury, and there will be adequate lighting and ventilation. The temperature of the space will be within the normal comfort range, and consistent with the rest of the building.

### **C. Additional Requirements for the Use of Timeout with Students with Disabilities**

The IEP of a student with a disability will specify when a behavioral intervention plan includes the use of timeout, including the maximum amount of time they will need to be in timeout as a behavioral consequence, as determined on an individual basis, in consideration of the student's age and individual needs. The behavioral intervention plan will be designed to teach and reinforce alternative appropriate behaviors.

The district will inform parents of students with disabilities prior to the initiation of a BIP that incorporates the use of timeout, give the parent an opportunity to see the room or physical space used, and provide the parent with copy of this policy and regulation.

#### D. Factors Precipitating the Use of Timeout

The factors which may trigger the use of timeout can depend on the particular student. Generally, timeout may be used when a student needs to de-escalate, regain control of their actions and emotions, and prepare to meet expectations to return to the education program. Such students may be unable to control (or exhibit difficulty controlling) their actions or emotions, feel overwhelmed or overstimulated, exhibit violent actions, or pose a danger to themselves or others. Such students generally would not have responded favorably to initial intervention and de-escalation actions by staff, or when positive, proactive intervention strategies used by staff were unsuccessful.

#### E. Time Limitations for Timeout

The amount of time a student may spend in timeout will vary with the student's age, grade, and development level, individual needs, behavioral intervention plan (for students with disabilities), and the specific circumstances. Students will spend only as much time in timeout as is necessary for them to deescalate, regain control, return to their educational programs, or no longer pose a concern for the physical safety of themselves or others.

Timeout for students with disabilities that are utilized pursuant to their BIP will not be more than the maximum amount of time specified in the BIP.

### II. Use of Physical Restraint

Physical restraint immobilizes or reduces the ability of a student to move their arms, legs, body, or head freely. Physical restraint does not include a physical escort or brief physical contact and/or redirection to promote student safety, calm or comfort a student, prompt or guide a student when teaching a skill or assisting a student in completing a task, or for other similar purposes.

#### A. Requirements for use of Physical Restraint

Physical restraint will only be used in situations where immediate intervention involving the use of reasonable physical force is necessary to prevent imminent danger of serious physical harm to the student or others.

1. The type of physical restraint used shall be the least restrictive technique necessary, and will stop as soon as the imminent danger of serious physical harm is over.
2. Physical restraint will not restrict the student's ability to breathe or communicate, or harm the student.
3. Students will not be restrained in a face-down position.
4. Physical restraint will not be used as a planned intervention on a student's individualized education program, Section 504 accommodation plan, behavioral intervention plan, or other plan developed for a student by the school.
5. Physical restraint will not be used to prevent property damage, except in situations where there is imminent danger of serious physical harm to the student or others, and the student has not responded to positive, proactive intervention strategies.
6. Physical restraint will be administered only by staff who have received training in accordance with state regulations and this policy and regulation.
7. Following a physical restraint, if the student is or is believed to be injured, the school nurse or other medical personnel (i.e., physician, physician assistant, or a nurse practitioner) will evaluate the student to determine and document if any injuries were sustained during the incident.

#### B. Factors Precipitating the Use of Physical Restraint

The factors which may trigger the use of physical restraint can depend on the particular student, but there must be imminent danger of serious physical harm to the student or others. Generally, physical

restraint may be used when a student needs to de-escalate, regain control of their actions and emotions, and prepare to meet expectations to return to the education program. Such students may be unable to control (or exhibit difficulty controlling) their actions or emotions, feel overwhelmed or overstimulated, exhibit violent actions, or pose a danger to themselves or others. Such students generally would not have responded favorably to initial intervention and de-escalation actions by staff, or when positive, proactive intervention strategies used by staff were unsuccessful.

### C. Time Limitations for Physical Restraint

Students will remain in physical restraint only while the imminent danger of serious physical harm to the student or others persists.

## III. General Requirements for Timeout and Physical Restraint

### A. Staff Training

All staff will receive annual training on:

1. the district's policies and procedures on the use of timeout and physical restraint;
2. evidence-based positive, proactive strategies; and
3. crisis intervention and prevention procedures and de-escalation techniques.

All staff authorized to implement timeout or physical restraint, including those who function as timeout monitors, will receive annual, evidence-based training in safe and effective developmentally appropriate timeout and physical restraint procedures.

Only trained staff authorized by the school principal may implement timeout or physical restraint. Staff who are not authorized to implement timeout or physical restraint will receive training on what to do and who to contact if a student is exhibiting behaviors indicating a need for timeout or physical restraint, where the student has not responded to positive and proactive strategies and less restrictive and intrusive interventions and de-escalation techniques.

### B. Prohibitions

Students are prohibited from being placed in a locked room or space for timeout, or in a prone restraint (face-down position). In addition, the following actions are prohibited by state regulations:

#### 1. Aversive Interventions

Aversive interventions are defined in state regulations as those which are intended to induce pain or discomfort for the purpose of eliminating or reducing student behavior. It includes applying noxious, painful, intrusive stimuli, strangling, shoving, deep muscle squeezes or similar actions; noxious, painful or intrusive spray, inhalant or taste; denying or delaying food, or altering food or drink to make it distasteful; limiting movement as a punishment, including helmets or mechanical restraints.

Aversive interventions do not include voice control if limited to loud, firm comments; time-limited ignoring of a specific behavior, token fines as part of a token economy system, brief physical prompts to interrupt or prevent a specific behavior, interventions medically necessary to treat or protect the student.

#### 2. Corporal Punishment

Corporal punishment is defined in state regulations as any act of physical force upon a student for the purpose of punishing that student. The term does not include the use of physical restraint as defined in state regulations to protect the student, another student, teacher or any other person from physical injury when alternative procedures and methods not involving the use physical restraint cannot reasonably be employed to achieve these purposes.

### 3. Seclusion

Seclusion is defined in state regulations as the involuntary confinement of a student alone in a room or space that they are physically prevented from leaving or they may perceive that they cannot leave at will. Seclusion does not include timeout as defined in this policy and state regulations.

#### C. Data Collection to Monitor Patterns of Use

##### 1. Documentation

The district will document each incident of timeout (including those pursuant to a BIP) and physical restraint. Documentation will include:

- a. The student's name and birth date;
- b. The setting and location of the incident;
- c. The names of staff members who participated in the implementation, monitoring and supervision of the use of timeout/physical restraint;
- d. A description of the incident, including the duration and type of restraint used (for physical restraint);
- e. Whether the student has an IEP, Section 504 plan, BIP, or other plan developed by the school for the student;
- f. The positive, proactive intervention strategies utilized prior to the use of timeout/physical restraint (for students with disabilities, include whether those strategies were consistent with the BIP, if applicable);
- g. The details of any injuries sustained by the student or staff during the incident and whether the student was evaluated by the school nurse or other medical personnel;
- h. The date and method of parent notification and whether a meeting was held; and
- i. The date the debriefing was held.

This documentation will be reviewed as necessary by supervisory personnel and the school nurse or other medical personnel as necessary. This documentation will be made available to the State Education Department upon request.

##### 2. Debriefing

As soon as is practicable, and after every incident in which timeout and/or a physical restraint is used on a student, a school administrator or designee will:

- a. Meet with the school staff who participated in the use of timeout and/or physical restraint to discuss:
  - i. the circumstances leading to the use of timeout and/or physical restraint;
  - ii. the positive, proactive intervention strategies that were utilized prior to the use of timeout and/or physical restraint; and
  - iii. planning for the prevention and reduction of the future need for timeout and/or physical restraint with the student including, if applicable, whether a referral should be made for special education programs and/or other support services or, for a student with a disability, whether a referral for review of the student's individualized education program and/or behavioral intervention plan is needed.
- b. Direct a school staff member to debrief the incident with the student in a manner appropriate to the student's age and developmental ability and to discuss the behavior(s), if any, that precipitated the use of timeout and/or physical restraint.

##### 3. Review of Documentation

The school administrator or designee will regularly review documentation on the use of timeout and physical restraint to ensure compliance with school's policy and procedures.

If there are multiple incidents within the same classroom or involving the same staff, the school administrator or designee will take appropriate steps to address the frequency and pattern of use.

#### D. Parent Notification

Same-day parent notification will be via methods reasonably expected to reach the parent (e.g., email, text, phone, apps or portals, etc.), and may take into account parent preference.

Adoption Date:

Classification:

Revised Dates: ; **02.16.2023, 11.16.23**





## CORPORAL PUNISHMENT

Corporal punishment is any act of physical force upon a student for the purpose of punishing that student. Corporal punishment of any student by any district employee is strictly forbidden.

Corporal punishment does not include the use of physical restraint to protect the student, another student, teacher or any other person from physical injury, when alternative procedures and methods not involving the use of physical restraint cannot reasonably be employed to achieve these purposes.

Physical restraint will not be used to prevent property damage, except in situations where there is imminent danger of serious physical harm to the student or others, and the student has not responded to positive, proactive intervention strategies.

The authorized use of timeout and physical restraint is addressed in policy 4321.12 and regulation 4321.12-R.

The district will file all complaints about the use of corporal punishment with the Commissioner of Education in accordance with Commissioner's regulations.

Cross-ref:  
4321.12, Timeout and Physical Restraint (All Students)

Ref:  
8 NYCRR §100.2(l)(3)  
Rules of the Board of Regents §19.5

Adoption Date:  
Classification:  
Revised Dates: ; **11.16.23**



## STUDENT VOTER REGISTRATION AND PRE-REGISTRATION

**(X) Required**

- Local
- Notice

The Board of Education believes that getting young people involved in the election process helps to secure the future of democracy by preparing young people to be educated, engaged voters who have formed the habit of voting and contributing to civic life early.

In accordance with the law, and in an effort to promote student voter registration, the Board directs the *superintendent, building principals or other designees* to offer all students who are at least 16 years old (but will not be 18 years old by the next election) opportunities to pre-register to vote. Students who are or will be at least 18 years old by the next election will also be offered opportunities to register to vote. These students must be otherwise qualified to register to vote. Students pre-registering to vote will be automatically registered upon reaching the age of eligibility following verification of the person's qualifications and address.

The district will provide students with access to voter registration and pre-registration applications during the school year, and assistance with filing such applications. The district will inform students of the state requirements for voter registration and pre-registration. The district will meet these obligations by inviting students to register or pre-register on their 16<sup>th</sup>, 17<sup>th</sup> and 18<sup>th</sup> birthday; or offering registration and pre-registration materials through homeroom/other required class at different times during the year; or offering registration and pre-registration materials at a participation in government program; or displaying voter registration and pre-registration posters and applications in the school office; or hosting voter registration and pre-registration events throughout the year (such as at student government events, showing election- or politics-themed movies after school), etc.

Students who do not wish to register or pre-register to vote do not have to do so. There will be no penalty (including participation grades or credits) for choosing not to register or pre-register.

Ref: Election Law § 5-507

Adoption Date:

Classification:

Revised Dates: **03/29/2019; 09.23**



## PURCHASING AUTHORITY

**(X) Required**

(x) Local

( ) Notice

The Board of Education designates Ginger Thayer title of Purchasing Agent for the school district. The Board will formally designate the individual named as purchasing agent at the annual organizational meeting, which will be recorded in the minutes of that meeting. If the individual so named becomes unable to fulfill the duties during the course of the year, the Board will designate another purchasing agent at the next Board meeting. The Board will update the name and title of the purchasing agent in this policy every other year, if needed.

The Purchasing Agent will be responsible for administering all purchasing activities and ensuring the quality and quantity of purchases made by the district.

All purchases will be made through the Purchasing Agent.

The Purchasing Agent is authorized to issue purchase orders without prior approval of the Board when formal bidding procedures are not required by law and budget appropriations are adequate to cover such obligations.

The Purchasing Agent is responsible for preparing all bid specifications and a statement of general bidding conditions to be included in every notice or invitation to bid. If there are questions concerning specifications, the Purchasing Agent will consult with the requisitioner to clarify the matter so as to ensure that the appropriate goods or services are obtained.

Cross-ref:

2210, Board Organizational Meeting

6700, Purchasing

Ref:

Education Law §1709(20-a)

General Municipal Law §104-b(2)(f)

Adoption Date: 07.09.15

Classification:

Revised Dates: ; **11.16.23**



# **POLICY ON THE RIGHTS OF EMPLOYEES TO EXPRESS BREAST MILK IN THE WORKPLACE**

**(X) Required**

Local

Notice

## *Introduction and Purpose*

Section 206-c of the New York State Labor Law gives all employees in New York the right to express breast milk in the workplace. This law applies to all public and private employers in New York State, regardless of size or the nature of their business.

The New York State Department of Labor has developed the official policy on breast milk expression in the workplace as required by the law, ensuring that all employees know their rights and all employers understand their responsibilities. This policy is the minimum required standard, but employers are encouraged to include additional accommodations tailored to their workplace.

With the information provided below, employees will learn how much time they are allowed for breast milk expression, the kind of space employers are required to provide for breast milk expression, how to notify employers about the need to express breast milk in the workplace, and how to notify the Department of Labor if these rights are not honored.

Employers are required to provide this policy in writing to all employees when they are hired and again every year after. Employers are also required to provide the policy to employees as soon as they return to work following the birth of a child.

## *Using Break Time for Breast Milk Expression*

Employers must provide reasonable unpaid break time for their employees to express breast milk. In addition, employees must also be permitted to use their paid break time or meal time to express breast milk. This time must be provided for up to three years following childbirth. Employers must provide unpaid break time at least every three hours if requested by the employee. However, the number of unpaid breaks an employee will need to express breast milk is unique to each employee and employers must provide reasonable break times based on the individual. Employers are prohibited from discriminating in any way against an employee who chooses to express breast milk in the workplace.

An employee must be permitted to work before or after their normal shift to make up any time used as unpaid break time to express breast milk, as long as this time falls within the employer's normal work hours. However, an employee is not required to make up their unpaid break time.

All employers must continue to follow existing federal and state laws, regulations, and guidance regarding paid and unpaid break time and meal times regardless of whether the employee uses such time to express breast milk. For additional information regarding what constitutes a meal period or a break period under state and federal law, please see the following resources:

- NY Department of Labor Website on Day of Rest, Break Time, and Meal Periods:  
[dol.ny.gov/day-rest-and-meal-periods](http://dol.ny.gov/day-rest-and-meal-periods)

- NY Department of Labor FAQs on Meal and Rest Periods: [dol.ny.gov/system/files/documents/2021/03/meal-and-rest-periods-frequently-asked-questions.pdf](https://dol.ny.gov/system/files/documents/2021/03/meal-and-rest-periods-frequently-asked-questions.pdf)
- U.S. Department of Labor FLSA FAQ on Meal and Rest Periods: [dol.gov/agencies/whd/fact-sheets/22-flsa-hours-worked](https://dol.gov/agencies/whd/fact-sheets/22-flsa-hours-worked)
- U.S. Department of Labor FLSA Fact Sheet on Compensation for Break Time to Pump Breast Milk: [dol.gov/agencies/whd/fact-sheets/73-flsa-break-time-nursing-mothers](https://dol.gov/agencies/whd/fact-sheets/73-flsa-break-time-nursing-mothers)

While an employer cannot require that an employee works while expressing breast milk, nothing in Labor Law 206-c prevents an employee from voluntarily choosing to do so. Time working while expressing breast milk must be compensated. Unpaid breaks provided for the expression of breast milk must be at least twenty minutes. However, if the designated lactation room where such break will be taken is not close to an employee's work station, the provided break must be at least thirty minutes. An employee must be allowed to take a longer unpaid break if needed. Employees may also opt to take shorter unpaid breaks. Employees who work remotely have the same rights to unpaid time off for the purpose of expressing breast milk, as all other employees who perform their work in-person.

#### *Making a Request to Express Breast Milk at Work*

If an employee wants to express breast milk at work, they need to give employers reasonable advance notice, generally before returning to the workplace if the employee is on leave. This advance notice is to allow employers the time to find an appropriate location and adjust schedules if needed. Employees wishing to request a room or other location to express breast milk in the workplace should do so by submitting a written request to their direct supervisor or individual designated by their employer for processing requests. Employers must respond to this request for a room or other location to express breast milk in writing within five days. Employers must notify all employees in writing through email or printed memo when a room or other location has been designated for breast milk expression.

#### *Lactation Room Requirements*

In addition to providing the necessary time during the workday, employers must provide a private room or alternative location for the purpose of breast milk expression. The space provided for breast milk expression cannot be a restroom or toilet stall.

The room or other location must:

- Be close to an employee's work area
- Provide good natural or artificial light
- Be private – both shielded from view and free from intrusion
- Have accessible, clean running water nearby
- Have an electrical outlet (if the workplace is supplied with electricity)
- Include a chair
- Provide a desk, small table, desk, counter or other flat surface

There does not need to be a separate space for every nursing employee. An employer may dedicate a single room or other location for breast milk expression. Should there be more than one employee at a time needing access to a lactation room, an employer may dedicate a centralized location to be used by all employees.

Any space provided for breast milk expression must be close to the work area of the employee(s) using the space. The space must be in walking distance, and the distance to the location should not significantly extend an employee's needed break time.

Employers located in shared work areas, such as office buildings, malls and similar spaces may work together to establish and maintain a dedicated lactation room, as long as such space(s) are a



reasonable distance from the employees using the room. Each employer utilizing this common space is individually responsible for making sure the room meets the needs of their employees.

If there is not a separate room or space available for lactation, an employer may use a vacant office or other available room on a temporary basis. This room must not be accessible to the public or other employees while an employee is using it for breast milk expression.

As a last resort, an available cubicle may be used for breast milk expression. A cubicle can only be used if it is fully enclosed with a partition and is not otherwise accessible to the public or other employees while being used for breast milk expression. The cubicle walls must be at least seven feet tall to insure the employee's privacy.

To ensure privacy, if the lactation room has a window, it must be covered with a curtain, blind or other covering. In addition, the lactation space should have a door equipped with a functional lock. If this is not possible (such as in the case of a fully enclosed cubicle), as a last resort, an employer must utilize a sign advising the space is in use and not accessible to other employees or the public.

If the workplace has a refrigerator, employers must allow employees to use it to store breast milk. However, employers are not responsible for ensuring the safekeeping of expressed milk stored in any refrigerator in the workplace. Employees are required to store all expressed milk in closed containers and bring milk home each evening.

The space designated for expressing breast milk must be maintained and clean at all times.

If an employer can demonstrate undue hardship in providing a space with the above requirements, the employer must still provide a room or other location - other than a restroom or toilet stall - that is in close proximity to the work area where an employee can express breast milk in privacy, that meets as many of the requirements as possible. Undue hardship is defined in the statute as "causing significant difficulty or expense when considered in relation to the size, financial resources, nature, or structure of the employer's business." However, an employer may not deny an employee the right to express breast milk in the workplace due to difficulty in finding a location.

#### *New York State Department of Labor Resources*

If an employee believes that they are experiencing retaliation for expressing breast milk in the workplace, or that their employer is in violation of this policy, should contact the New York State Department of Labor's Division of Labor Standards. Call us at 1-888-52-LABOR, email us at [LSAsk@labor.ny.gov](mailto:LSAsk@labor.ny.gov), or visit the nearest Labor Standards office to personally file a complaint.

A list of our offices is available at [dol.ny.gov/location/contact-division-labor-standards](https://dol.ny.gov/location/contact-division-labor-standards). Complaints are confidential.

#### *Federal Resources*

The federal PUMP Act went into effect in 2023, expanding protections for almost all employees expressing breast milk at work. Under the PUMP Act, any covered workers not provided with breaks and adequate space for up to a year after the birth of a child are able to file a complaint with the U.S. Department of Labor or file a lawsuit against their employers. For more information, please visit [dol.gov/agencies/whd/pump-at-work](https://dol.gov/agencies/whd/pump-at-work).

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