

CHAPTER 5

NON-CERTIFICATED PERSONNEL AND PROGRAMS

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Updated: July 2016

NORWICH CITY SCHOOLS

Board Policy

A500.1

A500.1

RECRUITMENT, SELECTION AND APPOINTMENT

The process of recruiting, selecting and appointing Non-Certificated Personnel shall be as open as possible and conducted in a manner consistent with pertinent State Law, rules and regulations and the Norwich City School District Hiring Handbook. The appointment of personnel shall be made by the Board of Education upon the recommendation of the Superintendent. The Board of Education hereby declares its intent to employ the most competent individuals available.

No person shall be denied employment, reemployment, or advancement nor be evaluated on the basis of age, race, creed, color, national origin, sex, gender, disability, sexual orientation, marital status, or criminal record. Accordingly, nothing in this application form should be viewed as expressing, directly or indirectly, any limitation, specification, or discrimination as to age, race, creed, color, national origin, gender, disability, sexual orientation, marital status, alienage, citizenship status, partnership status, arrest or conviction record, status as a victim of domestic violence, or status as a victim of stalking and sex offenses in connection with employment.

Policy Adopted: November 20, 1972
Policy Amended: February 13, 1984
Policy Amended: February 10, 2004
Policy Amended: December 9, 2009
Policy Amended: June 13, 2011

NORWICH CITY SCHOOLS

Board Policy

A500.2

A500.2

RESPONSIBILITIES AND DUTIES

The duties and responsibilities of all Non-Certificated employees shall be defined in accordance with job descriptions. The Board of Education shall delegate such responsibility to the Superintendent. Further, the Superintendent shall maintain a file of such job descriptions.

Policy Adopted: November 20, 1972

Policy Amended: February 13, 1984

NORWICH CITY SCHOOLS

Board Policy

A500.3

A500.3

MEDICAL EXAMINATIONS

Medical Examinations will be required on an annual basis for all Non-Certificated Personnel employed as school bus drivers and/or cafeteria workers. A record of such examination shall be maintained by the Deputy Superintendent of Schools.

Further, the District shall make an annual medical examination available on a voluntary basis, to all other non-certificated personnel.

Policy Adopted: November 20, 1972
Policy Amended: February 13, 1984
Policy Amended: April 1, 2002

NORWICH CITY SCHOOLS

Board Policy

A500.4

A500.4

RETIREMENT COVERAGE

The Board of Education will provide retirement coverage for eligible Non-Certificated personnel by maintaining participation in the New York State Employees' Retirement System.

Policy Adopted: November 20, 1972

NORWICH CITY SCHOOLS

Board Policy

A500.5

A500.5

PAYROLL CALENDAR

A payroll calendar for all Non-Certificated Personnel shall be adopted annually by the Board of Education.

Policy Adopted: November 20, 1972

NORWICH CITY SCHOOLS

Board Policy

A500.6

A500.6

LIABILITY AND WORKERS' COMPENSATION INSURANCE

Worker's compensation and liability insurance will be provided as a protection for all non-certificated personnel.

Policy Adopted: November 20, 1972

NORWICH CITY SCHOOLS

Board Policy

A500.7

A500.7

TERMINATION OF EMPLOYEES

Non-certificated employees who have been permanently appointed by the Board of Education may be terminated. Such termination, however, shall be accomplished in a manner consistent with the procedures set forth in Civil Service Law, Section 75.

Policy Adopted: November 20, 1972

Policy Amended: February 13, 1984

NORWICH CITY SCHOOLS

Board Policy

A500.8

A500.8

SUPERVISION

At the time of their employment, all non-certificated employees shall be advised of the individual responsible for their day-to-day supervision. If such responsibilities are revised, the employee will be so notified. The Deputy Superintendent of Schools shall maintain an accurate and up-to-date listing of all supervisory responsibilities.

Policy Adopted: November 20, 1972
Policy Amended: February 13, 1984
Policy Amended: April 1, 2002

NORWICH CITY SCHOOLS

Board Policy

A500.9

A500.9

REIMBURSEMENT OF NECESSARY EXPENSES

All non-certificated employees shall be reimbursed for expenses incurred in the performance of their job responsibilities. Such expenses shall be reasonable and necessary and within budgetary appropriations. Generally, such expenses shall include travel, tolls, parking fees, lodging, meals and registrations as documented by appropriate receipts.

Policy Adopted: November 20, 1972

Policy Amended: February 13, 1984

NORWICH CITY SCHOOLS
Board Policy

A500.10/A602.6

A500.10/A602.6

SOCIAL NETWORKING TECHNOLOGY

The District positively views the appropriate use of social networking sites (e.g., Facebook, Twitter, etc.), personal blogs or websites, wikis, video or picture share sites (e.g., YouTube, Flickr) and other internet-based social forums. Technology is dynamic and this policy is intended to be flexible to include new and changed technologies.

Employee Use of Social Networking Sites – Guidelines

In general, what an employee does on his/her own time outside of work will not be regulated by the District. However, the District may monitor and regulate employee postings/activities if:

- The employee chooses to identify him/herself as an employee of the District and the subject matter of the communication is regarding a matter of personal interest.
- The activity affects the employee's job performance or the performance of others.
- The activity involves or relates to District students or District employees.
- The activity is harmful to the District's interests and there is a nexus to an individual's employment.

If an employee chooses to publish content, as detailed above, on any internet-based social networking site, including, but not limited to, the sites mentioned above, the District requires that employees observe the following guidelines.

- Employees are personally responsible for the content they publish. Remember that what is published on-line will be public for a long time. Be mindful to protect individual privacy. Use common sense when determining what to publish. On-line behavior should reflect the same standards of honesty, respect and consideration that are used in direct contact communication.
- Employees shall not produce content that states or implies that the employee's opinions reflect the opinions of the District or are endorsed by the District.
- Employees shall not disclose District information that is confidential or proprietary. This specifically includes information or comments regarding students. If an employee has any doubts regarding the release of information, consult a supervisor before releasing information that could potentially harm the District, its current or potential employees, students or community.
- Employees shall not reference personally identifiable information concerning students in any way on any social networking site or on the web unless specifically approved by your supervisor.

The District can and may monitor employee use of social networking sites.

Employee Use of Social Networking Sites – Classroom

The District understands that technology is dynamic and encourages employees to use technology to assist with student learning. Employees shall only use the District website

program or other approved District sites as a social networking tool for classroom purposes under the following guidelines:

- The employee shall not use a personal social account to connect with students.

Employee Use of Electronic Communication and Entertainment Devices

Employee use of electronic communication and entertainment devices may interfere with or disrupt the educational process as well as distract personnel from their job responsibilities. Additionally, employee use of social networking and other internet or electronic communication may interfere with the employee's professional relationships with students, parents, and members of the community.

Violation of this policy may result in disciplinary action up to and including termination. School district computers and scheduled work time are reserved for District-related business. Employees shall not use school district time or property to view social media.

Improper or inappropriate communications are any communications between employee and student, regardless of who initiates the communication that may be viewed as offensive, derogatory, sexual, or lewd in content, threatening or harassing, discriminatory, simple fraternization, or suggestive in nature.

The Board recognizes that there are occasions when a district employee may have a legitimate educational or other need to communicate with a student outside of school hours. Any communication between a district employee and a student via telecommunications, text messages, e-mails, and/or any other medium must be appropriate in content and tone. Employees who engage in such communications with students are expected to act professionally. Any communications with students are subject to review by the District. Employees should not make any statements or forward information that could reasonably be perceived to be:

- In violation of federal or state laws, or district policies;
- Personal, intimate in nature;
- Obscene, vulgar, or inappropriate in content;
- Harmful to a student;
- Disruptive of the educational process; or
- In violation of FERPA and other confidentiality requirements.

In the event an employee receives any communication from a student and/or participates in any communication that is inappropriate in nature, the employee has an obligation to immediately report such communication to the building administrator or designee.

Further, it is the responsibility of all district employees to report incidents of cyberbullying, sexting or other inappropriate on-line behavior they are made aware of.

Board Approved: 8/15/11

Policy Amended: 11/28/11

Policy Amended: 1/23/12

Policy Amended: 11/13/12

NORWICH CITY SCHOOLS
Board Policy

A402.5/A500.11/A602.5

A402.5/A500.11/A602.5

STAFF-STUDENT RELATIONS (FRATERNIZATION)

The Board of Education requires that all School District employees maintain a professional, ethical relationship with District students that is conducive to an effective, safe learning environment; and that staff members act as role models for students at all times, whether on or off school property and both during and outside of school hours. Staff must establish appropriate personal boundaries with students and not engage in any behavior that could reasonably lead to even the appearance of impropriety.

Staff members are prohibited, under any circumstances, to date or engage in any improper fraternization or undue familiarity with students, regardless of the student's age and/or regardless of whether the student may have "consented" to such conduct. Further, employees shall not entertain students or socialize with students in such a manner as to create the perception that a dating relationship exists. Similarly, any action or comment by a staff member which invites romantic or sexual involvement with a student is considered highly unethical, in violation of District policy, and may result in the notification of law enforcement officials and the filing of criminal charges and/or disciplinary action by the District up to and including termination of employment.

Inappropriate employee behavior includes, but is not limited to, flirting; making suggestive comments; dating; requests for sexual activity; physical displays of affection; giving inappropriate personal gifts; frequent personal communication with a student (via phone, e-mail, letters, notes, etc.) unrelated to course work or official school matters; providing alcohol or drugs to students; inappropriate touching; and engaging in sexual contact and/or sexual relations. Even if the student participated "willingly" in the activity (regardless of the student's age), inappropriate fraternization of staff with students is against District policy and may be in violation of professional standards of conduct and New York State Law. However, inappropriate employee conduct does not need to rise to the level of criminal activity for such conduct to be in violation of District rules and subject to appropriate disciplinary sanctions.

Any student who believes that he/she has been subjected to inappropriate staff behavior as enumerated in this policy, as well as students, school employees or third parties who have knowledge of or witness any possible occurrence of inappropriate staff-student relations, shall report the incident to any staff member or either the employee's supervisor, the student's principal or the District's designated complaint officer. In all events such reports shall be forwarded to the designated complaint officer for further investigation. Anonymous complaints of inappropriate fraternization of staff members with students shall also be investigated by the District. Investigations of allegations of inappropriate staff-student relations shall follow the procedures utilized for complaints of harassment within the School District. Allegations of inappropriate staff-student behavior shall be promptly investigated and will be treated as confidential and private to the extent possible within legal constraints.

Any employee having knowledge of or reasonable suspicion that another employee may have engaged in inappropriate conduct with a student that may constitute child abuse (specifically, child abuse in an educational setting) must also follow the District's reporting procedures for such allegations; and such information will be reported by the designated administrator as required by state law to law enforcement officials, the State Education Department and/or Child Protective Services as may be applicable. If a student initiates inappropriate behavior toward a staff member, that employee shall document the incident and report it to his/her building principal or supervisor. The District shall promptly investigate all complaints of inappropriate staff-student relations, and take prompt corrective action to stop such conduct if it occurs.

Prohibition of Retaliation: The Board of Education prohibits any retaliatory behavior directed against complainants, victims, witnesses, and/or any other individuals who participate in the investigation of allegations of inappropriate staff-student relations. Follow-up inquiries and/or appropriate monitoring shall be made to ensure that the alleged conduct has not resumed and that all those involved in the investigation have not suffered retaliation. Any act of retaliation is subject to appropriate disciplinary action by the District.

District Responsibility/Training: The principal of each school and/or program supervisor shall be responsible for informing students, staff and volunteers of the requirements of this policy, including the duty to report and the procedures established for investigation and resolution of complaints. Further, staff training shall be provided to facilitate staff identification of possible behavior that may constitute inappropriate staff-student relationships. Students shall be provided such training in an age appropriate manner. The District's policy (or a summary thereof) shall be disseminated as appropriate to staff, students and parents. Further, this topic shall be addressed in the District Code of Conduct.

Disciplinary Sanctions: Any staff member who engages in inappropriate conduct with a student, prohibited by the terms of this policy, shall be subject to appropriate disciplinary measures up to and including termination of employment in accordance with legal guidelines, District policy and regulation, and the applicable collective bargaining agreement. A violation of this policy may also subject the employee to criminal and/or civil sanctions as well as disciplinary action by the State Education Department.

Board Approved: August 15, 2011

NORWICH CITY SCHOOLS

Board Policy

A501

A501

GRIEVANCE PROCEDURE

The Board of Education maintains grievance procedures for all non-certificated employees consistent with the non-certificated Employee's contract and Article 15-C of the General Municipal Law.

Policy Amended: February 13, 1984

NORWICH CITY SCHOOLS

Board Policy

A502.1

A502.1

TRANSPORTATION OBJECTIVES

Transportation is a major function of school operation. As such, it requires special attention in order that the greatest benefits will accrue from the dollars expended. The following major objectives serve as a guide in the management of pupil transportation.

1. To furnish transportation to those pupils whose health or distance from the school makes this service essential.
2. To provide the safest possible transportation.
3. To operate transportation efficiently and economically.
4. To adapt transportation to the requirements of the instructional program.
5. To maintain conditions on the buses which are conducive to the best interest of the pupils, including mental, moral and physical considerations.
6. To promote a sympathetic public understanding of the entire transportation system, including safety, adequacy, efficiency, and standards of service.

Policy Adopted: September 17, 1973

NORWICH CITY SCHOOLS

Board Policy

A502.2

A502.2

RESPONSIBILITY FOR TRANSPORTATION - GENERALLY

Responsibility for transportation in the Norwich School District is vested in the Board of Education. The administration and supervision of all facilities and personnel related to transportation has been delegated to the Superintendent.

The Superintendent has developed and ordered administrative rules and regulations for transportation. Direct administrative and supervisory authority has been vested in the Deputy Superintendent of Schools.

The Director of Transportation is responsible to the Deputy Superintendent of Schools for execution of the District transportation program. In this regard, the Director of Transportation will assign buses or other vehicles, arrange for drivers, plan routes and time schedules, and provide for whatever details are necessary to implement the transportation program.

Policy Adopted: September 17, 1973
Policy Amended: February 13, 1984
Policy Amended: April 1, 2002

NORWICH CITY SCHOOLS
Board Policy

A402.2/A502.3

A402.2/A502.3

BUS CONDUCT

While the law requires the school district to furnish transportation, it does not relieve parents of students from the responsibility of supervision until such time as the child boards the bus in the morning and after the child leaves the bus at the end of the school day.

Once a child boards the bus, and only at that time, does he or she become the responsibility of the school district. Such responsibility shall end when the child is delivered to the regular bus stop at the close of the school day.

In view of the fact that a bus is an extension of the classroom, the Board shall require children to conduct themselves on the bus in a manner consistent with established standards for classroom behavior. The Board of Education forbids all forms of harassment, hazing, and bullying on any district property, school buses, or school-sponsored event – both on and off school grounds that either substantially disrupts the learning environment or negatively affects the rights of others. In cases where a child does not conduct himself or herself properly on the bus, such instances are to be brought to the attention of the Building Principal by the head bus driver and/or bus driver. The Building Principal will inform the parents immediately of the misconduct and request their cooperation in correcting the child's behavior.

Children who become a serious disciplinary problem on the school bus may have their riding privileges suspended. In such cases, the parents of the children involved become responsible for seeing that their children get to and from school safely.

Policy Adopted: October 16, 1972
Policy Amended: November 13, 2012

NORWICH CITY SCHOOLS

Board Policy

A502.4

A502.4

ELIGIBILITY FOR TRANSPORTATION

Transportation to and from School shall be provided in accordance with Education Law and Board of Education policy. When a child is eligible for transportation to a school in this district, such transportation will be provided to and from his/her legal place of residence or to and from child care locations. Exceptions as reflected in the attached Administrative Guidelines will be made only on an individual basis and with consideration being given to the best interests of the child.

TRANSPORTATION - CITY PUPILS

City children attending Kindergarten through 2nd grade who live more than one-half (.50) mile from the school they legally attend are entitled to transportation. City children attending 3rd through 5th grade who live more than three-quarter (.75) mile from the school they legally attend are eligible for transportation.

City children attending 6th through 12th grade who live more than one (1) mile from the school they legally attend will be provided transportation.

TRANSPORTATION - RURAL PUPILS

Children living outside the City limits are eligible for transportation under the following conditions. Students in Kindergarten through 2nd grade shall not walk more than one-half (.50) mile to a designated bus stop; students in 3rd through 5th grade - three-quarter (.75) mile; and students in 6th through 12th grade - one (1) mile. Bus routes will be determined considering State regulations, economy and safety.

TRANSPORTATION - NON-PUBLIC SCHOOLS

All non-public school transportation will be provided according to the Education Law - Section 3635.

TRANSPORTATION - HANDICAPPED PUPILS

Special transportation shall be provided to all handicapped pupils upon the recommendations of the school physician and the approval of the Deputy Superintendent of Schools. While the Law requires the school district to furnish transportation, it does not relieve the parents from the responsibility of seeing that the child is safely placed on and removed from the school vehicle at the place of residence. Under no circumstances will a driver of a school vehicle leave the vehicle unattended.

When special transportation is provided, building (s) level administrators shall be responsible for seeing that the child is safely placed on and removed from the school vehicle at the school building.

Parental request for special transportation for a handicapped pupil shall be made to the appropriate building principal.

Policy Adopted:	September 17, 1973
Policy Amended:	May 20, 1974
Policy Amended:	December 16, 1974
Policy Amended:	August 10, 1981
Policy Amended:	June 15, 1998
Policy Amended:	April 1, 2002
Policy Amended:	May 20, 2008
Policy Amended:	July 2, 2014

NORWICH CITY SCHOOLS

Administrative Guidelines

B502.4

B502.4

ELIGIBILITY FOR TRANSPORTATION

Exceptions to the transportation eligibility criteria reflected in Board of Education policy will be considered only in the following instances:

1. In any case involving the physical or emotional well-being of a child as documented by a physician's statement.
2. In cases which involve child care providers, the welfare of the child will be of greatest concern.

Guidelines Adopted: September 17, 1973

Guidelines Amended: May 20, 1974

Guidelines Amended: December 16, 1974

Guidelines Amended: August 10, 1981

Guidelines Amended: June 15, 1998

NORWICH CITY SCHOOLS

Board Policy

A502.5

A502.5

SPECIAL TRANSPORTATION FOR SCHOOL-RELATED TRIPS

A. Field Trips

Field trips which further the educational goals of the school system and which help promote wholesome personal development of students are very desirable. Transportation for such trips may be provided upon the recommendations of the principal and approval of the Superintendent.

B. Extra-Curricular Trips

Extra-curricular activities which help promote wholesome personal development of students are an important part of the comprehensive educational program of the school system. All students representing the school as individuals or in a group may be provided transportation to and from out-of-town activities upon the recommendation of the principal and with the approval of the Superintendent.

Extra-curricular is defined as, but not limited to, interscholastic athletics, cheerleading, extramurals, academic competitions, and those clubs participating in activities which are closely related to the instructional program.

Policy Adopted: September 17, 1973

Policy Amended: April 28, 1975

NORWICH CITY SCHOOLS

Administrative Guidelines

B502.5

B502.5

SPECIAL TRANSPORTATION FOR SCHOOL-RELATED TRIPS

Field Trips and Extra-Curricular Trips

In planning field trips and extra-curricular trips the following guidelines are to be observed:

1. All trips shall be made in school-owned vehicles, except by express written permission of the Superintendent.
2. Accurate lists of participating pupils must be compiled by the person in charge of the trip and filed at the building principal's office prior to leaving on the trip.
3. Pupils must travel to and from the activity in the vehicles provided by the Board of Education in order to be eligible to participate.

The exceptions are:

- a. Upon presenting written request from the parent to the person in charge, a student may return home with the parent.
 - b. In case of emergency (i.e., accident, sickness, etc.) the driver or sponsor may release the pupil to another school employee, to his parent or to an adult member of his immediate household or may obtain appropriate medical assistance.
4. Stops for refreshments, lunches, etc., should be normally planned and included in the itinerary.
 5. Conduct of pupils on a trip shall be the joint responsibility of the teacher sponsoring the trip and the driver. The sponsor of the trip is expected to require orderly conduct both on the bus and during all trip activities. The driver is expected to exercise all precautions relative to the safe operation of the bus.
 6. Overnight trips, which have received approval of the building principal and of the Superintendent of Schools, must be presented to the Board of Education for express permission to be granted.
 7. Fan buses may be provided for the use of high school students only.
 8. Whenever the distance to be traveled exceeds fifteen miles one way, provision will be made for not more than two students per seat.

Guidelines Adopted: September 17, 1973
Guidelines Amended: April 28, 1975
Guidelines Amended: March 17, 1997

NORWICH CITY SCHOOLS

Board Policy

A402.3
A502.6
A602.3

A402.3
A502.6
A602.3

SEXUAL HARASSMENT

The Board of Education of the Norwich City Schools believes that all students and employees are entitled to study and work in an environment free from all forms of discrimination, including sexual harassment. Therefore, consistent with all state and federal laws, the Board of Education prohibits any form of sexual harassment by students or employees. Violation of this policy will result in disciplinary action, as outlined in the Administrative Guidelines of this policy.

The Board of Education also believes that effective efforts to combat sexual harassment must focus not only on enactment of this policy, but on creating an institutional climate that supports respectful relationships and is free from gender inequity. To provide students and employees with the knowledge and skills necessary for them to assume their responsibility in the prevention of sexual harassment and gender inequity, awareness programs will be required for all district staff and secondary students. Issues related to gender equity and respect for others will be integrated into the curricula at both the elementary and secondary level.

Students and employees will be encouraged to report all incidents of sexual harassment. The initiation of a complaint shall not adversely affect the status of a student or employee. Retaliation is also prohibited against any individual who testifies on behalf of a complainant, or any individual who assists or participates in an investigation, proceedings, or hearing conducted under this policy.

A copy of this policy and accompanying procedures will be distributed to all students and employees in the Norwich City School District. Contents of the policy will be reviewed with all employees and students during annual awareness sessions.

Questions regarding the application of this policy are to be directed to the Director of Instruction & Staff Development or the Superintendent of Schools.

Ref. Title VII- 1964 Civil Rights Act
Title IX - 1972 Educational Amendments

Policy Adopted: January 24, 1994
Policy Amended: November 18, 1996
Policy Amended: February 11, 2002
Policy Amended: October 16, 2007

NORWICH CITY SCHOOLS

Administrative Guidelines

B402.3

B502.6

B602.3

B402.3

B502.6

B602.3

SEXUAL HARASSMENT

These administrative guidelines provide information and establish specific direction for the implementation of the sexual harassment policy.

Effective efforts to combat sexual harassment must focus not only on enactment of policy, but on creating an institutional climate that supports respectful relationships and is free from gender inequity. Students and employees will be provided with knowledge and skills necessary for them to assume their responsibility in the prevention of sexual harassment. Character Education initiatives and annual Right To Know presentations are examples of district efforts in these regards.

Definition

Sexual harassment is defined as unwelcome sexual advances, requests for sexual favors, and other verbal or physical conduct of a sexual nature when:

- submission to the conduct is either explicitly or implicitly a term or condition of an individual's grade or employment,
- submission to or rejection of such conduct by an individual is used as a basis for grade/employment decisions affecting that individual; and/or
- such conduct has the purpose or effect of unreasonably interfering with an individual's work or school performance or creating an intimidating, hostile, or offensive school/working environment.

Examples of sexual harassment include, but are not limited to the following behaviors:

1. Any activity that demonstrates boundary invasion and is directed toward establishing or results in an inappropriate sexual relationship such as dating, sending intimate communications; and/or engaging in sexualized dialogue whether in person, by phone, via the Internet, or in writing.
2. Sexually oriented communication, including sexually oriented "kidding", spreading sexual rumors, telling dirty jokes, and sexual graffiti
3. Subtle pressure or requests for sexual activity, accompanied by an implied or overt promise of preferential treatment with regard to an individual's employment or student status
4. Creating a hostile learning or work environment, including the use of innuendoes or overt or implied threats
5. Unwelcome touching (ie. patting, pinching, repeated brushing against another person's body, etc.)

SEXUAL HARASSMENT COMPLAINT PROCEDURES

The following procedures are established to provide for the reporting and resolution of sexual harassment complaints.

It is strongly recommended that the complainant attempt to rectify the situation in question before following the procedures below.

Informal Complaint Procedure

Students who believe they have been subjected to sexual harassment may request an informal meeting with the Building Principal. Students will be informed that they may request the presence of their parents and/or another staff member. The Principal may contact the Director of Instruction & Staff Development for advisement or possible involvement. A meeting will be scheduled within five (5) school days of receipt of the request.

Employees who believe they have been subjected to sexual harassment may request an informal meeting with their immediate supervisor. Once an informal complaint has been received, the Supervisor may contact the Director of Instruction & Staff Development for advisement or possible involvement. If the alleged harasser is the immediate supervisor, the employee may request an informal meeting with the Director of Instruction & Staff Development. Employees will be informed that they may request the presence of another staff member. A meeting will be scheduled within five (5) work days of receipt of the request.

The purpose of the informal meeting will be to discuss the allegations and if needed, the remedial steps available to resolve the issue without filing a formal, written complaint. It is the responsibility of the Supervisor/Principal to confirm that the alleged harasser is aware of the concern.

If the alleged harasser is not a student or employee of the Norwich City School District, the complainant will be advised of the following options: 1. Complainant may petition Superintendent to notify the alleged harasser's school district or employer of the incident and request resolution. 2. Complainant may pursue issue independent of school involvement.

Investigation of an Informal Complaint:

Within five (5) school days of the informal student complaint meeting, the Building Principal will discuss the complaint with the alleged harasser. The alleged harasser will be notified of his/her right to request the presence of a parent, staff member, or other individual.

Within five (5) work days of the informal employee complaint meeting, the immediate supervisor will discuss the complaint with the alleged harasser. The alleged harasser will be notified of his/her right to request the presence of another staff member or other individual.

The Principal/Supervisor may contact the Director of Instruction & Staff Development for advisement and possible involvement.

Denial of Allegations: If the alleged harasser denies the allegations, the Principal/Supervisor will inform the complainant in writing. Should the complainant be dissatisfied with the resolution, the formal complaint procedure will be explained.

Admission of Allegations: If the alleged harasser admits the allegations, the Principal/Supervisor will obtain a written assurance that the sexual harassment will stop immediately. Depending on the severity of the charges, further disciplinary action may be imposed pursuant to district guidelines.

The Principal/Supervisor will prepare a written report of the incident and inform the complainant and alleged harasser of the resolution. This report will be filed with the Director of Instruction & Staff Development.

Formal Complaint Procedure

Students who believe they have been subjected to sexual harassment are to report the incident to the Building Principal, a counselor or the appropriate building Student Services Facilitator, or the Director of Instruction & Staff Development.

If a formal complaint involves a student, the student's parents will be notified by the Principal. Exceptions to this rule will be made if a student is 18 years of age or older, or is legally emancipated.

Employees who believe they have been subjected to sexual harassment are to report the incident to the Building Principal, or their immediate supervisor or the Director of Instruction & Staff Development.

The individual receiving the complaint will assist the complainant in the completion and submission of the complaint form. Complaint forms are available in the Main Office of each building and in the Superintendent's office. The completed complaint form will be immediately forwarded to the Director of Instruction & Staff Development. Upon receipt of a written complaint, the Director of Instruction & Staff Development will initiate a prompt, thorough, and impartial investigation of the allegations.

Investigation of a Formal Complaint:

It is the responsibility of the Director of Instruction & Staff Development to ensure that every instance of alleged sexual harassment is investigated promptly, fairly, and effectively.

Within twenty (20) calendar days after receipt of a written complaint, the Director of Instruction & Staff Development will in writing communicate the findings and the recommended action to be taken to the Superintendent of Schools. Within ten (10) days the Superintendent will notify the complainant and alleged harasser of the findings and the decisions regarding the complaint. The correspondence will be filed with the Director of Instruction & Staff Development.

Appeal Process

If the complainant or accused wishes to appeal the decision, she/he may complete an appeal form and forward to the Superintendent of Schools within thirty (30) calendar days of receipt of decision. Upon receipt of an appeal form, the Superintendent of Schools will review the matter and if needed conduct an independent investigation of the complaint. The Superintendent will respond to the complainant, noting the results of his/her review within thirty (30) days.

An appeal may also be filed with: The New York State Commissioner of Education, The Federal Office for Civil Rights, and/or The New York State Division of Human Rights. Additional information and addresses may be obtained from the Director of Instruction & Staff Development.

If at any point in the sexual harassment proceedings the complainant or accused party initiates action at the State or Federal level, local action will cease.

Investigation in the Absence of a Complaint

In the absence of an official complaint, the District reserves the right to investigate any suspected occurrence of sexual harassment brought to its attention.

Remedial Action

If an investigation reveals that sexual harassment has occurred, appropriate disciplinary measures will be imposed in a manner consistent with any applicable law, district policies and regulations, and collective bargaining agreements.

Any student determined to be guilty of sexual harassment will be directed by the Building Principal to cease the harassing behavior. A substantiated charge against a student in the school district may subject that student to disciplinary action that may include suspension or expulsion, in accordance with applicable regulations.

Any employee determined to be guilty of sexual harassment will be directed by his/her immediate supervisor to cease the harassing behavior. A substantiated charge against an employee in the district shall subject that employee to disciplinary action.

Following a finding of sexual harassment, the Director of Instruction & Staff Development will monitor the situation to ensure that the harassment has not resumed and that no retaliatory action has occurred. Victims of sexual harassment will also be provided the opportunity for services such as counseling, if requested.

Documentation

The right to confidentiality, for both the complainant and the alleged harasser, will be respected consistent with the school district's legal obligations and the necessity to investigate allegations of misconduct and to take corrective action when this conduct has occurred. However, all records of formal and informal complaints and investigatory procedures will be filed in the office of the Director of Instruction & Staff Development.

If a complaint against a student is determined to be valid, the final determination, as well, records of disciplinary action taken, will be filed in the student's disciplinary file. If a complaint against an employee is determined to be valid, the final determination, as well, records of disciplinary action taken, will be filed in the employee's personnel file.

Guidelines Adopted:	January 24, 1994
Guidelines Amended:	November 18, 1996
Guidelines Amended:	February 11, 2002
Guidelines Amended:	October 16, 2007
Guidelines Amended:	May 20, 2009

NORWICH CITY SCHOOLS

SEXUAL HARASSMENT FORMAL COMPLAINT FORM

Name of complainant: _____

Address/Phone: _____

Position: _____

Name of alleged sexual harasser: _____

Date(s) of incident: _____

Approximate time of incident: _____

Place of incident: _____

Description of alleged harassment: _____

Name of witness(es) (if any): _____

Has the incident been reported before? _____

If yes, date/ to whom? _____

What was the resolution? _____

Was resolution acceptable? _____ If not, Why? _____

(Parent notification for students under 18 years of age)

NORWICH CITY SCHOOLS

SEXUAL HARASSMENT APPEAL FORM

Name of individual filing appeal: _____

Position: _____

Date of appeal: _____

Date of original complaint: _____

Have there been any prior appeals? _____

If yes, when? To whom? _____

Description of decision being appealed: _____

Reasons for the Appeal: _____

NORWICH CITY SCHOOLS

Board Policy

A404.4/A502.7/A613

A404.4/A502.7/A613

CONDITIONAL OR EMERGENCY APPOINTMENTS CHILD SAFETY

If an employee is serving under a conditional appointment or emergency conditional appointment pending employment clearance from the State Education Department, the Superintendent, or designee, shall advise the employee's immediate supervisor and/or building principal of such appointment status, and request that he/she provide enhanced supervision as deemed appropriate to address safety of children who have contact with the employee. The immediate supervisor or building principal shall, upon the commencement of the staff member's employment, meet with the staff member to review safety considerations and expectations for any contact such staff member will have with students. The Superintendent or designee shall promptly notify the immediate supervisor or building principal of any changes in the employee's appointment status, including receipt of clearance for employment.

Legal Reference:

Education Law Sections 1604(39)(D), 1709(39)(D),
1804(9)(D), 1950(11)(D), 2503(18)(D), 2554(25)(D)
added by A.8898-A (2001)

Policy Adopted: September 10, 2001

NORWICH CITY SCHOOLS

Board Policy

A502.8/A602.4

A502.8/A602.4

WORKPLACE BULLYING

The purpose of this policy is to promote a healthy, positive workplace climate so that every individual is able to contribute fully to our educational community. Every person has the right to dignity at work. The rights and responsibilities described in this policy apply to all employees, parents, and all who utilize or visit District facilities.

Bullying is defined as conduct that a reasonable person would find hostile, intimidating, offensive, humiliating or an abuse of authority. It may be verbal, nonverbal, public or private. It is typically behavior repeated across multiple incidents; a single incident is rarely a violation. It may originate from any employee or from any individual to another. It is also bullying to continue policy-violating conduct when the targeted individual requests that it cease.

Illustrative examples of bullying include, but are not limited to:

1. Provocative or dehumanizing name calling
2. Belittling the person
3. Exclusion from requisite training
4. Physical isolation
5. Rumors (or failing to stop them) & gossip about a person or school's reputation
6. Discounting or humiliating people at meetings
7. Deliberate exclusion from job-critical decision-making opportunities
8. Preventing the person from self-expression, being yelled at, being threatened, the prohibition of speaking to others
9. Intentional deception about the true purpose of an investigatory or disciplinary meeting
10. Preventing an employee from meeting students' academic potential
11. Moving or hiding items required for productive work

For an individual to allege a policy violation, to call it bullying according to this policy's standard, the targeted individual must be able to demonstrate that due to the alleged bullying activity that he/she has experienced negative consequences which are affecting their ability to perform his/her job. It is the intent of this policy that such issues are identified early by the targeted individual, a co-worker or colleague, and the issue is resolved at the earliest possible stage.

Bullying must not be confused with the non-abusive exercise of management rights to assign tasks, coach, and reprimand or take disciplinary actions against employees. Any administrator, supervisor or individual in a position of leadership to whom a complaint is reported (verbally or in writing) must take appropriate action according to internal procedures. Failure to comply may result in disciplinary action.

Freedom from retaliation is protected under this policy. Retaliation is a separate offense from the original claim of bullying. Protected individuals include complainants, or anyone who testifies, assists, or participates in any manner in an investigation or proceeding, internal or external, pertaining to the allegation of bullying. Misuse of the policy is a violation of the policy itself.

Policy Adopted: July 6, 2010

NORWICH CITY SCHOOLS

Administrative Guidelines

B402.4/B502.8/B602.4

B402.4/B502.8/B602.4

I. PROCEDURES FOR RESOLUTION OF BULLYING/HARASSMENT COMPLAINTS

A. Level One - Building Principal or Staff Member

A complainant shall, within fifteen (15) working days after the occurrence of the event which is the subject of the complaint, make an appointment with and discuss the matter with the building principal or if appropriate, another building principal. Every effort will be made to resolve the complaint informally at this level. The building principal or immediate supervisor shall give an oral response to the complainant within five (5) working days after the initial discussion. A complainant may report an incident or occurrence to any staff member and that staff member shall contact the principal immediately.

B. Level Two - Deputy Superintendent

In the event the complainant is not satisfied with the decision made at Level One, the complainant may formalize the complaint in writing. The complaint must be submitted to the Deputy Superintendent within five (5) working days after the oral response at Level One. The complainant may request that a meeting concerning the complaint be held with the Deputy Superintendent. A parent, guardian or other counsel may accompany a minor student. The Deputy Superintendent, as the designee of the Superintendent, will investigate the complaint and attempt to resolve it. The Deputy Superintendent will consider the totality of the circumstances presented in determining whether conduct objectively constitutes harassment or bullying. Within ten (10) working days after receipt of the complaint, a written report from the Deputy Superintendent regarding findings and action taken will be sent to the complainant, other involved parties, as well as the superintendent.

C. Level Three - Superintendent

In the event the complainant is not satisfied with the decision made at Level Two, the complainant may submit a written appeal to the superintendent within five (5) working days after receipt of the written report. The complainant may request a meeting with the superintendent. The superintendent may request a meeting with the complainant to discuss the appeal. Within five (5) working days after receipt of the complainant's written appeal, the superintendent will send a decision in writing to the complainant and other involved parties.

D. Level Four - Board of Education

In the event the complainant is not satisfied with the decision made at Level Three, the complainant may submit a written appeal to the Board of Education within ten (10) working days after receipt of the Level Three decision. The complainant may request a meeting with the Board of Education. Within twenty (20) days after receipt of the written appeal, the Board of Education shall determine what action should be taken to resolve the complaint. The decision of the Board of Education shall be final and a written copy of the decision will be delivered to the complainant within five (5) working days after the decision is made. The Board of Education

may, in its sole discretion, implement a Board Hearing Panel for purposes of addressing and resolving a complaint at this Level.

II. IMMUNITY.

A school employee, volunteer, or student, or a student's parent or guardian, who promptly, reasonably, and in good faith reports an incident of harassment or bullying in compliance with the procedures adopted by the District, to the appropriate school official designated by the school district, shall be immune from civil or criminal liability relating to such report and to participation in any administrative or judicial proceeding resulting from or relating to the report.

III. COLLECTION REQUIREMENT.

The Deputy Superintendent shall maintain a system to collect harassment and bullying incident data.

IV. NOTIFICATION.

The Superintendent will provide the Deputy Superintendent copies of the Bullying and Harassment policy to school employees, volunteers, students, and parents or guardians through school communications through-out the school year, as appropriate (i.e. newsletters, school website, or public media).

Administrative Guidelines Adopted: July 6, 2010

Administrative Guidelines Amended: June 13, 2011

BULLYING/HARASSMENT COMPLAINT FORM

Date Filed _____

Name of Complainant _____

Address _____

Phone Number _____

Building/Assignment (if an employee) _____

Indicate the appropriate response to the following with a check mark(s):

- The complainant is a(an):

____ student

____ parent

____ employee

____ Volunteer

- The complainant believes bullying and/or harassment has occurred based on the following trait or characteristic: _____

Date(s) of Alleged Violation(s) _____

Person alleged to have committed the bullying or harassment _____

Summarize the incident(s) or occurrence(s) as accurately as possible. Attach additional sheets if necessary. _____

Location of Incident _____

Names of Witnesses _____

Attach any evidence of harassment or bullying (i.e. letters, photos, etc.)

Have you notified anyone else about this: ____ YES ____ NO

If so, who? _____

Signature of Complainant _____ Date _____

Date Received by the Building Principal _____

Date of Level Two Investigation of Compliance Violation Report _____

Signature of Deputy Superintendent _____

Note: Completion of this form will initiate an investigation of the alleged incident of bullying or harassment outlined on this form. Completion of this form or its impending investigation shall not be construed to preclude a victim (or his or her parents if the victim is a minor) from seeking administrative or legal remedies under any applicable provision of law.

NORWICH CITY SCHOOLS

Board Policy

A503.1

A503.1

FREE AND REDUCED PRICE MEALS

The City School District of the City of Norwich shall participate in the National School Breakfast and Lunch Programs administered through the State Education Department. Through provisions of these programs eligible students shall be provided with free and reduced price meals.

In administering the programs, the Board of Education will enter into agreements with the State Education Department to participate in the National School Lunch and Breakfast Programs and the New York State Office of General Services to receive commodities donated by the Department of Agriculture.

The Board further agrees to comply with all federal and state guidelines pertaining to student eligibility, program announcements, application and collection procedures as reflected in the attached document.

Policy Adopted:	May 21, 1979
Policy Amended:	September 21, 1981
Policy Amended:	August 16, 1982
Policy Amended:	August 15, 1983
Policy Amended:	August 20, 1984
Policy Amended:	August 19, 1985
Policy Amended:	July 7, 1986
Policy Amended:	August 17, 1987
Policy Amended:	August 22, 1988
Policy Amended:	August 21, 1989
Policy Amended:	July 16, 1990
Policy Amended:	July 12, 1991
Policy Amended:	August 17, 1992
Policy Amended:	March 17, 1997

A503.1 INSERT UPDATED PRICE LIST

NORWICH CITY SCHOOLS

Board Policy

A503.2

A503.2

PURPOSES OF THE SCHOOL MEAL PROGRAM

It shall be the purpose of the school lunch and breakfast programs to provide well-balanced meals that are nourishing at moderate prices in pleasant surroundings. The program also provides a teaching situation in which the foods that children need for proper growth and development are served in an appetizing manner so that they will be readily accepted.

Policy Adopted: February 19, 1974

Policy Amended: February 13, 1984

NORWICH CITY SCHOOLS

Board Policy

A503.3

A503.3

FINANCIAL SUPPORT FOR SCHOOL MEAL PROGRAMS

It shall be the goal of the School District to operate the school lunch and breakfast programs on a self-supporting basis. The Board of Education shall provide necessary initial facilities and equipment with replacement charges to be made against the School Lunch Fund.

However, by Board resolution and authorization from district voters, the Board of Education may provide for the transfer of monies to the School Lunch Fund to maintain the Fund's financial stability.

Policy Adopted: February 19, 1974

Policy Amended: February 13, 1984

Policy Amended: March 17, 1997

NORWICH CITY SCHOOLS

Board Policy

A503.4

A503.4

SCHOOL LUNCH FUND

The School District Treasurer will maintain complete accounting records including receipts, expenditures and balances as provided for by the New York State System of Accounts.

The funds of the school meal program will be maintained in the School Lunch Fund account at the bank designated by the Board of Education as being the District's official depository.

The School Lunch Director will maintain complete and accurate records relating to participation in school meal programs.

Policy Adopted: February 19, 1974

Policy Amended: February 13, 1984

NORWICH CITY SCHOOLS

Board Policy

A504/A608

A504/A608

EMPLOYEES WITH HIV RELATED ILLNESS

The Board of Education recognizes the public concern over the health issues surrounding Acquired Immune Deficiency Syndrome (AIDS) and Human Immunodeficiency Virus Infection (HIV). The Board also recognizes, based upon the current state of medical knowledge, that the virus associated with AIDS is not easily transmitted and there is no evidence that AIDS or the HIV virus can be transmitted by casual social contact in the open school setting.

The Board acknowledges the right of those employees diagnosed as having AIDS or HIV infection to continue their employment as well as the rights of all employees and students in the school district to work, learn, and participate in school activities without being subjected to significant risks to their health. The Board also takes notice that under current law and regulations the disclosure of confidential AIDS and/or HIV related information must be strictly limited.

Accordingly, it is the policy of the Board of Education that no employee shall be denied the opportunity to continue their employment with the District solely on the basis of being diagnosed as having AIDS or HIV infection.

In accordance with current State law and regulations, it is also the policy of the Board of Education to prevent any employee from being subjected to adverse or discriminatory treatment or stigma because he or she has been diagnosed as having AIDS or being HIV infected.

The Superintendent of Schools is hereby directed to develop administrative regulations in regard to the employment of employees diagnosed as having AIDS or being HIV infected.

Policy Adopted: September 18, 1989

NORWICH CITY SCHOOLS

Administrative Guidelines

B504/B608

B504/B608

EMPLOYEES WITH HIV RELATED ILLNESS

Confidentiality:

A. Definitions

HIV related illness means any clinical illness that may result from or be associated with HIV infection, including AIDS.

Protected individual shall mean a person who is the subject of an HIV related test or who has been diagnosed as having HIV related illness.

Capacity to Consent means an individual's ability, determined with regard to such individual's age, to understand and appreciate the nature and consequences of a proposed health care service, treatment or procedure, and to make an informed decision concerning such service, treatment or procedure.

B. Confidentiality and Release of Information:

School officials and employees shall keep HIV related information confidential, however obtained. The information shall not be disclosed to any person, unless the protected individual (or a person with the capacity to consent) has completed and signed the Health Department Authorization for Release Form, a Court Order granted under Public Health Law Section 2785 has been issued, or the person to whom the information has been furnished is authorized to receive such information under Public Health Law Section 2781 without a release form. Persons authorized to receive HIV information without a release includes physicians providing care, and insurance companies for payment purposes. Disclosure to school personnel staff requires a release or Court Order. If disclosure occurs pursuant to a signed release or order, the information shall only be released to those listed on such form or order, for the time period specified and only for the purpose stated on the form or order. Such form shall be signed by the protected individual or when the protected individual lacks capacity to consent, a person authorized pursuant by law to consent to health care for the individual. Questions in regard to such capacity shall be referred to the school attorney.

C. Testing

No HIV related testing of any employee shall take place without first receiving the written informed consent of the person to be tested on a form approved by the State Health Department. Such consent shall only be given by an individual with capacity to consent as defined above.

D. Penalties

Persons who disclose confidential HIV information to unauthorized parties or who fail to obtain informed consent for the HIV test may be subject to a \$5,000 penalty and a criminal misdemeanor charge as provided in State Law.

E. Procedures

1. The procedures set forth here shall be followed in any instance where the school district receives confidential HIV related information concerning an employee without benefit of an authorization form or Court Order.
 - a. The Superintendent or other administrator to whom the information has been given shall request a meeting with the employee for the purpose of discussing the employee's condition and concerns. At this point, school or public health personnel may be consulted provided that the appropriate Authorization Form is obtained. Subsequent to such consultation, the School Physician shall make a recommendation to the Board of Education as to whether the employee may safely continue in the regular school setting. The Board of Education must be included on the Health Department Authorization Form for HIV related information to be released.
 - b. The Board of Education will render a decision as to the continuing employment of the employee and shall communicate that decision in writing to the involved individual.

The procedures set forth here shall be followed in any instance where the school district received confidential HIV related information concerning an employee through The Authorization Form or through a Court Order.

- a. The Superintendent or other administrator to whom the HIV related information has been released shall request a meeting with the employee for the purpose of discussing the employee's condition and concerns. At this point, school or public health personnel may be consulted provided that the appropriate Authorization Form is obtained. Subsequent to such consultation the School Physician shall make a recommendation to the Board of Education as to whether the employee may safely continue in the regular school setting. The Board of Education must be included on the Health Department Authorization Form for HIV related information to be released.
- b. The Board of Education will render a decision as to the continuing employment and shall communicate that decision in writing to the involved individual.

For purposes of this policy, the term employee shall include volunteers and all others engaged in the delivery of services on behalf of the District.

Guidelines Adopted: September 18, 1989

NORWICH CITY SCHOOLS

Board Policy

A505/A610

A505/A610

ALCOHOL, DRUGS AND OTHER SUBSTANCES
(School Personnel)

The Board of Education, recognizing that students are often influenced by teachers and other members of a school's staff, impresses upon staff members the importance of maintaining a high level of professionalism appropriate to their position, which, in turn, shall set a positive example for students.

The Board will, therefore, not permit the consumption, sharing and/or selling, use and/or possession of illegal drugs, counterfeit and designer drugs or alcoholic beverages in the workplace, or when the effects of such drugs may impair an employee's job performance. The inappropriate use of prescription and over-the-counter drugs shall also be disallowed.

Alcohol and drug counseling and/or rehabilitation programs shall be made available to employees through the Employee Assistance Program. A range of penalties (consistent with local, state and federal law), up to and including termination of employment and referral for prosecution will be imposed on employees who have transgressed the terms of this policy.

Additionally, confidentiality shall be insured as required by state and federal law.

Education Law Sections 913, 1711 (5) (e), and 3020-a
Civil Services Law Section 75

Policy Adopted: August 13, 1990

NORWICH CITY SCHOOLS

Board Policy

A506

A612

A506

A612

FAMILY AND MEDICAL LEAVE

Employees who have been employees for at least 12 months, and for at least 1,250 hours during the preceding 12-month period are eligible for unpaid family and medical leave, consistent with the Federal Family and Medical Leave Act of 1993 (FMLA). (Full-time teachers shall be deemed to meet the 1,250 hour test). All eligible employees who use such leave shall have their group health insurance benefits continued during the leave.

Except for those employees designated as “highly compensated employee,” employees will be returned to the same or to an equivalent position upon their return from leave.

If leave is requested for an employee’s own serious health condition, the employee must use all of his or her accrued paid vacation leave, sick leave or personal leave. If leave is requested for any of the other reasons listed below, an employee must use all of his or her accrued paid vacation or personal leave. The remainder of the leave period will then consist of unpaid family or medical leave (FMLA).

ELIGIBILITY / REASONS FOR LEAVE

All employees who meet the applicable time-of-service requirements may be granted a total of twelve (12) weeks of unpaid family leave during any school year measured forward from the date an employee initially uses any FMLA leave. FMLA leave may be combined with accrued sick, vacation, and personal leave.

Family leave is available to biological parents, step-parents, legal guardians, and other individual standing in loco parentis for:

1. the birth of a child and care for the infant up to age one.
2. the adoption or foster care placement of a child up to 12 months after the adoption or foster care placement.

MEDICAL LEAVE IS AVAILABLE:

1. for the employee to care for the employee’s spouse, dependent child, or parent who has a serious health condition.
2. when the employee has a serious health condition which renders the employee unable to perform the essential functions of the employee’s job.

If both spouses work for the Norwich City School District, their total FMLA leave in any 12 month period will be limited to an aggregate of 12 weeks if the FMLA leave is taken for either the birth or placement for adoption or foster care of a child or to care for a sick parent. This limitation does not include Medical Leave to care for a child or spouse or for an employee’s personal medical/sick leave.

INTERMITTENT OR REDUCED LEAVE:

An employee may take Medical Leave intermittently or on a reduced leave schedule when medically necessary. Leave increments will be taken in half days or whole days. The employee may be required to transfer temporarily to a position with equivalent pay and benefits that better accommodates recurring periods of leave when the leave is planned based on scheduled medical treatment. For instructional employees who request Medical Leave and it is foreseeable that the medical treatment shall cause the employee to be on leave more than 20% of the total number of working days in the period of leave, the Norwich City School District may require the employee to elect to take a block of time or to temporarily transfer to an equivalent position for which the employee is qualified, but which better accommodates intermittent periods of leave.

If an employee requests Medical Leave either for himself/herself or family members, reasonable attempts shall be made to schedule treatments so as not to disrupt Norwich City School District operations.

An employee may take Family Leave intermittently or on a reduced leave schedule only with the approval of the Superintendent or designee.

Policy Adopted: March 17, 1997
Policy Amended: May 20, 2008

NORWICH CITY SCHOOLS
Administrative Guidelines

B506
B612

B506
B612

FAMILY AND MEDICAL LEAVE

The following Administrative Guidelines will govern implementation and operation of the District's Family and Medical Leave Policy.

APPLICATION FOR LEAVE

In all cases, an employee requesting leave must complete an "Application for Family and Medical Leave" (available from the Business Office) and return it to the Business Office. The completed application must state the reason for the leave, and the anticipated starting and ending

NOTICE OF LEAVE

An employee intending to take family or medical leave because of an expected birth or placement, or because of a planned medical treatment, must submit an application for leave at least thirty (30) days before the leave is to begin. If leave is to begin within thirty (30) days, an employee must give notice to his or her immediate supervisor and to the Business Office as soon as the necessity for the leave arises.

MEDICAL CERTIFICATION OF LEAVE

An application for leave based on the serious health condition of the employee or the employee's spouse, child or parent must also be accompanied by a "Medical Certification Statement" (available from the Business Office) completed by the applicable health care provider. The certification must state the date on which the health condition commenced, the probable duration of the condition, and the appropriate medical facts regarding the condition.

If the employee is needed to care for a spouse, child or parent, the certification must so state along with an estimate of the amount of time the employee will be needed. If the employee has a serious health condition, the certification must state that the employee cannot perform the functions of his or her job.

BENEFITS COVERAGE DURING LEAVE

During a period of unpaid FMLA, an employee will be retained on the Norwich City School District health insurance plan under the same conditions that applied before leave commenced. To continue health insurance coverage, the employee must continue to make any contributions that he or she made to the plan before taking leave. Failure of the employee to pay his or her share of the health insurance premium may result in loss of coverage.

These contributions will be required by direct payment to the Norwich City School District. The employee will be advised in writing at the beginning of the leave period as to the amount and method of payment. Employee contribution amounts are subject to any change in rates that occurs while employee is on leave.

If the Norwich City School District pays the employee contribution missed by the employee while on leave, the employee will be required to reimburse the Norwich City School District for delinquent payments (on a payroll deduction schedule) upon return from leave.

If the employee fails to return to work after the expiration of the leave, the employee will be required to reimburse the Norwich City School District for payment of health insurance premiums during the family leave, unless the reason the employee fails to return is the presence of a serious health condition which prevents the employee from performing his or her job or to circumstances beyond the employee's control.

An employee is not entitled to the accrual of any seniority or employment benefits that would have accrued if not for the taking of leave. An employee who takes family or medical leave will not lose any seniority or employment benefits that accrued before the date leave began.

RESTORATION TO EMPLOYMENT

An employee eligible for family and medical leave with the exception of those employees designated as "highly compensated employees" will be restored to his or her old position or a position with equivalent pay, benefits, and other terms and conditions of employment. The Norwich City School District cannot guarantee that an employee will be returned to his or her original job. A determination as to whether a position is an "equivalent position" will be made by the Norwich City School District.

RETURN FROM LEAVE

An employee must complete a "Notice of Intention to Return from Family or Medical Leave" (available from the Business Office) before he or she can be returned to active status. If an employee wishes to return to work prior to the expiration of a family or medical leave of absence, notification must be given to the employee's supervisor at least five (5) working days prior to the employee's planned return.

FAILURE TO RETURN FROM LEAVE

The failure of an employee to return to work upon the expiration of a family or medical leave of absence will subject the employee to immediate termination unless an extension is granted. An employee who requests an extension of family leave or medical leave due to the continuation, recurrence or onset of her or his own serious health condition, or of the serious health condition of the employee's spouse, child or parent, must submit a request for an extension, in writing, to the employee's immediate supervisor. This written request should be made as soon as the employee realizes that she or he will not be able to return at the expiration of the leave period.

SPECIAL RULES FOR INSTRUCTIONAL EMPLOYEES

An instructional employee who begins any type of FMLA leave more than five (5) weeks prior to the end of an academic term, may be required not to return until the new term begins if the leave is at least three (3) weeks long and the employee would return during the last three (3) weeks of the term. An instructional employee who begins leave within five (5) weeks of the end of an academic term, may be required not to return until the new term begins if the leave is longer than two (2) weeks and the employee would return during the last two (2) weeks of the term. An instructional employee who begins leave, for any purpose other than personal illness, during the three (3) weeks prior to the end of the term and the leave is longer than five (5) working days may be required not to return until the new term begins. Instructional employees required to extend leave will have benefits protection as contained under FMLA leave's general provisions.

Guidelines Adopted: March 17, 1997

APPLICATION FOR FAMILY OR MEDICAL LEAVE

Name: _____ Department: _____

Current Address: _____

Anticipated Start Date of Leave: _____

Expected Date of Return to Work: _____

Reason for Leave (Explain): _____

NOTE: A leave request based on an employee's serious health condition or the serious health condition of an employee's spouse, child or parent must be accompanied by a verifying medical certification from a physician.

I hereby authorize the Norwich City School District to contact my physician to verify the reason for my requested leave or for any other information concerning my requested family and medical leave.

I understand that a failure to return to work at the end of my leave period may be treated as a resignation unless an extension has been agreed upon and approved in writing by the Norwich City School District.

Signature: _____ Date: _____

Approved by:

Supervisor

Business Office

**MEDICAL CERTIFICATION STATEMENT
(Employee's Own Serious Illness)**

Name of Employee: _____

Date Condition Began: _____

Date Condition Ended (or is expected to end): _____

Explanation of extent to which employee is unable to perform the functions of his or her job:

Health Care Provider Signature: _____

Type of Practice (Field of Specialization, if any):

Date: _____ Office Phone: _____

Medical Release:

I authorize the release of any medical information necessary to process the above request.

Patient's Signature: _____ Date: _____

**MEDICAL CERTIFICATION STATEMENT
(Illness of Employee's Family Member)**

Name of Employee: _____

Name of Ill Family Member: _____

Date Condition Began: _____

Date Condition Ended (or is expected to end): _____

Medical facts regarding the condition: _____

Explanation of extent to which employee is needed to care for the ill spouse, child or parent::

Health Care Provider Signature: _____

Type of Practice (Field of specialization, if any):

Date: _____ Office Phone: _____

Medical Release:

I authorize the release of any medical information necessary to process the above request.

Patient's Signature: _____ Date: _____

NOTICE OF INTENTION TO RETURN FROM LEAVE

Name: _____

Supervisor: _____

Date Leave Commenced: _____

Date of Planned Return: _____

I understand that my restoration to employment is subject to the following conditions:

1. As a condition of restoration, I must provide a written certification from my health care provider that I am able to resume working.
2. Every attempt will be made to restore me to my original position. If my original position is unavailable, I will be placed in an equivalent position with equivalent pay and benefits.
3. An employee returning from family and medical leave shall not be entitled to the accrual of any seniority or employment benefits during the period of leave.

Employee's Signature

Date

=====

I have examined (employee) and can certify that she/he is fully able to resume working.

Health Care Provider's Signature

Date