

*A System Focused on Every Student; Every Day*

## **Peekskill City School District**

### **VOLUNTEER**

**Protocols  
Policies  
and  
Application  
Packet**

**Volunteer Applications Required Each School Year**



**Peekskill City School District**  
*A System Focused on Every Student; Every Day*

*Our Mission is to educate and empower all students to strive for excellence as life-long learners who embrace diversity and are contributing members of a global society.*

*David Mauricio, Ed.D.  
Superintendent of Schools*

*Administration Center, 1031 Elm Street • Peekskill, NY 10566-3499  
(914) 737-3300, ext. 302 - FAX: (914) 737-3912  
E-mail: dmauricio@peekskillcsd.org*

Peekskill City School District

Dear Potential Peekskill City School District Volunteer,

Thank you for your interest in joining our team. I once read that volunteers do not necessarily have the time, but they *do* have the heart! We at the Peekskill City School District appreciate your generous gift of time and attention. We thank you for helping our children grow as learners. Volunteers are truly one of a school's most precious resources.

As with most things in life, there is some paperwork to get started. Please note that the following information is as much for your safety as it is for the safety of our students. Most of the wording contained in these forms is required specifically by law, so please let us know if anything appears unclear or confusing.

Once again, we thank you for making time for our students. I look forward to seeing you at our schools!

Sincerely,

David Mauricio, Ed.D.  
Superintendent of Schools

Peekskill City School District  
**Volunteer Application Procedures**

**1a. All volunteers must complete a volunteer application packet which includes the following:**

- Volunteer Application
- Volunteer Statements affirming understanding of: Confidentiality, Discrimination and Prohibiting Harassment, Intimidation and Bullying laws and procedures
- Volunteer Criminal History Disclosure/PCSD Criminal History Background Check
- Volunteer Reference Check
- NYS Fingerprinting Application (A one-time processing fee)

**1b. All occasional (10 or less service events) or one time volunteers must complete a volunteer application packet which includes the following:**

- Volunteer Application
- Volunteer Statements affirming understanding of: Confidentiality, Discrimination and Prohibiting Harassment, Intimidation and Bullying laws and procedures
- Volunteer Criminal History Disclosure/PCSD Criminal History Background Check
- Volunteer Reference Check

**2. Volunteer application packets must be renewed each year.**

Volunteer interests, availability and emergency contact information may change from year to year and should be current at each site where a volunteer works. PCSD screening will be done annually.

**3. A copy of the volunteer packet must be on file with the Human Resource Department.**

A school receiving a volunteer's application packet should send a copy of the packet, including the results of the PCSD screening to Human Resources.

**4. All volunteers, including one-time volunteers and visitors must:**

- Sign in and out at their school/site location.
- Wear identification badges during their volunteer activity or experience.
- Have valid license available for PCSD



PEEKSKILL CITY SCHOOL DISTRICT  
1031 ELM STREET  
PEEKSKILL, NY 10566

## APPLICATION FOR SCHOOL VOLUNTEERS/STUDENT TEACHERS

Date: \_\_\_\_\_ ( ) ATHLETIC ( ) NON-ATHLETIC ( ) OTHER ( ) STUDENT TEACHING

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

Address: \_\_\_\_\_

City: \_\_\_\_\_ State: \_\_\_\_\_ Zip: \_\_\_\_\_

Home Phone #: \_\_\_\_\_

Business or Cell #: \_\_\_\_\_

Email: \_\_\_\_\_

Activity: \_\_\_\_\_

Building: ( ) Uriah Hill ( ) Woodside ( ) Oakside ( ) Hillcrest ( ) PKMS ( ) Summit ( ) PHS

1st Placement dates: \_\_\_\_\_

Principal signature: \_\_\_\_\_

MM/DD/YEAR

Teacher: \_\_\_\_\_

2nd Placement dates: \_\_\_\_\_

Referred by: \_\_\_\_\_

MM/DD/YEAR

Have you been fingerprinted and cleared by the State Education Department after July 2, 2001?

( ) YES ( ) NO If YES, please complete OSPRA 102 form along with application.

Have you ever volunteered or been previously employed by Peekskill City Schools? ( ) YES ( ) NO

If YES, please complete:

Position: \_\_\_\_\_ Location: \_\_\_\_\_

Dates: \_\_\_\_\_

**Educational Record** (This section must be complete. Begin with most recent and include all dates.)

Name of School/ College	City, State, Zip	Diploma or Degree Earned (please provide projected date of completion/graduation if applicable)

**References:** Please provide two non-family references below.

1. Reference Name:		
Relationship:		
Address:		
City:	State:	Zip:
Work Phone ( )	Home Phone ( )	
2. Reference Name:		
Relationship:		
Address:		
City:	State:	Zip:
Work Phone ( )	Home Phone ( )	

I waive my right of access to any information submitted by these references:

Applicant's Signature \_\_\_\_\_

**Please submit a copy of your resumé with your application.**

Have you ever been convicted of a crime (other than a traffic violation) or imprisoned?

( ) YES ( ) NO If you answered yes, please explain below.

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Please answer "Yes" or "No" to the following questions:

1. Have you ever been convicted of a crime (other than minor traffic violations)?  
( ) YES ( ) NO
2. Are there any criminal charges pending against you for any offense (other than minor traffic violations)?  
( ) YES ( ) NO
3. Has the Family court or any other court ever rendered a finding indicating that you have abused or neglected a child?  
( ) YES ( ) No

**CONFIDENTIAL ATTACHMENT TO APPLICATION FOR EMPLOYMENT INSTRUCTIONS**

If, on your application, you indicated "YES" in any response to questions 1 through 3, please set forth, on a separate piece of paper, detailed and truthful information concerning your response. Then, sign and date your response and place it in an envelope, which you should seal and staple to this application.

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**APPLICANT'S STATEMENT**

I DECLARE AND AFFIRM THAT THE STATEMENTS MADE IN THE FOREGOING APPLICATION, INCLUDING ACCOMPANYING STATEMENTS, RESUMES AND TRANSCRIPTS, ARE TRUE, COMPLETE AND CORRECT AND HAVE BEEN MADE BY ME IN ORDER TO VOLUNTEER OR TO STUDENT TEACH IN THE PEEKSKILL CITY SCHOOL DISTRICT WITH KNOWLEDGE THAT THEY WILL BE RELIED UPON. I UNDERSTAND THAT ANY FALSE OR MISLEADING STATEMENTS WILL BE CONSIDERED JUSTIFICATION FOR DISQUALIFICATION OF MY APPLICATION OR I WILL BE UNABLE TO CONTINUE ACTIVITIES FOR WHICH I HAVE VOLUNTEERED. I AUTHORIZE AN INVESTIGATION OF ALL STATEMENTS CONTAINED HEREIN AND AUTHORIZE THE REFERENCES LISTED ABOVE TO GIVE YOU ANY AND ALL INFORMATION CONCERNING MY PREVIOUS EMPLOYMENT AND ANY PERTINENT INFORMATION THEY MAY HAVE, AND RELEASE ALL PARTIES FROM ALL LIABILITY FOR ANY DAMAGE THAT MAY RESULT FROM FURNISHING SAME TO YOU.

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Signature of Applicant

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Date

THE PEEKSKILL CITY SCHOOL DISTRICT, ITS OFFICERS AND EMPLOYEES, SHALL NOT DISCRIMINATE AGAINST ANY STUDENT EMPLOYEE OR APPLICANT ON THE BASIS OF RACE, COLOR, NATIONAL ORIGIN, CREED, RELIGION, MARITAL STATUS, GENDER, AGE, HANDICAPPING CONDITION OR SEXUAL ORIENTATION. THIS POLICY OF NONDISCRIMINATION INCLUDES: ACCESS TO EDUCATIONAL PROGRAMS, OF THE EDUCATIONAL AMENDMENTS OF 1972 AND SECTION 504 OF THE REHABILITATION ACT OF 1973, AS AMENDED AND PROMULGATED THERE UNDER, NOT TO DISCRIMINATE IN SUCH MANNER. PCSD HAS THE RIGHT TO DENY OR DISCONTINUE VOLUNTEER SERVICES.

**AN EQUAL OPPORTUNITY EMPLOYER**



## Test Security, Data Privacy and Educator Integrity

### Fingerprinting Process from Start to Finish as of January 1, 2019

On **July 14, 2017**, the ORI TEACH will no longer be in use. You must use the URL or phone number below to schedule your fingerprinting appointment.

1. All fingerprinting required by the Education Department for certification or employment in schools must be scheduled with MorphoTrust/IDEMIA. There are two ways to schedule an appointment:

Enter the appropriate service code from this table:

APPLICANT FOR	SERVICE CODE
Certification	14ZGQT
Employment	14ZGR7

- a. Click on the appropriate URL from this table below:

APPLICANT FOR	URL
Certification	<a href="https://uenroll.identogo.com/workflows/14ZGQT">https://uenroll.identogo.com/workflows/14ZGQT</a>
Employment	<a href="https://uenroll.identogo.com/workflows/14ZGR7">https://uenroll.identogo.com/workflows/14ZGR7</a>

- b. Call MorphoTrust/IDEMIA at: 877-472-6915 to schedule an appointment.

2. Follow all instructions and make payment as necessary. The total fingerprint fee as of **January 1, 2019 is \$100.25**.

ENTITY	FEE
DCJS	\$75.00
FBI	\$13.25
MorphoTrust/IDEMIA	\$12.00
Total	\$100.25



## OSPRA 102 (1/03)

### Clearance For Employment Request Form

Type or Print All Information

#### Office of School Personnel Review and Accountability

NYS Education Department  
987 Education Building Annex  
Albany, NY 12234

ph: (518) 473-2998 fax: (518) 473-8812

[www.highered.nysed.gov/tcert/ospa](http://www.highered.nysed.gov/tcert/ospa)

[OSPRA@mail.nysed.gov](mailto:OSPRA@mail.nysed.gov)

#### Instructions

- This form is to be filed to secure a "Clearance for Employment" for an individual who has been previously fingerprinted on New York State Education Department (SED) fingerprint cards or the New York City Department of Education (NYCDOE) fingerprint cards.
- Sections 1 and 3 are to be completed by the prospective employee.
- The school district, charter school or BOCES must complete section 2.

Type or print all information. Inaccurate, incomplete or illegible information will delay processing.

### SECTION 1

Name: (Last, First, Middle Initial)	Social Security Number:	Date of Birth: (00/00/0000)	
Mailing Address	City	State	Zip

### SECTION 2

(This section **MUST** be completed by the school district, charter school or BOCES)

- Please neatly print, type or attach a label in the box below with the name and mailing address of the fingerprint contact person of the school district, charter school or BOCES.
- This form will be returned to the person identified below if SED has no fingerprint application on file for the above individual as of the "OSPRA Processing Dates."
- Make no other marks in the box below or the box to the right of this space.

OSPRA Processing Dates

(leave blank)

First 6 digits of school BEDS or CS-ID #:  
Charter Schools: Please contact OSPRA to  
obtain your specific CS-ID number:

Title of position employee will be placed in:

Signature of employer representative or fingerprint contact person:	Date:	Telephone # of fingerprint contact person:

### SECTION 3

1. I have read "Fingerprinting Information and Instructions" issued by the State Education Department and (SED) have previously submitted fingerprints to SED pursuant to the SAVE legislation.

2. I understand that if I have any questions about my rights, I may contact the OSPRA office at (518) 473-2998.

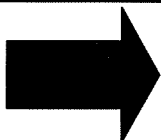
I hereby authorize the Commissioner of Education to review my criminal history record as secured from DCJS and the FBI for the purposes of conducting a determination on a Clearance for Employment as a condition for my new employment. I understand that the Commissioner will forward such final determination to my prospective employer in accordance with Part 87 of the Commissioner's Regulations. I further understand that once the Clearance for Employment is issued, the Commissioner of Education is authorized to forward certain information regarding any subsequent criminal history notifications from DCJS to my new employer.

Signature:

Date:

### SECTION 4

Mail or fax  
completed  
OSPRA 102 to:



OSPRA  
NYS Education Department  
987 EBA  
Albany, NY 12234  
fax: (518) 473-8812

Peekskill City School District  
Volunteer Statement Affirming Understanding

I understand that information regarding students, families, staff, and the organization may be confidential in nature and that as a volunteer for the Peekskill City School District I will...

- respect the confidential nature of any verbal or written communication I receive regarding students, families, staff, and the organization and keep personal information confidential at school and after I leave school.
- be discreet in any verbal communication by not discussing students, staff, or families in front of others.
- immediately report directly to the principal or site administrator any information disclosed to me concerning a child's safety.
- make reasonable efforts to assure that each student is protected from harassment or discrimination and I will not harass nor discriminate against any student, staff member or volunteer on the basis of race, color, religion, sex, age, national or ethnic origin, political beliefs, marital status, handicapping condition, sexual orientation, or social and family background.

I also understand that relationships developed with children at school should remain at school and that for the protection of both the student, staff and volunteer, volunteers should not be left alone with a child that is out of view of school personnel or another adult volunteer.

**Volunteers are also reminded that permission to communicate with a student outside the regular school day must be granted by the student's parent/guardian; the Peekskill City School District cannot and will not grant this permission.**

I acknowledge receipt of School Board policy and procedure 4532, Prohibition of Harassment, Intimidation and Bullying. I understand it is my responsibility to read and understand all materials provided to me. I further understand that by law I am a mandatory reporter and agree to comply with all district, state and federal laws.

If I have questions regarding any of the materials provided I understand I am to contact Dr. Joseph Mosey, Compliance Officer.

Signature\_\_\_\_\_

Print\_\_\_\_\_

Date\_\_\_\_\_



## **Peekskill City School District**

### **Coordinators**

The following employees have been designated to handle questions and complaints of alleged discrimination:

#### **Title IX Coordinator & Compliance Coordinator**

Dr. Joseph Mosey  
1031 Elm Street  
Peekskill, NY 10566  
914.737.3300x 319  
[jmosey@peekskillcsd.org](mailto:jmosey@peekskillcsd.org)

#### **Section 504/ADA Coordinator**

Ellen Gerace  
1031 Elm Street  
Peekskill, NY 10566  
914.737.3300x 352  
[egerace@peekskillcsd.org](mailto:egerace@peekskillcsd.org)

## SCHOOL VOLUNTEERS

The Board of Education recognizes that the use of volunteers strengthens school/community relations through positive participation, builds an understanding of school programs among interested citizens, and can assist district employees in providing more individualized and enriched opportunities in instruction. The Board encourages volunteers from all backgrounds and age groups who are willing to share their time, training, experience or personal characteristics to benefit the students of the district.

Volunteers are prohibited from conducting any activity that requires state certification if they do not meet the state mandated requirements. School personnel who are responsible for tasks or projects that involve the use of volunteers shall identify appropriate tasks and time schedules for such volunteer activities, as well as make provisions for adequate supervision and evaluation.

In instances where agencies have a formal agreement with the board, volunteers shall be allowed, under direct supervision of a district employee, to offer demonstration lessons or special events.

Volunteers shall not be used to provide transportation for school-sponsored activities or to deliver instructional programs, nor shall they be permitted to have unsupervised direct contact with students.

Persons wishing to volunteer under the conditions described above must contact the Superintendent or Building Principal or other individual designated by the Superintendent or Building Principal and must complete a volunteer application form. The application form shall require the volunteer applicant to disclose any criminal convictions. The application form shall also require the applicant to identify two non-family member personal references. Volunteers must complete a full background check and be approved by the Board of Education before rendering services. Occasional or one time volunteers or presenters, such as but not limited to, those who provide artistic performances, oral reading sessions, and mentor/tutor relationships shall not be required to complete full background checks but must be directly supervised by a P CSD teacher or administrator and adhere to standard building protocol and volunteer procedures. The Superintendent or Building Principal shall be responsible for ensuring that both references are contacted before the volunteer begins rendering volunteer services to verify that the individual is of good moral character.

The district shall retain a complete record of all information obtained through the application process for the same period of time it retains information regarding district employees. Each Building Principal shall be responsible for maintaining a current and complete list of all active volunteers and their assignments

All volunteers are required to act in accordance with district policies, regulations and school rules. Any staff member who supervises volunteers may ask any volunteer who violates district policies, regulations or school rules to leave school grounds.

Adoption date: September 29, 2015

## **DIGNITY FOR ALL STUDENTS ACT**

The Board of Education is committed to providing an educational and working environment that promotes respect, dignity and equality. The Board recognizes that discrimination, harassment, hazing and bullying, are detrimental to student learning and achievement. These behaviors interfere with the mission of the district to educate its students and disrupt the operation of the schools. Such behavior affects not only the students who are its targets but also those individuals who participate and witness such acts.

To this end, the Board condemns and strictly prohibits all forms of discrimination, harassment, hazing and bullying on school property, school buses and at all school-sponsored activities, programs and events. Discrimination, harassment, hazing or bullying that takes place at locations outside of school grounds, such as cyberbullying, which creates or can be reasonably expected to create a material and substantial interference with the requirements of appropriate discipline in the operation of the school or impinge on the rights of other students are prohibited, and may be subject to disciplinary consequences.

### **Definitions**

#### **Bullying**

Bullying, under the amended Dignity for All Students Act, has the same meaning as harassment (see below). The accompanying regulation provides more guidance regarding the definition and characteristics of bullying to help the school community recognize the behavior.

#### **Cyberbullying**

Cyberbullying is defined as harassment (see below) through any form of electronic communication.

#### **Discrimination**

Discrimination is the act of denying rights, benefits, justice, equitable treatment or access to facilities available to all others, to an individual or group of people because of the group, class or category to which that person belongs (as enumerated in the *Definitions* section, under Harassment, below).

#### **Hazing**

Hazing is an induction, initiation or membership process involving harassment which produces public humiliation, physical or emotional discomfort, bodily injury or public ridicule or creates a situation where public humiliation, physical or emotional discomfort, bodily injury or public ridicule is likely to occur.

#### **Harassment**

Harassment has been defined in various ways in federal and state law and regulation. The Board recognizes that these definitions are important standards,

but the Board's goal is to prevent misbehavior from escalating in order to promote a positive school environment and to limit liability. The Dignity for All Students Act (§§10-18 of Education Law) defines harassment as the creation of a hostile environment by conduct or by threats, intimidation or abuse, including cyberbullying, that (a) has or would have the effect of unreasonably and substantially interfering with a student's educational performance, opportunities or benefits, or mental, emotional or physical well-being; (b) reasonably causes or would reasonably be expected to cause a student to fear for his or her physical safety; (c) reasonably causes or would reasonably be expected to cause physical injury or emotional harm to a student; or (d) occurs off school property and creates or would foreseeably create a risk of substantial disruption within the school environment, where it is foreseeable that the conduct, threats, intimidation or abuse might reach school property. The harassing behavior may be based on any characteristic, including but not limited to a person's actual or perceived:

- race,
- color,
- weight,
- national origin,
- ethnic group,
- religion,
- religious practice,
- disability,
- sex,
- sexual orientation, or
- gender (including gender identity and expression).

For the purpose of this definition the term "threats, intimidation or abuse" shall include verbal and non-verbal actions.

In some instances, bullying or harassment may constitute a violation of an individual's civil rights. The district is mindful of its responsibilities under the law and in accordance with district policy regarding civil rights protections.

In order to streamline the wording of this policy and regulation the term bullying will be used throughout to encompass harassment, discrimination, intimidation, cyberbullying and hazing behaviors.

### **Prevention**

The school setting provides an opportunity to teach children, and emphasize among staff, that cooperation with and respect for others is a key district value. A program geared to prevention is designed to not only decrease incidents of bullying but to help students build more supportive relationships with one another by integrating the bullying prevention program into classroom instruction. Staff members and students will be sensitized, through district-wide professional development and instruction, to the warning signs of bullying, as

well as to their responsibility to become actively involved in the prevention of bullying before overt acts occur.

Curricular material that raises awareness and sensitivity to discrimination or harassment and civility in the relationships of people of different races, weights, national origins, ethnic groups, religions, religious practices, mental or physical abilities, sexual orientations, sexes or gender expression or identities will be included in the instructional program K-12.

In order to implement this program the Board will designate at its annual organizational meeting a ***Dignity Act Coordinator (DAC)*** for each school in the district. One of the **DAC's** will be designated as the district-wide coordinator whose responsibilities are described in the accompanying regulation. The role of each **DAC** is to oversee implementation of this policy in the school to which they are assigned.

### **Intervention**

Intervention by adults and bystanders is an important step in preventing escalation and resolving issues at the earliest stages. Intervention will emphasize education and skill-building.

Successful intervention may involve remediation. Remedial responses to bullying include measures designed to correct the problem behavior, prevent another occurrence of the behavior and protect the target. Remediation may be targeted to the individual(s) involved in the bullying behavior or environmental approaches which are targeted to the school or district as a whole.

In addition, intervention will focus upon the safety of the target. Staff is expected, when aware of bullying, to report it in accordance with this policy, refer the student to designated resources for assistance, or to intervene in accordance with this policy and regulation.

### **Incident Reporting and Investigation**

Although it can be difficult to step forward, the district can't effectively address bullying if incidents are not reported. Students who have been bullied, parents whose children have been bullied or other students who observe bullying behavior are encouraged and expected to make a verbal and/or written complaint to any school personnel in accordance with the training and guidelines provided. Staff who observe or learn of incident(s) of bullying are required, to make an oral report to the Dignity Act Coordinator within one school day and to fill out the district reporting form within two school days. If a staff person is unsure of the reporting procedure, he/she is expected to inquire about how to proceed by speaking with his/her supervisor. A district employee may be deemed to have permitted unlawful discrimination, harassment or bullying if he/she fails to report an observed incident, whether or not the target complains.

An equitable and thorough investigation will be carried out by *the Dignity Act Coordinator* in accordance with the accompanying regulation. Verified bullying incidents that meet the criteria established by the state will be included in the statewide reporting system when applicable, in accordance with law and regulation.

The Board will receive the annual VADIR report, as well as any other state-required report relevant to bullying and/or school climate, for each building and for the district as a whole. Based on the review of the data, the Board may consider further action, including but not limited to modification of this policy and additional training.

### **Disciplinary Consequences/Remediation**

While the focus of this policy is on prevention, acts of bullying may still occur. In these cases, offenders will be given the clear message that their actions are wrong and the behavior must improve. Student offenders will receive in-school guidance in making positive choices in their relationships with others. If appropriate, disciplinary action that is measured, balanced and age-appropriate will be taken by the administration in accordance with the district's Code of Conduct, as applicable. If the behavior rises to the level of criminal activity, law enforcement will be contacted.

Consequences for a student who commits an act of bullying shall be unique to the individual incident and will vary in method and severity according to the nature of the behavior, the developmental age of the student, and the student's history of problem behaviors, and must be consistent with the district's Code of Conduct.

### **Non-Retaliation**

All complainants and those who participate in the investigation of a complaint in conformity with state law and district policies, who have acted reasonably and in good faith, have the right to be free from retaliation of any kind.

### **Training**

The Board recognizes that in order to implement an effective bullying prevention and intervention program, professional development is needed. The District will incorporate training to support this program. Training opportunities will be provided for all staff as necessary. In addition, the DACs will be trained in accordance with state requirements and will continue their professional development so as to successfully support this policy and program.

### **Dissemination, Monitoring and Review,**

This policy, or a plain language summary, shall be published in student registration materials, student, parent and employee handbooks, and posted on the

district's website. A bullying complaint form will be available on the district's website. The district will ensure that the process of reporting bullying is clearly explained to students, staff and parents on an annual basis.

Cross-ref: 0100, Equal Opportunity and Nondiscrimination  
 0110, Sexual Harassment  
 4321, Programs for Students with Disabilities  
 5300.01-5300.70, Code of Conduct  
 5710. Violent and Disruptive Incident Reporting  
 9700, Staff Development

Ref: Dignity for All Students Act, Education Law, §10 – 18  
 Education Law § 801-a  
 8 NYCRR 100.2(c), (l), (jj), (kk)

First Reading: February 20, 2015

Second Reading: March 17, 2015

Adoption date: March 17, 2015

## **DIGNITY FOR ALL STUDENTS ACT REGULATION**

The Board condemns and strictly prohibits all forms of discrimination and harassment, including but not limited to, hazing, intimidation and bullying on school grounds, school buses and at all school-sponsored activities, programs and events.

### **Definitions**

#### **Bullying**

Bullying includes systematic and intentional infliction of physical harm or psychological distress on an individual or group of individuals. Bullying can also encompass unwanted purposeful written, verbal, non-verbal, social or relational, or physical behavior (e.g. threatening, insulting or dehumanizing gestures by an adult or student) that has the potential to create long term damage, cause discomfort or humiliation, or unreasonably interfere with the individual's school performance. Bullying is often characterized by an imbalance of power. Unwanted teasing, touching, threatening, intimidating, stalking, cyber-stalking, cyber-bullying, physical violence, theft, sexual, religious, or racial harassment, public humiliation, destruction of school or personal property, social exclusion including incitement and/or coercion, and rumor or spreading of falsehoods are also forms of bullying.

#### **Discrimination**

Discrimination is the act of denying rights, benefits, justice, equitable treatment or access to facilities available to all others, to an individual or group of people because of the group, class or category to which that person belongs (as listed under *Harassment* as defined below).

#### **Harassment**

Harassment has been defined in various ways in federal and state law (including the penal law) and regulation. The Board recognizes that these definitions are important standards, but the Board's goal is to prevent behaviors from escalating to violations of law and, instead, to promote a positive school environment and limit liability. The Dignity for All Students Act (§§10-18 of Education Law) defines harassment as the creation of a hostile environment by conduct or by verbal threats, intimidation or abuse that has or would have the effect of unreasonably and substantially interfering with a student's educational performance, opportunities or benefits, or mental, emotional or physical well-being; or conduct, verbal threats, intimidation or abuse that reasonably causes or would reasonably be expected to cause a student to fear for his or her physical



safety. The harassing behavior may be based on any characteristic, including but not limited to a person's actual or perceived:

- race,
- color,
- weight,
- national origin,
- ethnic group,
- religion,
- religious practice,
- disability,
- sex,
- sexual orientation, or
- gender (including gender identity and expression).
  - Gender identity is one's self-conception as being male or female, as distinguished from actual biological sex or sex assigned at birth.
  - Gender expression is the manner in which a person represents or expresses gender to others, often through behavior, clothing, hairstyles, activities, voice or mannerisms.

### **Hazing**

Hazing is an induction, initiation or membership process involving harassment which produces public humiliation, physical or emotional discomfort, bodily injury or public ridicule or creates a situation where public humiliation, physical or emotional discomfort, bodily injury or public ridicule is likely to occur.

### **Prevention**

Prevention is the cornerstone of the district's effort to address bullying, harassment and discrimination. The components of such an effort involve the following:

- Learning about and identifying the early warning signs and precursor behaviors that may lead to bullying, harassment or discrimination.
- Gathering information about bullying, harassment or discrimination at school directly from students (through surveys and other mechanisms). analyzing and using the data gathered to assist in decision-making about programming and resource allocation.
- Establishing clear school wide and classroom rules about bullying, harassment and discrimination consistent with the district's code of conduct.

- Training adults in the school community to respond sensitively and consistently to bullying, harassment and discrimination.
- Raising awareness among adults, through training, of the school experiences of marginalized student populations (as enumerated in the *Definitions* section above), social stigma in the school environment, gender norms in the school environment, and strategies for disrupting bullying, intimidation, discrimination, harassment or other forms of violence.
- Providing adequate supervision, particularly in less structured areas such as in the hallways, cafeteria, school bus and playground.
- Raising parental awareness and involvement in the prevention program and in addressing problems.
- Using educational opportunities or curriculum, including, if applicable, the Individual Educational Program (IEP), to address the underlying causes and impact of bullying, harassment or discrimination.

### **Role of the Dignity Act Coordinator**

The Board of Education will annually designate a Districtwide staff member and at least one building-level staff member at every school building, who has been thoroughly trained to handle human relations in the areas of race, color, weight, national origin, ethnic group, religion, religious practice, disability, sexual orientation, gender (including gender identity and expression), and sex, as the Dignity Act Coordinator (DAC), accountable for implementation of this policy. The Districtwide DAC will be responsible for coordinating and enforcing this policy and regulation in each school building, including but not limited to coordination of:

- the work of the building-level DAC and committees;
- professional development for staff members and,
- the complaint process, and management of the Dignity Act's civility curriculum components.

### **Reporting and Investigation**

In order for the Board to effectively enforce this policy and to take prompt corrective measures, it is essential that all targets and persons with knowledge of bullying, harassment or discrimination report such behavior immediately. Any student who believes that he or she has been the victim of discrimination, harassment, and/or bullying or any student with the knowledge of any other student that has been the victim of discrimination, harassment, and/or bullying must immediately report such conduct to the Dignity Act Coordinator, Principal, or any other staff member. Incidents of discrimination, harassment, and/or bullying that are either reported or witnessed by any staff member must be

referred to the Dignity Act Coordinator in the respective school building as soon as possible after the incident. The district will also make a bullying, harassment or discrimination complaint form available on its website to facilitate reporting. The district will collect relevant data from written and verbal complaints to allow reporting to the Board on an annual basis.

The district will promptly and equitably investigate all complaints, formal or informal, verbal or written. To the extent possible, all complaints will be treated in a confidential manner, although limited disclosure may be necessary to complete a thorough investigation.

In order to assist investigators, individuals should document the bullying, harassment or discrimination as soon as it occurs and with as much detail as possible including: the nature of the incident(s); dates, times, places it has occurred; name of perpetrator(s); witnesses to the incident(s); and the target's response to the incident.

If, after appropriate investigation, the district finds that a student, an employee or a third party has violated this policy, prompt corrective and possibly disciplinary action will be taken in accordance with the code of conduct, applicable collective bargaining agreement, district policy and state law. If the reported behavior constitutes a civil rights violation, the complaint procedure associated with that policy will be followed, as applicable. If either of the parties disagrees with the findings of the initial investigation, an appeal may be made to the Superintendent in accordance with the process described below.

### **Confidentiality**

It is district policy to respect the privacy of all parties and witnesses to bullying, harassment or discrimination. To the extent possible, the district will not release the details of a complaint or the identity of the complainant or the individual(s) against whom the complaint is filed to any third parties who do not need to know such information. However, because an individual's desire for confidentiality must be balanced with the district's legal obligation to provide due process to the accused, to conduct a prompt and thorough investigation, and/or to take necessary action to resolve the complaint, the district retains the right to disclose the identity of parties and witnesses to complaints in appropriate circumstances to individuals with a need to know. The staff member responsible for investigating complaints will discuss confidentiality standards and concerns with all complainants.

If a complainant requests that his/her name not be revealed to the individual(s) against whom a complaint is filed, the staff member responsible for conducting the investigation shall inform the complainant that:

1. the request may limit the district's ability to respond to his/her complaint;
2. district policy and federal law prohibit retaliation against complainants and witnesses;
3. the district will attempt to prevent any retaliation; and
4. the district will take strong responsive action if retaliation occurs.

If the complainant still requests confidentiality after being given the notice above, the investigator will take all reasonable steps to investigate and respond to the complaint consistent with the request as long as doing so does not preclude the district from responding effectively to the bullying, harassment or discrimination and preventing the bullying, harassment or discrimination of other students.

### **Investigation and Resolution Procedure**

#### **A. Initial (Building-level) Procedure**

Whenever a complaint of bullying, harassment or discrimination is received by the Dignity Act Coordinator, an investigation will be promptly conducted, as set forth in more detail below. The Dignity Act Coordinator shall make all reasonable efforts to resolve complaints informally at the school level. The goal of informal procedures is to end the bullying, harassment or discrimination and to prevent future incidents, ensure the safety of the target and obtain a prompt and equitable resolution to a complaint.

As soon as possible, but not later than three working days following receipt of a complaint, the Dignity Act Coordinator should begin an investigation of the complaint by:

- Reviewing any written documentation provided by the target(s).
- Conducting separate interviews of the target(s), alleged perpetrator(s), and witnesses, if any, and documenting the conversations.
- Providing the alleged perpetrator(s) a chance to respond and notify him/her that if objectionable behavior has occurred, it must cease immediately. The individual will be made aware of remediation opportunities as well as potential disciplinary consequences.

The district recognizes that there is a need to balance accommodations which enhance student safety against the potential to further stigmatize the targeted student. Therefore, each case will be handled individually, and the student, parent/guardian, and school administration will collaborate to establish safety provisions that best meet the needs of the targeted student. Follow-up discussion and/or meetings will be scheduled, as needed, to ensure that safety concerns have

been adequately addressed and to determine when and if accommodations need to be changed or discontinued.

Parents of student targets and accused students should be notified within one school day of allegations that are serious or involve repeated conduct.

Where appropriate, informal methods may be used to resolve the complaint, including but not limited to:

- a. discussion with the accused, informing him or her of the district's policies and indicating that the behavior must stop;
- b. suggesting counseling, skill building activities and/or sensitivity training;
- c. conducting training for the department or school in which the behavior occurred, calling attention to the consequences of engaging in such behavior;
- d. requesting a letter of apology to the target;
- e. writing letters of caution or reprimand; and/or
- f. separating the parties.

Appropriate disciplinary action shall be recommended and imposed in accordance with district policy, the applicable collective bargaining agreement or state law. School districts should make every effort to attempt to first resolve the misconduct through non-punitive measures.

The Dignity Act Coordinator shall report back to both the target and the accused, within one week notifying them in writing, and also in person, as appropriate, regarding the outcome of the investigation and the action taken to resolve the complaint, in compliance with the Family Educational Rights and Privacy Act (FERPA). The actions taken will be in conformance with the *Remediation/Discipline/Penalties* section of this regulation. The target shall report immediately if the objectionable behavior occurs again or if the alleged perpetrator retaliates against him/her.

If a report includes or the investigation results in allegations of serious or extreme bullying, a civil rights violation, or a criminal activity, the complaint shall be referred promptly to the Superintendent who shall then contact any appropriate agencies including child protection or law enforcement, as appropriate.

Any party who is not satisfied with the outcome of the initial investigation may request a district-level investigation by submitting a written complaint to the Superintendent within 30 calendar days of the Dignity Act Coordinator's written decision.

## B. District-level Procedure

The Superintendent or his/her designee shall promptly investigate and equitably resolve all bullying, harassment or discrimination complaints that are referred to him/her, as well as those appealed to the Superintendent following an initial investigation. In the event the complaint involves the Superintendent, the complaint shall be filed with or referred to the Board President, who shall refer the complaint to an appropriate independent individual for investigation.

The district level investigation should begin as soon as possible, but not later than three working days following receipt of the complaint by the Superintendent or Board President.

In conducting the formal district level investigation, the district will endeavor to use individuals who have received formal training regarding such investigations or that have previous experience investigating such complaints.

If a district level investigation results in a determination that bullying, harassment or discrimination did occur, prompt corrective action will be taken to end the misbehavior in accordance with the *Remediation/Discipline/Penalties* section of this regulation.

No later than 30 calendar days following receipt of the complaint, the Superintendent (or in cases involving the Superintendent, the Board-appointed investigator) will notify the target and alleged perpetrator, in writing, of the outcome of the investigation, in compliance with FERPA. If additional time is needed to complete the investigation or take appropriate action, the Superintendent or Board-appointed investigator will provide all parties with a written status report within 30 days following receipt of the complaint.

Any party who is not satisfied with the outcome of the district-level investigation may appeal to the Board of Education by submitting a written request to the Board President within 30 calendar days of receiving the district-level decision.

## C. Board-level Procedure

When a request for review by the Board has been made, the Superintendent shall submit all written statements and other materials concerning the case to the President of the Board.

The District Clerk shall notify the complainant of the date on which the Board will review the matter in executive session.

The Board shall inform the complainant in writing of the Board's determination of whether to grant or deny the appeal. Such notice shall be provided no later than five (5) business days after the matter is reviewed in executive session.

The district shall retain documentation associated with complaints and investigations in accordance with Schedule ED-1.

### **Retaliation Prohibited**

Any act of retaliation against any person who opposes bullying, harassing or discriminatory behavior, or who has filed a complaint, is prohibited and illegal, and therefore subject to disciplinary action. Likewise, retaliation against any person who has testified assisted, or participated in any manner in an investigation, proceeding, or hearing of a bullying, harassment or discrimination complaint is prohibited. For purposes of this policy, retaliation includes but is not limited to: verbal or physical threats, intimidation, ridicule, bribes, destruction of property, spreading rumors, stalking, harassing phone calls, and any other form of harassment. Any person who retaliates is subject to immediate disciplinary action up to and including suspension or termination.

Students: Discipline may range from a reprimand up to and including suspension from school, to be imposed consistent with the Code of Conduct and applicable law.

Employees: Discipline may range from a warning up to and including termination, to be imposed consistent with all applicable contractual and statutory rights.

Volunteers: Penalties may range from a warning up to and including loss of volunteer assignment.

Vendors: Penalties may range from a warning up to and including loss of district business.

Other individuals: Penalties may range from a warning up to and including denial of future access to school property.

### **Policy Dissemination**

All students and employees shall be informed of this policy in student and employee handbooks, on the district website and student registration materials. A

poster summarizing the policy shall also be posted in a prominent location at each school.

All employees shall receive information about this policy and regulation at least once a year.

Principals in each school shall be responsible for informing students and staff on a yearly basis of the terms of this policy, including the procedures for filing a complaint and information about the impact of bullying, harassment or discrimination on the target and bystanders.

### **Training**

Training needs in support of this bullying, harassment and discrimination prevention and intervention program will be reflected in the district's annual professional development plan, new teacher orientation, in curriculum and will be considered in the budget process. The Dignity Act Coordinator, administrative employees and other staff, such as counselors or social workers who have specific responsibilities for investigating and/or resolving complaints of bullying, harassment or discrimination shall receive yearly training to support implementation of this policy, regulation and on related legal developments.

First Reading: February 20, 2015

Second Reading: March 17, 2015

Adoption date: March 17, 2015



**BULLYING, HARASSMENT AND/OR DISCRIMINATION COMPLAINT FORM**

The purpose of this form is to inform the district of an incident or series of incidents of bullying, harassment and/or discrimination so we can investigate and take appropriate steps. **If you feel unsafe, or if your child feels that way, fill out this form, but we urge you to speak directly with (insert name \_\_\_\_\_) by either visiting room \_\_\_\_\_ or calling \_\_\_\_\_ as soon as possible so we can address your concerns.**

Student Name: \_\_\_\_\_ Student ID: \_\_\_\_\_

Grade: \_\_\_\_\_ School: \_\_\_\_\_

Describe the incident(s). Please include when and where it happened.

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List the name(s) of the individual(s) accused of bullying, harassment and/or discrimination.

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Were there any witnesses? ☐ Yes ☐ No If yes, please list the names of the individual(s).

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*I certify that all statements on this form are accurate and true to the best of my knowledge.*

\_\_\_\_\_  
Signature Date

Please attach any supporting documentation (i.e., copies of emails, notes, photos, etc.).

Return this form to:

Mrs. Mary Foster, 1031 Elm Street, Peekskill, NY 10566 (Elementary Education)

Dr. David Fine, 1031 Elm Street, Peekskill, NY 10566 (Secondary Education)

Note on confidentiality:

In order to investigate the complaint, the district will disclose the content of the complaint only to those persons who have a need to know. This form will not be shown to the accused student(s)/staff.

Adoption date: January 22, 2013

Revised: March 17, 2015