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This Handbook is not a contract, either expressed or implied, with any employee or employee group. It is intended to serve as a source of information about matters pertaining to employment with Orange-Ulster BOCES and its policies. The intended audience for this information is new and current Orange-Ulster BOCES employees and other interested parties.

The material in this Handbook reflects a summary of the policies and practices of Orange-Ulster BOCES as of the date of its issuance. To access the full text of the policies, please visit the Orange-Ulster BOCES website (www.ouboces.org). Such policies and practices may change from time to time after the Handbook is issued. Changes in employment terms, laws and or related matters will be updated as they occur. This Handbook, in its entirety and/or in part, may be modified, amended, suspended, discontinued or cancelled, or otherwise changed at any time, with or without notice to employees, at the sole discretion of BOCES.

Unless otherwise stated, this Handbook supersedes all prior policies, employee handbooks and memos that may have been issued from time to time on the subjects covered in this Handbook.

The Handbook is available on the Orange-Ulster BOCES website (www.ouboces.org).

Every employee of Orange-Ulster BOCES will receive a copy of this Handbook and be asked to sign a statement indicating that she/he received a copy. Each employee is responsible for reading, understanding and complying with all of the provisions in this Handbook. Employees must comply with all the policies described in this Handbook (and contained on BOCES’ website) as a condition of continued employment.

No person has official status as a representative of Orange-Ulster BOCES to interpret this Handbook, policies related to what is described in this Handbook, or state or federal laws or regulations related to what is described here, except the District Superintendent of Orange-Ulster BOCES, the Assistant Superintendent for Instruction, or another individual who is expressly authorized to do so by BOCES’ Superintendent.

In the event that a provision in a collective bargaining agreement between BOCES and an employee organization as defined by the Public Employees’ Fair Employment Act (Taylor Law) conflicts with this Handbook, the collective bargaining agreement will control. Where a provision of this Handbook is not covered by a collective bargaining agreement, this Handbook shall apply to the employee(s) to whom the collective bargaining agreement applies. Nothing stated within this Handbook is intended to interfere with or supersede negotiations between BOCES and any collective bargaining representative or any collective bargaining agreement in effect between BOCES and such collective bargaining representative.
PART I

ORANGE-ULSTER BOCES DIRECTORY

BOARD OF EDUCATION MEMBERS

Eugenia Pavek, President
William Boss, Vice President
Michael Bello             Martha Bogart
Lawrence Berger       Edwin Estrada

CABINET MEMBERS

William J. Hecht, District Superintendent - Ext. 10111
Deborah McBride Heppes, Assistant Superintendent for Finance - Ext. 10160
Theresa A. Reynolds, Assistant Superintendent for Instruction - Ext. 10120

DIRECTORS

Forrest Addor, Director of Technical Support Services - Ext. 10709
Mark P. Coleman, Director of Operations - Ext. 10150
Orande Daring, Director of Career & Technical Education - Ext. 10310
Andrew Carnright, Director of Adult Education - Ext. 10773
Diane E. Lang, Director of Instructional Support Services - Ext. 10701
Kerri B. Stroka, Director of Special Education - Ext. 10210

MISSION STATEMENT

The mission of the Orange-Ulster BOCES is to serve our component districts and community in the development of continuous learners who will be successful in meeting the challenges of living in our society today and in the future.

We will accomplish this mission in a cost effective manner with a dedicated, skilled, caring staff providing quality educational services in a safe, nurturing, and accessible environment.
Part II
Understanding How a BOCES Works

A. What is a BOCES?

BOCES stands for Board of Cooperative Educational Services. The Orange-Ulster BOCES is one (1) of thirty-seven (37) such organizations statewide created by the legislature in 1948 to provide shared services to school districts in New York State. Orange-Ulster BOCES provides high-quality, cost-effective educational services to seventeen (17) component school districts. BOCES also provides special education, career and technical education, adult education, instructional support services, educational technology support, library services and a number of management services for component school districts. Orange-Ulster BOCES first provided services to component districts in 1957 and celebrated its 50th anniversary in 2007.

B. How does BOCES work with local school districts?

BOCES services are created when two or more school districts decide they have similar needs that can be met by sharing staff, office space, equipment, time or by a shared program. BOCES helps school districts save money by providing opportunities to pool resources and share costs. Sharing is a very economical way for districts to provide programs and services that they might not be able to afford otherwise. Sharing eliminates duplication and allows schools to operate more efficiently and cost effectively. BOCES services are often customized, offering districts the flexibility to meet their individual needs. BOCES also expands opportunities for students. Alone, school districts may not be able to afford the educational programs they desire without increasing the tax burden of residents. Together, through BOCES, districts can provide a rich variety of experiences for students of all interest and ability levels. BOCES opens doors to innovative and exciting programs at a price that districts can afford. BOCES writes, receives and administers grants which help fund programs for students and staff in local school districts.

C. Who makes the decision about which BOCES services to purchase?

Each year, local Boards of Education review their districts’ needs and make decisions about BOCES services. Because districts’ needs change every year, decisions about BOCES services may also change every year. The decision to participate in BOCES services is based on the unique needs of each district. If the district doesn't need a BOCES service, it does not request it and will not have to pay for it.

D. Why do school districts participate in BOCES services?

Because BOCES services are shared by two or more school districts, they cost much less than if districts provided the services on their own. Districts pool their resources and share the savings. In addition, New York State gives a financial incentive to participate in shared services by offering BOCES state aid to participating school districts.

E. How do districts pay for BOCES services?

With the exception of an administrative charge based on each school district’s size, districts only pay for the BOCES services they use. BOCES expenses are incorporated into each district’s annual budget. State Aid helps to offset some of the expenses, while the state or federal government directly funds others. BOCES has no taxing authority.
F. Where is Orange-Ulster BOCES?

The main campus of Orange-Ulster BOCES is located on Gibson Road in Goshen, New York. The complex consists of Special Education, Career and Technical Education (CTE), Administrative Offices, Operations and Maintenance, Health and Safety, Communications Department and the Carl P. Onken Conference Center. Instructional Support Services, Records Management Services, Technology Support Services, School Library Services, Adult Education Health Careers programs and some CTE and Special Education programs are located in the Regional Education Center at Arden Hill located on Harriman Drive in Goshen. Adult Education Programs are also offered in the Newburgh Adult Learning Center and various locations throughout Orange County. Special Education is provided in the Emanuel Axelrod Education Center on the main campus, the Regional Education Center at Arden Hill, as well as in a number of satellite programs located in component school districts throughout Orange County.
PART III
GOVERNANCE

A. Governance of BOCES

Orange-Ulster BOCES is created and established by the Commissioner of Education at the request of component school boards and is governed by a board made up of representatives from component school districts. The BOCES Board has seven (7) members.

Policy# 1120 – Board: Qualifications, Numbers and Terms of Office

Meeting of Orange-Ulster BOCES Board of Education

The BOCES Board of Education typically meets the second (2nd) Thursday of each month at 7:30 pm in the Administrative Conference Room in the Central Administration Building, at 53 Gibson Road, Goshen, New York 10924. (Such dates and times are subject to change).

Policy# 1420 – Regular Board Meetings and Rules

B. Recruitment, Selection and Appointment of Personnel

1. It is the policy of the Board to encourage employment of the individual best qualified to fill a given position within the parameters established by applicable law. The Board encourages recruitment of employees with a wide variety of backgrounds.

2. It shall be the duty of the District Superintendent to see that persons recommended for employment meet all qualifications established by law, or by the Board, for the position for which the recommendation is made.

   a. Instructional and non-instructional personnel shall be appointed by the Board of Education upon the recommendation of the District Superintendent.

   b. Assignments of personnel shall be at the direction of the District Superintendent/designee.

   c. As soon as practical, upon employment, the Human Resources Department in conjunction with the District Superintendent and the Board of Education shall be responsible for providing staff with the required policies and administrative plans of the Orange-Ulster BOCES and other pertinent employee information.

Policy# 3310 – District Superintendent/Executive Officer
Policy# 5218 – Recruitment and Selection

C. Posting of School Committee Meetings

Regular meetings of Orange-Ulster BOCES Board of Education, as well as special meetings, hearings and meetings of subcommittees are posted on the BOCES’ website and public notices are posted on the bulletin board in Central Administration.

Policy# 1430 – Special Meetings of the Board
D. **Orange-Ulster BOCES Policy Manual**

Topics Addressed: The duly adopted policies of Orange-Ulster BOCES, along with federal and state statutes and regulations, are the rules by which BOCES is to be governed. These policies are compiled in a policy manual, on our website - [https://main.wnyric.org/policies/ouboces.nsf](https://main.wnyric.org/policies/ouboces.nsf) which sets forth the Board policies in the following areas: By-Laws, Community Relations, Administration, Non-Instructional Business Operations, Human Resources, Students, and Instruction. The manual is updated as new policies are adopted and existing policies are revised as needed.

Policy# 1410 – Policy and Administrative Regulation

E. **Orange-Ulster BOCES Website**

The Orange-Ulster BOCES website features a considerable amount of information about Orange-Ulster BOCES. The website is a valuable resource for employees, which contains directory information about the staff at BOCES; home pages of BOCES programs; posting of job vacancies; employment applications and various forms; and other items of interest to the community and general public. The website address is: [www.ouboces.org](http://www.ouboces.org).

Policy# 2130 – BOCES Website
PART IV
DISCRIMINATION PROHIBITIONS & REPORTING PROCEDURES

A. Equal Employment Opportunity

It is the policy of BOCES to provide equal opportunities for all people in recruiting, hiring, compensation, benefits, transfer assignments, training, promotions, terminations, social and recreational programs, and any other benefits and rights of employment without regard to race, color, religion, creed, national origin, political affiliation, sex, age, marital status, sexual orientation, pregnancy, military status, veteran status, genetic predisposition or carrier status, ancestry, disability, domestic violence victim status or any other legally protected status.

Policy# 5120 – Equal Employment Opportunity

B. Discrimination/Harassment

All BOCES employees have the right to work in an environment free from all forms of discrimination and conduct which can be considered harassing, coercive, or disruptive as defined by the Federal and State law. Consistent with BOCES’ respect for the rights and dignity of each employee, harassment based on race, color, religion, creed, national origin, political affiliation, sex, age, marital status, sexual orientation, pregnancy, military status, veteran status, genetic predisposition or carrier status, ancestry, disability, domestic violence victim status or any other status protected by applicable law will not be sanctioned or tolerated.

It is the responsibility of every employee who believes she/he has been or is being subjected to harassing acts to bring such complaints to the prompt attention of her/his Supervisor, Principal, Director, Assistant Superintendent, BOCES Superintendent or to the Human Resources Office. Supervisors who witness conduct and/or become aware of conduct that may be a violation of BOCES’ anti-harassment/discrimination policy must report such conduct to one of the sources listed above.

Any employee who witnesses a student being harassed, or who otherwise believes that one or more students are being or have been harassed, should immediately report what she/he has witnessed or believes has occurred. The report should be made either to the Building Principal, Director or to the appropriate Assistant Superintendent. BOCES shall conduct an investigation of any such claims. While BOCES shall try to maintain confidentiality, confidentiality is not guaranteed.

BOCES will not tolerate coercion, intimidation, interference, retaliation or discrimination against an employee for filing a complaint or assisting in an investigation as a witness or otherwise. Any employee who believes that she/he has been subjected to any acts of retaliation should immediately report that conduct to her/his supervisor or the Compliance Officer (Assistant Superintendent for Instruction). Any employee who retaliates against another employee for reporting any perceived acts of unlawful harassment will be subject to disciplinary action up to, and including discharge.

Policy# 2420 – Non-Discrimination and Anti-Harassment in the BOCES
Policy# 5121 – Sexual Harassment in the Workplace
Policy# 6551 – Sexual Harassment of Students
C. Dignity for All Students Act

The Dignity for All Students Act is a comprehensive anti-bullying and harassment law enacted by New York effective July 1, 2012 and it applies to all public schools, charter schools and BOCES. It requires that classroom instruction supports the development of a school environment that is free of discrimination and harassment and protects the students from bullying, cyberbullying and harassment based on a person’s actual or perceived race, color, weight, national origin, ethnic group, religion, religious practice, disability, sexual orientation, sex, gender identity or expression.

Circumstances may be defined as a single incident or a series of related incidents where a student is subjected to discrimination and/or harassment by a student/employee on school property or at a school function that creates a hostile environment, with or without physical contact by verbal threats, intimidation or abuse, of such severe nature that has or would have the effect of unreasonably and substantially interfering with a student’s educational performance, emotional or physical well-being or reasonably causes a student to fear for her/his physical safety.

At least one employee in every school is designated as a Dignity Act Coordinator (DAC). Each DAC shall be approved by the Board of Education and their name and contact information will be shared with staff, students, and persons in parental relation.

Policy# 6550 – Dignity for All Students Act
Policy# 6552 – Student Gender Identity
Policy# 6553 – Hazing of Students

D. Nondiscrimination Compliance Officer

The Board ensures compliance with Title IX of the Educational Amendments of 1972, Section 504 of the Rehabilitation Act of 1973 and The Americans with Disabilities Act (ADA). Annually, the District Superintendent designates a BOCES employee as the Title IX/Section 504/ADA Coordinator (“Compliance Officer”) to resolve complaints of discrimination based on sex or disability. If the claim is against the Title IX/Section 504/ADA Coordinator, the employee should report it directly to the District Superintendent. The Title IX/Section 504/ADA Coordinator shall be responsible for handling complaints and grievances regarding discrimination based on any legally protected status.

The Assistant Superintendent for Instruction is the designated Nondiscrimination Compliance Officer for Orange-Ulster BOCES. Any person wishing to obtain information about the BOCES procedures for grieving alleged civil rights violations may obtain information in writing by contacting the Assistant Superintendent for Instruction/Compliance Officer at Orange-Ulster BOCES, 53 Gibson Road, Goshen, New York 10924, or by telephone at (845) 291-0100 ext. 10120. Questions, problems, or complaints regarding rights or compliance with applicable rules or statutes should be addressed to the Assistant Superintendent for Instruction.

Policy# 1470 – Annual Reorganizational Meeting
Policy# 2420 – Non-Discrimination and Anti-Harassment in the BOCES
E. Complaint and Investigation Procedure

It is everyone’s responsibility to ensure that no employee is subject to any form of prohibited harassment. Should a supervisor or any administrator become aware of the occurrence of harassment, irrespective of whether the affected employee files a complaint, it is the responsibility of the supervisor/administrator to follow the procedures set forth in detail and summarized in this section, in order to ensure that appropriate action is taken to eliminate the harassment and rectify the situation.

Any employee who believes she/he has been subjected to prohibited harassment or intimidation or who has witnessed anyone engaging in such prohibited activity should immediately contact her/his supervisor and the Compliance Officer/Title IX/Section 504/ADA Coordinator. If, for any or no reason, an employee is hesitant to bring the matter to the attention of her/his supervisor or the Compliance Officer, a report can be properly made to the Compliance Officer or the District Superintendent.

The Compliance Officer or his/her designee will investigate all complaints of harassment. This will include, but not to be limited to, interviewing the complaining party, the accused, any supervisors, and any other personnel, as necessary, to obtain sufficient factual information upon which to make a determination. All records of such investigation will be maintained in an independent and confidential file.

Policy# 2420 – Non-Discrimination and Anti-Harassment in the BOCES
Policy# 5121 – Sexual Harassment in the Workplace
PART V
EMPLOYEE SERVICES

A. Human Resources Office

1. **Location and Hours of Operation:**
   Central Administration Building
   53 Gibson Road
   Goshen, New York 10924
   Phone: (845) 291-0130
   Fax: (845) 291-0565

   Regular business hours are 8:00 am to 4:00 pm Monday – Friday. Switchboard reception hours typically are 8:00 a.m. to 4:00 p.m. during the school year.

2. **Office Responsibilities:** The Human Resources Office is the official site of all personnel records for Orange-Ulster BOCES’ employees, past and present. An employee should contact the Human Resources Office with any questions or concerns regarding the following topics: family and medical leave, sick leave accumulation and use; personal leave use; compensation; the contents and inspection of personnel records; questions regarding leave, either paid or unpaid; absences for medical or other reasons; tenure, seniority and any other matters pertinent to employment issues with Orange-Ulster BOCES.

3. **Regional Certification Officer** – (845) 291-0140 – 8:00 a.m. – 3:30 p.m. Acts as a liaison between an individual seeking certification and the NYS Education Department, Office of Teaching.

B. Payroll Office

1. **Location and Hours of Operation:**
   Central Administration Building
   53 Gibson Road
   Goshen, NY 10924
   Phone: (845) 291-0100 ext. 10174
   Fax: (845) 291-0147

   Regular business hours are 8:00 am to 4:30 pm Monday – Friday.

2. **Pay Dates**

   Employees of Orange-Ulster BOCES are presently paid every other Friday. Twelve-month employees are presently paid 26 times/year. Ten-month employees can choose to be paid either 22 or 26 times annually depending on their individual or collective bargaining agreements. Once the 22 or 26 pay period election has been made it cannot be changed until the next fiscal year. Persons employed for a shorter period will be paid as required by their length of actual service.

   The pay dates for the current school year are posted online on the BOCES’ website Click on Staff – Forms - , Business Office Forms section at www.ouboces.org.
3. Payroll Procedures

a. Closing of Payroll: Timesheets and other documentation required to ensure payment must be submitted to the designee in your Department/Building according to the Time Sheet Pay Schedule which is available on BOCES’ website.

b. Making Changes in Benefit Coverage: Questions regarding benefits available and entitlement to such benefits may be directed to the Payroll Office. Changes in an employee’s benefits are made through the Payroll Office and are subject to open enrollment periods. Changes outside the open-enrollment period are subject to life-changing or “qualifying events” and are determined by the individual plan. Changes in 403B plan withholdings, direct deposit, and other matters related to payroll are made by submitting the appropriate form to the Payroll Office.

4. Administrative Pay Corrections

BOCES takes all reasonable steps to ensure that employees receive the correct amount of pay in each paycheck and that employees are paid promptly on the scheduled payday. In the unlikely event that there is an error in the amount of pay, the employee should promptly bring the discrepancy to the attention of their Supervisor and the Payroll Department so that corrections can be made as quickly as possible.

It is the policy and practice of BOCES to accurately compensate all exempt employees and to do so in compliance with all applicable State and Federal laws. To ensure that you are paid properly for all time worked and that no improper deductions are made, you should always review your pay stub to make sure it is correct. If you believe an improper deduction has been made or have any questions, please report this immediately to the Payroll Dept., Ext. 10171. Every such report will be investigated and corrective action will be taken where appropriate. If it is determined that an improper deduction has been made, BOCES will reimburse you in full and correct any further misapplication of this Policy. BOCES is committed to full compliance with this Policy.

C. Fingerprinting and Criminal History Record Checks for Prospective Employees

1. BOCES acknowledges its responsibility to conduct criminal history record checks required by law and Commissioner’s Regulations for prospective employees appointed on or after July 1, 2001 and applicants for certification on or after July 1, 2001.

Section 87.2(h) of the Commissioner's Regulations defines which prospective employees (including employees of providers of contracted services who are to be placed at BOCES) will be subject to fingerprinting and criminal history record checks prior to employment. This definition presently includes those employees (or employees of providers of contracted services) who are appointed on or after July 1, 2001 and who will be reasonably expected to provide services which involve direct contact, meaning in person, face to face communication or interaction; with students under the age of 21.

Policy# 5170 - Safety of Students (Fingerprinting Clearance of New Hires)
D. Employee Expense Reimbursement

Employees will be reimbursed for pre-approved business expenses, incurred while conducting BOCES business. All itemized receipts for expenses must be attached to a BOCES Conference Reimbursement Form. Reimbursement forms can be found on the BOCES’ website.

1. Mileage
BOCES will reimburse mileage when you use your own vehicle for pre-approved BOCES business. Mileage will be reimbursed at the current Board approved rate. Mileage Reimbursement Forms are available on the BOCES’ website. Claims for mileage associated with a conference must be made on the Conference Reimbursement Form and must be submitted timely.

2. Professional Development (where applicable)
If you want to attend a conference, workshop, seminar, etc., you must follow these procedures:

   a. Submit a request through My Learning Plan or
   b. Submit an Application for Conference or Workshop Form

Requests will not be considered unless one of the above items is submitted. You must submit the request, to your principal or director, and obtain approval BEFORE attending any conference.

AFTER you have attended the conference, you must submit a copy of your Application for Conference or Workshop Form or proof of application through My Learning Plan. In either case you must submit a Conference Reimbursement Form along with either the Application for Conference or Workshop or My Learning Plan form, plus any receipts for out-of-pocket expenses to your principal or director. Reimbursement will not be made unless everything is attached. All forms are available on the BOCES’ website.

Policy# 5160 – Professional Growth/Staff Development
Policy# 5161 – Conference/Travel Reimbursement

E. Ordering of Supplies or Equipment
It is the obligation of the BOCES to purchase competitively, without prejudice or favoritism, and to seek the maximum educational value for every dollar expended. Purchase orders must be completed and approved before purchasing any item or service. Employees of the BOCES are expected to become familiar with all Board policies governing purchasing. If an employee fails to follow proper procedures, such employee shall be informed of such failure and may be required to reimburse the BOCES. Employees should consult with the person in their department who is responsible for purchases, Principal or Department Head. Additional questions can be referred to the Business Office at (845) 291-0100 ext. 10180.

Policy# 4410 – Purchasing: Competitive Bidding and Offering
Policy# 4411 – Procurement of Goods and Services
F. Employee’s Access to Their Personnel Records

The personnel records of Orange-Ulster BOCES are maintained by the Human Resources Office, 53 Gibson Road, Goshen, NY 10924. Any BOCES employee may view her/his own personnel file as long as the employee provides adequate notice to the District Superintendent or her/his designee that the employee wishes to examine her/his own personnel file. Such review shall take place in the presence of a Human Resources staff member. Personnel files may not be removed from the Human Resources Office. Employees may request a copy of documents from their file; however, employees may not remove an item from their personnel file. The personnel file is between the employer and the employee.

Policy# 5420 – Employee Personnel Records and Release of Information
Part VI
ABSENCES FROM WORK

The terms and conditions of employment, including provisions relating to absences from work for members of a collective bargaining unit are governed by and subject to the terms of the applicable collective bargaining agreement. Should union members have any questions regarding the applicability of the provisions referenced herein, please consult the Assistant Superintendent of Instruction, or your collective bargaining representative.

A. Snow Days
If a decision is made to delay or close due to inclement weather, staff shall receive an automated phone call and/or email message indicating the delay or closure. A message shall also be placed on the BOCES website (www.ouboces.org). Satellite staff should follow the closures of their satellite location. Under these circumstances, most staff will not have to report to work and will not suffer any loss of pay. Check your applicable collective bargaining agreement for additional information about your working conditions.

Policy# 2510 – Emergency School Closings

B. Reporting Absences From Work
Any absence from work, whatever the excuse, disrupts some aspect of Orange-Ulster BOCES’ educational and support programs. Therefore, an employee who must be absent from work for any reason must contact his/her immediate supervisor, according to their department protocol, by phone, email, or text. Timely notice is needed in order to allow for securing a substitute/coverage in the employee’s absence. All staff must follow individual Program/Division procedures for documenting absences. Please check your collective bargaining agreement or individual employment agreement, if applicable, for more clarification.

The following grid identifies to whom staff should report in case of an absence:

<table>
<thead>
<tr>
<th>Employee</th>
<th>Report Absence To</th>
</tr>
</thead>
<tbody>
<tr>
<td>Directors</td>
<td>Appropriate Assistant Superintendent</td>
</tr>
<tr>
<td>Principals, Assistant Principals, Supervisors and Coordinators</td>
<td>Appropriate Division Director</td>
</tr>
<tr>
<td>Instructional Personnel</td>
<td>Appropriate Substitute Coordinator (if applicable), Department Director &amp; Principal</td>
</tr>
<tr>
<td>Adult Education Teacher</td>
<td>Must obtain their own substitute and advise the Director of Adult and Continuing Education</td>
</tr>
<tr>
<td>Support Personnel (Upseu clerical, cafeteria, maintenance, technicians)</td>
<td>Immediate Supervisor &amp; Appropriate Sub Caller (cafeteria staff, &amp; Upseu clerical)</td>
</tr>
<tr>
<td>Itinerants</td>
<td>Immediate Supervisor</td>
</tr>
</tbody>
</table>

C. Sick Leave
1. Medical Evidence in Cases of Illness
   Please refer to your collective bargaining agreement or Terms and Conditions of Employment for clarification.

Policy# 5550 – Leaves of Absence
2. **Family Illness Leave**
An employee who needs to utilize her/his accumulated sick leave days for sickness of a family member living within the household, may request use of this time based on her/his applicable collective bargaining agreement or Terms and Conditions of Employment.

3. **Family and Medical Leave Act (F.M.L.A.)**
The FMLA entitles eligible employees of covered employers to take paid (utilizing accrued time) or unpaid, job-protected leave for specified family and medical reasons with continuation of group health insurance coverage under the same terms and conditions as if the employee had not taken leave. Employees must have worked at least 1250 hours in the 12 month period preceding the leave. Eligible employees are entitled to:

Twelve workweeks of leave in a continuing or intermittent 12-month period for:

- the birth of a child and to care for the newborn child within one year of birth;
- the placement with the employee of a child for adoption or foster care and to care for the newly placed child within one year of placement;
- to care for the employee’s spouse, child, or parent who has a serious health condition;
- a serious health condition that makes the employee unable to perform the essential functions of his or her job;
- any qualifying exigency arising out of the fact that the employee’s spouse, son, daughter, or parent is a covered military member on “covered active duty;” or
- twenty-six workweeks of leave during a single 12-month period to care for a covered service member with a serious injury or illness who is the spouse, son, daughter, parent, or next of kin to the employee (military caregiver leave).

FMLA leave may be taken “intermittently or on a reduced leave schedule” under certain circumstances. Intermittent leave is FMLA leave taken in separate blocks of time due to a single qualifying reason. A reduced leave schedule is a leave schedule that reduces an employee’s usual number of working hours per workweek, or hours per workday. A reduced leave schedule is a change in the employee’s schedule for a period of time, normally from full-time to part-time.

Please refer to Personnel Policy #5551 or for more information on the FMLA please go to [http://www.dol.gov/whd/fmla/](http://www.dol.gov/whd/fmla/) or contact the Human Resources Office at (845) 291-0130.

Policy# 5551 - Family and Medical Leave Act
## D. Other Absences

<table>
<thead>
<tr>
<th>Leave Type</th>
<th>Requirements</th>
<th>Required Form</th>
</tr>
</thead>
<tbody>
<tr>
<td>Vacation Leave</td>
<td>Pursuant to Collective Bargaining or Employment Agreement</td>
<td>Request for Leave Form available on website</td>
</tr>
<tr>
<td>Cancer Screening Leave</td>
<td>All employees are eligible to receive paid leave up to four (4) hours annually.</td>
<td>Cancer Screening Leave Request Form available on website</td>
</tr>
<tr>
<td>Personal Leave</td>
<td>Pursuant to Collective Bargaining or Employment Agreement</td>
<td>Request for Leave Form available on website</td>
</tr>
<tr>
<td>Child Care Leave</td>
<td>Pursuant to Collective Bargaining or Employment Agreement or Board Policy</td>
<td>Must request in writing to immediate supervisor. Form on website. Requires Board approval</td>
</tr>
<tr>
<td>Military Family Leave</td>
<td>Available to employees pursuant to Personnel Policy #5340. For a complete review of military leave requirements please go to <a href="http://www.dol.gov">www.dol.gov</a></td>
<td>See policy for notification requirements</td>
</tr>
<tr>
<td>Jury Duty</td>
<td>Employees who are required to serve during a scheduled work day will receive time off with pay for the hours/days of services</td>
<td>Copy of Jury Duty notification provided to immediate supervisor</td>
</tr>
<tr>
<td>Leave of Absence without Pay</td>
<td>Pursuant to Collective Bargaining or Employment Agreement</td>
<td>Must request in writing to immediate supervisor. Requires Board approval</td>
</tr>
<tr>
<td>Rights of Nursing Mothers</td>
<td>Available to employees pursuant to Personnel Policy #5550</td>
<td>Must direct request to immediate supervisor</td>
</tr>
<tr>
<td>Bereavement Leave</td>
<td>Pursuant to Collective Bargaining or Employment Agreement</td>
<td>Request for Leave Form available on website</td>
</tr>
<tr>
<td>Vote/Election Day Leave</td>
<td>A registered voter may take off up to 3 hours to vote but must request leave not less than 2 days before the day of the election</td>
<td>Request for Leave to Vote Form Available on website</td>
</tr>
</tbody>
</table>

Policy# 5550 – Leaves of Absence
E. Sick Leave Bank

The BOCES Board and the Unions that represent BOCES employees recognize the economic effects of a long-term illness of any employee. Therefore, sick leave banks have been established and are governed by the terms of applicable collective bargaining agreements or individual employment agreement. Eligible staff may participate in the Sick Leave Bank by advising Administration in writing no later than September 15th. Upon receipt of this notice, the employee’s sick leave will be reduced by one day and that day will be contributed to the Sick Leave Bank for the purpose of supplementing employees’ exhausted individual sick leave entitlement in case of catastrophic, long term, disabling illnesses or injuries. Upon exhaustion of the Sick Leave Bank, employees may be asked to contribute one additional day to the bank. Presently, the rules governing the Sick Bank include:

1. Membership is continuous unless employee requests removal in writing. Sick day will not be refunded.
2. Sick Leave Bank requests will only be granted for the employee’s (i.e. sick bank member’s) illness or injury as Sick Leave Bank utilization is not applicable for sick family member care.
3. Sick Bank days will be granted only after applicant’s accumulated sick leave has been exhausted.
4. Consultation with the applicant’s physician may be required in accordance with HIPAA Regulations.
5. Must adhere to the established procedures as part of the approval process.
6. Final determination on all applications to fully, partially fund or deny days to applicant will be made by the Committee.

Please refer to your applicable collective bargaining agreement or individual employment agreement for further information.

F. Employee Assistance Program

The EAP (Employee Assistance Program) provides free professional and confidential assistance 24 hours a day to help you and your immediate family members resolve personal problems in the following areas which might affect your personal or home life, your health or even your job:

1. Family Relationship Issues
2. Stress (Personal/Work)
3. Substance Dependency
4. Financial Issues
5. Legal Referrals
6. Elder Care Issues
7. Emotional Issues
8. Work-related Issues

The Employee Assistance Program phone number is: 1-800-962-7487, identify yourself as an employee (or family member) of Orange-Ulster BOCES, and request assistance.

After normal working hours, in an emergency situation, your call will be received by an answering service and responded to promptly by the “on-call” EAP Specialist.

Policy# 5530 - Employee Assistance Program (EAP)
PART VII
EMPLOYEE BENEFITS

For the purpose of this section, an eligible employee shall be defined as a person who works for BOCES at least half time (i.e. .5 FTE or more), unless otherwise specified in a collective bargaining or individual employment agreement, and who meets other eligibility criteria set forth by the Plan.

The terms and conditions of employment, including provisions relating to employee benefits for members of a collective bargaining unit are governed by and subject to the terms of the applicable collective bargaining agreement. Should union members have any questions regarding the applicability of the provisions referenced herein, please consult the Assistant Superintendent of Instruction, or your collective bargaining representative.

A. Health Insurance Eligibility
Health insurance coverage is available to eligible employees, pursuant to the appropriate collective bargaining agreement or individual employment agreement.

Questions about health insurance coverage and eligibility should be directed to the Benefits Desk in the Payroll Office at (845) 291-0100 ext. 10172.

B. Dental Insurance Eligibility
Dental insurance coverage is available to eligible employees through the Benefit Trust, pursuant to an appropriate collective bargaining agreement or individual employment agreement. Retirees are eligible to continue coverage under COBRA unless or until they are Medicare eligible, then the coverage ceases. Questions about dental insurance coverage and eligibility should be directed to the Benefits Desk in the Payroll Office at (845) 291-0100 ext. 10172.

C. Vision Insurance Eligibility
Vision insurance coverage is available to eligible employees through the Benefit Trust, pursuant to an appropriate collective bargaining agreement or individual employment agreement. Retirees are eligible to continue coverage into retirement if they were covered under the plan for at least 2 years prior to retiring. Questions about vision insurance coverage and eligibility should be directed to the Benefits Desk in the Payroll Office at (845) 291-0100 ext. 10172.

D. Health Open Enrollment Periods
The annual open enrollment period is held from November 1 – November 30. Employees who are eligible are permitted to change coverage options during this time. Change forms are available in the Payroll Office. Completed forms must be returned to Payroll no later than November 30th for an effective date of January 1st.

Periods for Enrolling: Enrollment in BOCES’ health insurance coverage may occur only as follows: (1) per an applicable collective bargaining agreement or individual employment agreement at the time an individual is first employed by BOCES; (2) during the open enrollment period for all employees (November 1 – November 30); or (3) during certain life changing or “qualifying events” which are specified in each insurance plan document. Examples of qualifying events are: marriage, birth of a child, death, loss of coverage etc. These are examples of “qualifying events” and such changes must be made within thirty (30) days of the occurrence of the qualifying event. Documentation (birth certificate, certificate of adoption, marriage certificate, separation or divorce decree, notice from spouse’s employer of loss of health coverage...
etc.) is needed to make changes in benefits coverage. Please refer to individual plan documents or contact the Benefits Desk for additional information about your specific situation.

It is up to the employee to give timely notice of benefit changes in writing. Failure to give adequate notice may jeopardize benefit eligibility.

E.  **Flexible Compensation Program (IRS 125 Plan & IRS 129 Plan)**
Open Enrollment Period is November 1 – November 30.

Pre-tax contributions may be made by BOCES’ employees through payroll deduction, consistent with 26 U.S.C. § 125, to flexible spending “cafeteria plan” accounts for medical and dependent care. The purpose of these accounts is to enable employees to pay out-of-pocket expenses associated with medical care, dental work, child-care costs, and any other expenses permitted under law with pre-tax dollars. Questions about pre-tax flexible spending accounts should be addressed to the Payroll Office at (845) 291-0100 ext. 10172. Enrollment forms are available on BOCES’ website.

These plans allow staff to take advantage of significant tax savings by placing money into pre-tax reimbursement accounts for uninsured health and dependent care expenses. The Plan year begins January 1st and ends December 31st. Enrollment forms must be submitted to the Payroll Office on or before December 10th each year.

Questions about the open enrollment period or qualifying events for benefits should be addressed to the Benefits Desk in the Payroll Office at (845) 291-0100 ext.10172.

F.  **Tax-Deferred Annuities (403(b) Plans)**
Tax-deferred annuity contributions, consistent with what is permitted by Federal and State law, can be made by any employee of BOCES, to a provider that has executed an agreement with BOCES through the Omni Group. Questions about tax-deferred annuities should be addressed to the Payroll Office or go to www.omni403b.com.

G.  **AFLAC**
A voluntary Personal Cancer Indemnity Plan/Disability Plan is available as a 100% self-pay benefit to eligible employees. This benefit is:
1. Offered through convenient payroll deduction
2. Pays regardless of any other insurance
3. Offered on a pre-tax basis
4. Portable

For more information, please contact your AFLAC representative directly.

H.  **COBRA Rights**
The Consolidated Omnibus Budget Reconciliation Act (COBRA) gives workers and their families who lose their health benefits the right to choose to continue group health benefits provided by their group health plan for limited periods of time under certain circumstances such as voluntary or involuntary job loss, reduction in the hours worked, transition between jobs, death, divorce, and other life events. Qualified individuals may be required to pay the entire premium for coverage up to 102 percent of the cost to the plan.
COBRA generally requires that group health plans sponsored by employers with 20 or more employees in the prior year offer employees and their families the opportunity for a temporary extension of health coverage (called continuation coverage) in certain instances where coverage under the plan would otherwise end.

Questions about COBRA rights and benefits should be addressed to the Payroll Office at (845) 291-0010 ext. 10172. For more information go to: www.dol.gov

Policy# 5510 – Health Insurance

I. Employee Retirement Contributions

Employees who are required by law to be a member and contribute a portion of their wages to an appropriate retirement system or fund pursuant to the requirements of their tier, must participate in one of the following retirement systems: (1) An unclassified civil service employee whose position requires that she/he be certified by the New York State Education Department, and who holds that certificate, is obliged to be a member of the New York State Teacher’s Retirement System. (2) A classified civil service employee who is regularly employed in a non-certified position with the school system is obliged to be a member of the New York State Employees’ Retirement System or New York State Voluntary Defined Contribution Plan.

Questions about retirement contributions and benefits should be addressed to the Payroll Office at (845) 291-0100 ext. 10174 or to the appropriate retirement system. The retirement systems to which BOCES contributes are the following:

- New York State Teacher’s Retirement System
  10 Corporate Woods Drive
  Albany, NY 12211-2395
  (800) 348-7298 ext. 6250
  Website: www.nystrs.org

- New York State Employee’s Retirement System
  110 State Street
  Albany, NY 12244-0001
  (866) 805-0990
  Website: www.osc.state.ny.us/retire

- NYS Voluntary Defined Contribution Plan
  SUNY System Administration
  State University Plaza
  353 Broadway
  Albany, NY 12246
  866-271-0960
  Website: www.vdc.ny.gov

J. Estimates of Accumulated Leave for Retirement System

Some BOCES employee’s collective bargaining agreements contain provisions for accrued leave reimbursement upon retirement. This benefit is payable to eligible employees, according to the specific terms of the contract, based on an eligible employee’s accumulation of leave.

Many employees want to know in advance of their retirement how many accrued days they have accumulated so that they can estimate the payment they will receive. Employees may examine their attendance records and review their available accrual by accessing this information on the WinCap Employee Self-Service on the Orange-Ulster BOCES Website.
PART VIII
GENERAL EMPLOYMENT ISSUES

A. Code of Ethics

Pursuant to the provisions of Section 806 of the General Municipal Law, the Board of BOCES recognizes that there are rules of ethical conduct for BOCES officers and employees that must be observed if a high degree of moral conduct is to be obtained and if public confidence is to be maintained in BOCES. The purpose of Board Policy #5110 – Code of Ethics for Board Members and All BOCES Personnel is to promulgate rules of ethical conduct for the officers and employees of BOCES. This policy also serves as a guide for official conduct of the officers and employees of BOCES. The policy should not conflict with, but is in addition to, any prohibition of Article 18 of the General Municipal Law or any other general or special law relating to ethical conduct and interest in contracts by BOCES officers and employees. It is expected that all BOCES employees are familiar with BOCES’ Code of Ethics Policy which can be found on BOCES' website.

Policy# 5110 – Code of Ethics for Board Members and All BOCES Personnel

B. Employee Work Hours

The work hours for BOCES employees are determined by the collective bargaining agreements, Terms and Conditions of Employment or, if applicable, by individual employment agreement. If an employee has a question about her/his own specific work hours, either regularly or in an unusual situation, then that employee should contact her/his immediate supervisor. If the issue has to do with the interpretation of a provision of a collective bargaining agreement or a contract of employment, then the individual with the question should contact the Human Resources Office.

C. No Overtime without Express Prior Authorization

1. Overtime Defined: except as may otherwise be provided in an applicable collective bargaining agreement or individual employment agreement, “Overtime” (OT) is defined for non-exempt (i.e. eligible) employees as working in excess of 40 hours of work in any seven (7) day payroll period. Those employees who work more than 40 hours in a seven (7) day payroll period will be entitled to payment at 150% of the employee’s regular compensation, for each hour worked beyond 40 hours.

2. Prohibition of Overtime without Prior Authorization:
   Except in an emergency as described below, no employee of BOCES is authorized to work overtime without prior authorization from her/his direct supervisor.

3. Exceptions to Prohibition of OT without Prior Authorization: Only in an emergency may an employee who is entitled to overtime pay for additional work presume the approval of overtime. An emergency exists where there is a likely threat to personal safety or valuable property and when in this situation, the employee is unable to bring what is happening to the immediate attention of her/his supervisor, which also results in her/him being unable to obtain prior approval for the overtime. (Examples of an emergency include but are not limited to: flood; an intruder in the building.)
When there is an emergency, the employee is authorized to remain at work to deal with the situation appropriately. In such a case, the employee who is entitled to overtime shall bring the situation to her/his supervisor’s attention as soon as possible.

The terms and conditions of employment, including provisions relating to working overtime for members of a collective bargaining unit are governed by and subject to the terms of the applicable collective bargaining agreement. Should union members have any questions regarding the applicability of the provisions referenced herein, please consult the Assistant Superintendent of Instruction, or your collective bargaining representative.

D. **Employee Work Assignments**
Each employee of BOCES shall receive her/his specific work assignments from her/his supervisor. If an employee is uncertain about work assignment, work location, or the duties associated with her/his position or work assignment, then it is the employee’s responsibility to promptly seek clarification on the matter in question from her/his supervisor.

E. **Private Employment**
No person may engage in, solicit, negotiate for, or promise to accept private employment or render services for private interests when that employment or service creates a conflict with or impairs the proper discharge of his/her official duties.

Policy# 5110 – Code of Ethics for Board Members and All BOCES Personnel

F. **Posting Notices of Employee Rights**
A posting of the employment-related rights that BOCES employees have under various New York State and Federal statutes can be found in Central Administration and in each school or other facility of BOCES. This information is posted either in the faculty room, the main office of each school or facility, or another conspicuous place. In the instance that you do not find this information posted, please promptly notify the Human Resources Office.

G. **Availability of Copies of Collective Bargaining Agreements**
BOCES presently has eight collective bargaining units. Teachers and certain other school employees are represented by the BOCES Teachers’ Association and Assistant Teachers’ Association. The Certificated Administrators are represented by the BOCES Administrators’ Association. The United Public Service Employees Union represents the remainder of BOCES employees, excluding administration and management confidential employees. Copies of collective bargaining agreements are provided pursuant to the terms of the applicable collective bargaining agreement and/or are available from the President or other officers of the appropriate union.

H. **Defense and Indemnification of Employees**
According to the provisions of the Public Officers Law Section 18, and upon compliance by the employee with this statute, BOCES Personnel Policy #5540, and/or the terms of any applicable collective bargaining agreement/individual employment agreement, BOCES will provide for the legal defense of an employee and/or indemnification for all damages, costs and reasonable expenses incurred in the defense of an action or proceeding if authorized according to statute and provided that the alleged action or omission which occurred or
allegedly occurred is covered by the appropriate statute and the employee was acting within the scope of her/his job duty or authorized volunteer duty.

Employees must also comply with the timeframes within the policy for BOCES to retain the duty to defend and indemnify.

**Exceptions to Liability Coverage:** Indemnification coverage and/or provision of legal defense by BOCES will not apply unless the claim is covered by the statute and is not otherwise exempt from coverage according to the law. Additionally, indemnification coverage and the duty to provide a defense will not apply where such action or proceeding is brought by or on behalf of BOCES.

Policy #5540 – Defense and Indemnification of Board Members and Employees
PART IX
WORK-RELATED MEDICAL PROBLEMS

A. Seeking Medical Attention for Work-Related Injuries or Health Problems

In case of a work-related injury you should report the incident to your Division Director and complete an accident form within 24 hours, or as soon as possible if the injury prevents you from doing so. Notification must be made to ensure medical expenses are covered under the workers compensation carrier so a claim number can be established to ensure workers compensation coverage.

In the event that you suffer a medical emergency at work, or you have a work-related medical problem during off-hours (i.e., weekend, late shift), you should seek care at an Emergency Room or an Urgent Care facility. For the purpose of this section, a medical emergency is a situation in which the employee’s condition is serious and requires immediate medical attention. The employee must notify her/his supervisor and complete a Workers Compensation incident form as soon as possible.

B. Reporting Work-Related Illness or Injury

Filing a Written Report of Work-Related Injury or Health Problem: Employees injured in the performance of their duties at BOCES are covered by Worker’s Compensation Insurance. A workplace injury, or an injury or health concern that an employee believes to be work-related, should be reported verbally to your Division Director within twenty-four (24) hours and in writing no later than ten (10) days after initial occurrence or discovery of the injury or health concern. Forms for reporting work-related injuries or health concerns are available in the main office/nursing office at each building and in the Payroll Office. The completed form should be returned to your immediate supervisor.

Reimbursement for time lost due to a Workers’ Compensation Injury shall be in accordance with the regulation of the New York State Department of Labor.

Please see your collective bargaining agreement or individual employment agreement for additional information regarding Worker’s Compensation.

Policy# 5520 – Workers’ Compensation
PART X
WORKPLACE RULES

A. Workplace Conduct
Each employee of BOCES shall conduct herself/himself at work in a manner that furthers the mission of BOCES and the goals of the District Superintendent. Therefore, each employee should act in a manner that a reasonable person would view as appropriate to the employee’s role model to students as a public servant. This includes, but is not limited to: using appropriate language at work; working efficiently and conscientiously; addressing other staff, students, and the public respectfully and promptly and courteously following the directions of the employee’s supervisor and superior and maintaining a positive attendance record.

Policy # 2410 – Code of Conduct on BOCES Property

B. Respect for the Public
Each employee of BOCES is a public employee; this means that her/his benefits and compensation are provided by the citizens of the community through the component school districts and by other sources of public funding. Moreover, each person working for BOCES is employed solely in order to enable the District to pursue the mission set forth in Part I of this document.

Therefore, each employee shall act at all times in a manner that shows due respect for the public. Each employee should act at all times in a manner that enables members of the public, including parents, guardians, and interested citizens, to receive pertinent information which they are entitled to, as well as necessary assistance in dealing with the various offices and departments of BOCES.

Policy # 2410 – Code of Conduct on BOCES Property

C. Respect for Fellow Employees
Each employee of BOCES shall act at all times in a manner that shows respect for the dignity and personal worth of each fellow employee.

Policy # 2410 – Code of Conduct on BOCES Property

D. Staff-Student Relations (Fraternization)
The Board requires that all BOCES employees maintain a professional, ethical relationship with students that is conducive to an effective, safe learning environment. Staff must establish appropriate personal boundaries with students of all ages and not engage in behavior that could reasonably lead to even the appearance of impropriety.

Policy # 2410 – Code of Conduct on BOCES Property

E. Confidentiality of Information Learned Through Employment
Each employee of BOCES receives information as part of her/his position that is confidential information on students, on other employees, on members of the public, including parents and guardians, and on school-related matters. The security and confidentiality of such information is protected by a variety of Federal and State laws and by BOCES Board policy.
Parents and guardians have the right to inspect their children’s records, but there are established procedures for them receiving this information. The public has the right of access to public records of BOCES under New York State Public Officers Law. Courts acting within the scope of their authority have the right to order release or disclosure of public and even personal information. Employees may not act on their own initiative to violate any person’s confidentiality or to disclose student or employee information or public records or information of any sort that they are not authorized to disclose.

Therefore, it is strictly prohibited for any employee to discuss, release, or disclose any such information regarding any individual, organization or agency without the express prior approval to do so from the employee’s supervisor. Any employee who makes an unauthorized disclosure of confidential or protected information may be subject to discipline up to and including termination. If an employee is deemed to have acted outside the scope of her/his authority in releasing information without due authorization, that employee may not be covered by the indemnification provisions of New York State Law and BOCES Policy and may be personally liable to any party who is aggrieved by that release or disclosure.

Policy# 5420 – Employee Personnel Records and Release of Information
Policy# 6240 Student Records: Access and Challenge

F. Weapons and Dangerous Devices Prohibited
    It is strictly prohibited for a BOCES employee to possess or use any weapon, including but not restricted to a gun, knife, blade, or club in a school building, on school grounds, or at any school-sponsored activity. It also is strictly prohibited for an employee to possess or use any other dangerous implement such as an explosive or incendiary device, or any implement or object not ordinarily in the possession of a school employee that can reasonably be foreseen to have a use in harming another person, in any school building, and/or on school grounds.

Policy# 2411 – Prohibition of Weapons on BOCES Grounds
Policy# 6360 – Weapons in School and the Gun Free Schools Act

G. Smoking and Other Tobacco Use Prohibited
    Smoking or other use of tobacco or tobacco products in a school building or on school grounds is a violation of Federal and State law and BOCES Policies, and is strictly prohibited. An employee who violates this prohibition may be subject to disciplinary action, up to and including termination.

Policy# 4640 – Smoking/Tobacco Use

H. Alcohol/Drug-Free Workplace
    BOCES operates in accordance with New York State Education Law, and constantly strives to promote a healthy environment for all students and staff. To accomplish this, employees are prohibited from being under the influence, to use, to have in her/his possession or to distribute in any way, controlled substances and/or alcohol on school property or at school sponsored events. Employees found in possession of controlled substances and/or alcohol on school property may be subject to disciplinary measures up to and including dismissal.

Policy# 5150 – Alcohol, Drugs and Other Substances (BOCES Personnel)
Policy# 5151 – Drug-Free Workplace
Policy# 6320 – Alcohol, Drugs and Other Substances (Students)
I. Computer, E-Mail and Internet Use

BOCES is committed to the optimization of student learning and teaching. BOCES considers computers to be a valuable tool and encourages the use of computers and computer-related technology throughout. This includes not only the use of computer programs, access to the Internet, communications with teachers and students but also the development and testing of student programs.

Every employee who has access to a BOCES computer or computer terminal, with or without Internet or e-mail access, is provided with that equipment in order to perform her/his BOCES duties and functions more effectively. Use of a computer at work is not an employee’s right. The computer is a tool provided by BOCES solely to facilitate optimization of student learning. Staff use of the BOCES Computerized Information Systems is conditioned upon written or online agreement by the staff member that use of the system will conform to the requirements of the policies and regulations adopted to ensure acceptable use of the system.

Staff use of computers is for BOCES business related use only. The Internet, e-mail, voice mail and other electronic devices are made available to staff solely for the purpose of supporting our students' educational program and professional development. BOCES utilizes e-mail as one of its official methods of communication. Employees are expected to check their e-mail every work day, unless otherwise provided in the terms of an applicable collective bargaining agreement. No employee should have any expectation whatsoever of privacy in her/his use of a BOCES computer, of any electronic mail (e-mail) access provided by BOCES, voice mail or of any software or Internet access provided by or through BOCES. BOCES reserves the right to monitor employee Internet usage, stored or transmitted e-mail, voice mail and any other electronic devices that are made available to staff. Any inappropriate use of school system e-mail or other computer access of facilities may subject the employee who does so to disciplinary action, up to and including termination. Users must comply with Board policies governing usage.

Policy# 5410 – Staff Use of Computerized Information Resources
Policy# 5411 – Use of Email in the BOCES
Policy# 5412 – Password Security of the BOCES Computerized Information Systems
Policy# 6315 – Student use of Computerized Information Resources

J. Disclaimer Regarding Use of BOCES Hardware, Software or Network

BOCES makes no express or implied warranties for the computer, network, or Internet access provided. BOCES cannot completely eliminate access to information that is offensive or illegal and relies on networks outside the BOCES system. The accuracy or quality of information obtained cannot be guaranteed. BOCES will not guarantee the availability of access to individual computers, the district network, or the Internet, and will not be responsible for any information that may be lost, damaged, or unavailable due to technical or other difficulties.

Policy# 7271 – Internet Safety/Internet Content Filtering Policy
K. Inappropriate Use of Inter-Office Mail Prohibited

BOCES’ interoffice mail service is intended to further the educational and ancillary support activities of BOCES. Use of the interoffice mail is restricted to activities and materials appropriate to the furtherance of those purposes.

No employee may use the interoffice mail system for personal or for non-business purposes, except where expressly provided by a collective bargaining agreement or where expressly permitted by the District Superintendent or her/his designee. Specifically, it shall be prohibited for an employee to use interoffice mail, or to facilitate its use, for: business solicitations; political advertisements, notices, or flyers; commercial advertising; chain letters; sexually explicit or otherwise vulgar, offensive or harassing material; the conduct of gambling or wagering of any sort; or any other matter that does not pertain to the mission of BOCES. The foregoing list is not intended to be exhaustive.

Policy# 5430 – Employee Activities

L. Political Activities by Employees

The Board recognizes the right of its employees, as citizens, to engage in political activities and to exercise their constitutionally-protected rights to address matters of public concern.

However, a BOCES employee's constitutional rights to raise matters of public concern are limited when the speech or action occurs on school grounds and/or during school times. When such speech or action occurs on school grounds and/or during school time, the Board can impose reasonable restrictions on the time, place and manner of the speech or action, and can further regulate the content of such speech when it materially imperils the efficient operation of the school.

Teachers may not use their classrooms or school surroundings as a means to promote their personal political views and beliefs. However, teachers are encouraged to address issues of current events for their instructional and informational value to students, to invite public and/or political figures to visit the classroom as a community resource, and to motivate students to participate in the political process.

Policy# 5430 – Employee Activities

M. Violation of Copyright Law Prohibited

Except as may be permitted under United States law, BOCES strictly prohibits the use of its facilities, equipment, or the employee work time of personnel whom the school system employs for copying or reproduction of documents, including published books and pamphlets, computer software, compact discs, tapes, and other materials or items that have been duly copyrighted in accordance with United States law and International law. Any person who willfully disregards the copyright policy shall be in violation of Federal Copyright Laws and BOCES policy and shall assume all liability.

Policy# 7350 – Use of Copyrighted Materials
N. Attendance at In-Service and Professional Development Programs and Activities

Unless expressly excused or directed by her/his supervisor, or unless absent from work for a recognized and accepted reason, every BOCES employee is to attend and participate in scheduled in-service training and professional development programming that is held for staff during regular work hours. Adult Education programs may offer additional times, such as evenings and weekends, to accommodate all staff members.

The terms and conditions of employment, including provisions relating to attendance at in-service and professional development programs/activities for members of a collective bargaining unit are governed by and subject to the terms of the applicable collective bargaining agreement. Should union members have any questions regarding the applicability of the provision referenced herein, please consult the Assistant Superintendent of Instruction, or your collective bargaining representative.

Policy# 5160 – Professional Growth/Staff Development

O. Certification

It is mandatory for all Administrators, Teachers, and Teaching Assistants to maintain proper certification. IT IS YOUR RESPONSIBILITY TO PROVIDE PROOF OF VALID CERTIFICATION to the Human Resources Department prior to expiration, which covers the subject area in which you are or will be employed. Failure to obtain and maintain proper certification may result in disciplinary action, up to and including termination. For assistance, a regional certification office is located at the Human Resource Office. This office acts as a liaison between an individual seeking certification and the NYS Education Department, Office of Teaching. All concerns regarding certification should be addressed to the Human Resources Office at (845) 291-0140. For additional information concerning certification, please consult the NYSED Office of Teaching website at www.highered.nysed.gov/cert/.

Policy# 5213 Professional Certification/Professional Development Requirement

P. Cash in School Buildings and Petty Cash Funds

Division Directors and Building Principals will follow established procedures, in cooperation with the Business Office to safeguard all cash received in their programs. Funds should not be kept in classrooms. Funds must be maintained in a secure location or in the Business Office.

Policy# 4530 – Petty Cash
PART XI
SAFETY ISSUES

A. Workplace Safety
The safety of students, staff and the public is the foremost concern of BOCES. Employees should take all steps necessary to acquaint themselves with the appropriate safety rules and procedures where they work, and follow those procedures as required. In the absence of stated safety procedures, each employee should exercise reasonable care and concern for her/his safety and the safety of others in the conduct of her/his employment by BOCES.

Every employee should promptly report any physical, social or other situation to her/his supervisor when the employee believes that the situation may pose a risk to the safety of staff members, students, or the public.

Policy# 4680 – Safety and Security

B. Employee Identification
In order to improve assurances of the safety of students, staff and the public, BOCES employees are required to wear, in a visible location, an identification badge. Identification badges are available through the Operations and Maintenance Division. The badge is to be worn at all times when an employee is in school or working in a school-sponsored function or activity, whether on or off school property.

Employee identification badges are the property of BOCES. It is strictly prohibited for any person issued an ID badge by BOCES to loan that identification to any other person for any reason. It is also strictly prohibited for any employee of BOCES to reproduce an ID badge by any means or for any purpose unless such reproduction is expressly authorized in advance by the District Superintendent or her/his designee. Identification badges must be reported lost or stolen immediately to your supervisor or the Operations and Maintenance Division. Upon termination of employment, identification badges must be turned in to your immediate supervisor or the Human Resources Office no later than the last day of employment.

Policy# 4681 – School Safety Plans
Policy# 4683- Fire Drills, Bomb Threats and Bus Emergency Drills

C. School and Workplace Emergency Procedures
Emergency response plans exist for each BOCES facility, including schools and offices. These are intended to facilitate BOCES’ dealing effectively and immediately when there is a natural or other emergency including a school having an intruder, a bomb threat, or comparable man-made risk, whenever the situation poses a serious threat to the safety of students, staff, school visitors, or school property.

Each employee is expected to familiarize herself/himself with the emergency procedures in place where she/he works so that the employee’s personal safety, as well as the safety of students and co-workers, can be better ensured. Information on the specific emergency procedures in place for your school or workplace is available from the school principal or worksite supervisor.
D. Reporting Suspicious Persons, Activities, or Objects
Any BOCES employee who observes a suspicious person or group of persons on or near school premises or a school-sponsored activity should immediately notify the employee’s supervisor, and should provide as much specific information about what was observed as possible. (A “suspicious person” is someone who either is known or is not known to the school employee, and whose mere physical presence at or near school premises or school-sponsored activity, whose conduct or demeanor, or whose reputation or record gives rise to the employee’s suspicion that the person observed may do harm to students, staff, the public, or school property.)

A BOCES employee who finds a suspicious object in or near a school or school-sponsored activity should not disturb the object and immediately notify her/his supervisor and should provide as much specific information about what was observed as possible. A “suspicious object” is any box, carton, bag, other container, implement, or any other object that is out of place in the school or at the school-sponsored activity, and that might be associated with injury to students, or the public, or with damage to school property.

E. Use of Universal Precautions
Universal Precautions should be used by any BOCES employee who comes in contact with another person’s bodily fluids, including blood, mucous, or feces. “Universal Precautions” are the employment of procedures, including the use of latex or comparable gloves and disinfectants, meant to limit or eliminate the exposure of contagion from pathogens borne in the human body.

Specific information about the availability or location of equipment and supplies needed to follow Universal Precautions can be obtained from the building principal, the employee’s supervisor, or the school nurse. Specific questions about the procedures to follow when using Universal Precautions can be answered by the Health and Safety Coordinator or the school nurse.

Policy# 4692 – Human Immunodeficiency Virus (HIV) Related Illnesses/Acquired Immune Deficiency Syndrome (AIDS)

F. Bloodborne Pathogens and Hepatitis B Vaccinations
BOCES employees whose position exposes them routinely to human blood or bodily fluids may be at risk of exposure to blood borne pathogens, including Hepatitis B Virus. Under OSHA regulations, all employees are offered Hepatitis B vaccine at no charge to the employee through the following medical provider:

Crystal Run Healthcare, Occupational Health Division, 155 Crystal Run Road, Middletown, NY – (845)703-6165

You, the employee should call Occupational Health at Crystal Run at 845-703-6165 and make an appointment at your convenience and bring your BOCES ID and the proper form.

In the event that an exposure incident occurs, in addition to adhering to the Universal Precautions described above, including immediately washing the affected area with warm water and soap, an incident report should be completed and the procedures described above, should be followed in order to secure immediate medical attention.
Questions concerning an employee’s rights when a possible exposure to blood borne pathogens occurs should be directed to the Health and Safety Coordinator (845) 781-4363, ext. 10761.

Policy# 4690 – Exposure Control Program

G. Hazard Communication Standard

From time to time some BOCES employees may come into contact with hazardous materials. In order to ensure chemical safety in the workplace, information about the characteristics and hazards of the chemicals must be available to BOCES’ employees.

OSHA's Hazard Communication Standard (HCS) requires chemical manufacturers to evaluate the hazards of the chemicals they produce or import and prepare labels and Safety Data Sheets (SDS) to convey the hazard information. All employers with chemicals in their workplaces must have labels, Safety Data Sheets, and train their employees to handle the chemicals appropriately.

Employers must maintain and make readily available an SDS binder of all of the chemicals in use. This new SDS binder will eventually replace the traditional Material Safety Data Sheets (MSDS) book. These sheets have pertinent information for each chemical including handling procedures, personal protective equipment needed, disposal regulations, etc.

Workplace safety, specifically the safety of staff, students and the community is of paramount concern to the BOCES Board, District Superintendent and all BOCES personnel. If an employee becomes aware of a violation of any workplace safety issue regarding hazardous materials, or if an employee believes that any of her/his rights have been violated under the Right-To-Know law, then she/he must immediately contact their immediate supervisor and the Health and Safety Coordinator (845) 781-4363, ext. 10761.

Policy# 4631 - Hazardous Waste and Handling of Toxic Substances by Employees

H. Automated External Defibrillation (AED’s)

BOCES recognizes the importance of Automated External Defibrillators (AED’s) in the event of a sudden cardiac arrest. BOCES shall provide and maintain on-site in each instructional school facility a functional AED as defined in the Public Health Law Section 3000-b for use during a cardiac emergency.

Policy# 4682 – Cardiac Automated External Defibrillators (AED’s) in Public School Facilities
A. Mandated Reporting of Suspected Child Abuse or Neglect
Under New York State Law, certain individuals, including those employed in a public school that care for or work with a child, are deemed “mandated reporters.” Mandated reporters are required under penalty of law to report orally and in writing to child protective services any instance of which a school employee, in her/his professional judgment, believes to be an instance of child abuse or maltreatment, including sexual abuse or neglect. The Social Services Law provides legal penalties for failure to report cases of suspected child abuse, including liability for damages proximately caused by such failure.

A school employee who believes that a child is abused or neglected can satisfy her/his legal obligation to make a report to Child Protective Services by calling the Statewide Central Register of Child Abuse and Maltreatment at (800) 342-3720. The reporting individual must also follow up in writing by completing form DSS-2221-A “Report of Suspected Child Abuse or Maltreatment” and sending it to the Orange County Department of Social Services Child Protective Agency within 48 hours after such oral report. This form may be accessed at website https://ocfs.ny.gov/main/cps/Default.asp.

Article 23-B of the Education Law was enacted, effective July 1, 2001, requiring certain school employees to report allegations of child abuse in an educational setting. The law establishes a reporting process that must be followed. This information is provided to assist schools and their employees in understanding the various roles and responsibilities required under the law. Please review the applicable provisions of the law and BOCES Policy #6530, Child Abuse and Maltreatment in an Educational Setting.

1. Duties of Employees
The law imposes reporting requirements on teachers, administrators, school nurses, school guidance counselors, school psychologists, school social workers, school board members and all other school personnel required to hold a teaching or administrative license or certificate. When these employees receive an allegation of child abuse by an employee or volunteer in an educational setting, they must take the following steps:

   a. Upon receipt of an oral or written allegation of child abuse in an educational setting, the employee must promptly complete the “Child Abuse in an Educational Setting” report form.

   b. Upon completion of the report form, the employee must personally deliver it to the school building administrator of the school in which the child abuse allegedly occurred.

   c. If the allegation involves a child who was allegedly abused by an employee or a volunteer of a school in another school district, the employee must promptly forward the report form to the superintendent of schools of the school district of attendance and the school district where the abuse allegedly occurred.

Mandated reporters are required to report or cause a report to be made when they are presented with reasonable cause to suspect child abuse or maltreatment. The term
“reasonable cause” means that, based on your observations, professional training and experience, you feel the parent/guardian or person legally responsible for a child has harmed that child or placed that child in imminent danger of harm. An abused child is one whose parent or other person legally responsible for his or her care inflicts physical injury upon the child or commits a sex offense against the child. A person can also be suspected of child abuse if he or she knowingly allows someone else to inflict harm. Maltreatment means that the parent or legal guardian’s failure to exercise a minimum degree of care has jeopardized a child’s physical, mental or emotional condition. This means a failure to provide sufficient food, clothing, shelter or proper supervision and/or a failure to provide education or medical care. Maltreatment also includes excessive corporal punishment or the misuse of alcohol or drugs that places the child in danger. Common indicators of maltreatment include obvious malnourishment, stealing or begging for food, lack of personal care and frequent absence from school.

As soon as you suspect abuse or maltreatment, you must report, or cause a report to be made to the Central Register via the telephone Hot Line. The Hot Line is open 24 hours a day, seven days a week to receive your call. The timeliness of your call is vital to the timeliness of the intervention by local Child Protective Services. The telephone numbers are: Mandated Reporter (800) 635-1522; Public Hotline (800) 342-3720.

Before making a call to the Hotline, you should use the mandated reporter form to help you organize the information you have. The completed form must be sent to the Central Register within 24 hours of making the call. When a report is received, a determination will be made as to whether or not an investigation is warranted. If an investigation is warranted, the Department of Social Services is immediately notified for investigation and follow-up.

Failure to report suspected child abuse or maltreatment by Mandated Reporters may constitute a Class A misdemeanor.

The requirements set forth within the law are mandatory. Willful failure of an employee to prepare and submit a report form as required by the law is a Class A misdemeanor. The law also provides that a willful failure of a school building administrator or superintendent to forward a copy of the report form to the appropriate law enforcement authority is a Class A misdemeanor. In addition, the Commissioner of Education can also fine a school building administrator or a Superintendent up to $5,000 for failure to forward a copy of the completed report form to the appropriate law enforcement authorities.

In all cases where a completed report is forwarded to the appropriate law enforcement authorities and the employee or volunteer alleged to have committed an act of child abuse holds a certification or license issued by the Department, the Superintendent must also refer such report to the Commissioner of Education.

The law provides immunity from civil liability for employees, volunteers, school building administrators and superintendents who reasonably and in good faith make a report of child abuse in an educational setting in the manner described in the law. The law also provides immunity from civil liability to school building administrators and superintendents who...
reasonably and in good faith forward a copy of the report form to a person or agency as required by law and in the manner described in the law.

4. Confidentiality of Records
In general, the only persons authorized to receive the written report form and any related materials are the school building administrator and the superintendent. The law requires that all reports, records, photographs and other material submitted remain confidential and may not be disclosed except to law enforcement authorities involved in the criminal investigation of child abuse in an educational setting or as expressly authorized by law or pursuant to a court–ordered subpoena. Willful disclosure of a written record required to be confidential, to a person not authorized to receive or review such record is a Class A misdemeanor. The law requires that school building administrators and Superintendents exercise reasonable care to prevent unauthorized disclosure.

5. Unreported Resignations or Voluntary Suspensions
The law prohibits school building administrators or Superintendents from agreeing to withhold from the appropriate law enforcement authorities, a Superintendent or the Commissioner of Education, where appropriate, an allegation of child abuse in an educational setting on the part of any employee or volunteer as required by law, in return for the resignation or voluntary suspension of the alleged perpetrator. Violation of this prohibition can result in a Class E felony charge and a civil penalty of up to $20,000.

Policy# 6530 – Child Abuse and Maltreatment

B. Corporal Punishment Prohibited
Corporal punishment in a public school is prohibited. This applies to all BOCES employees. Corporal punishment is the use of physical force to punish a student. The use of corporal punishment is a serious matter. An employee who violates the prohibition of the use of corporal punishment may be subject to disciplinary action, up to and including termination. Depending on the circumstances, a report of the use of physical force may also be filed by school personnel with the New York State Department of Social Services under the mandated reporter requirements imposed on school and other personnel. In addition, where a criminal violation is deemed likely to have occurred, the matter will be referred to appropriate law enforcement authorities.

Although the use of corporal punishment is prohibited by law, it is legally permitted to use such reasonable force necessary to protect pupils, other persons, and the staff member herself/himself from an assault by a pupil.

Policy# 6350 – Corporal Punishment/Emergency Interventions

C. Physical Restraint of Students
Restraint of students by application of physical force should be a last resort for any staff member. Physical restraint shall be used only when needed to protect a student or students, or a member or members of the school community, or both, or personal property of BOCES from immediate and serious physical harm. When it is determined that physical restraint of a student
is required, all reasonable steps will be taken to prevent or minimize any harm to the student whom it is determined should be restrained.

Except where it is necessary to use reasonable force to protect pupils, or other persons, and the staff members herself/himself from an assault by a pupil, and no person who has received physical restraint training is available, the physical restraint of a student will be the responsibility of, and shall be limited to, persons who have received such training.

The use of chemical restraint (administration of medication), mechanical restraint (use of physical device to restrict the movement of a student), or seclusion restraint (physical confinement alone in a room or a limited space without access to school staff) is strictly prohibited.

Information about persons in your school who are trained to administer physical restraint to students is available from the building principal. BOCES offers training to staff members in the appropriate use of physical restraint, as well as in non-physical means for managing student behavior problems.

**Reporting Physical Restraints of Students**

The school nurse should immediately examine every student who has been physically restrained.

A Behavioral Incident Report and a Student Incident Report must be filed immediately by any staff member who physically restrains a student.

Policy# 6312 – Student Behavior
Policy# 6350 – Corporal Punishment/Emergency Interventions

**D. Assault of Staff Members by a Student**

Any member who is assaulted, as defined by the Violent and Disruptive Incident Reporting System (VADIR), by a student should report the assault to the office of the Director before student dismissal on the day of the assault, if capable of making such a report. Staff shall be required to file a written report of all cases suffered in connection with their employment within three (3) days of the incident to the Director. The Director will send a written acknowledgement of the report to the employee within three (3) days of receipt of such report. For purposes of this section, assault shall be defined in accordance with Penal Law 120.10 – Student needs to have intent and capacity.

Policy# 2430 - Uniform and Violent and Disruptive Incident Reporting System (VADIR)

**E. Transporting Students in Private Vehicles**

Except with the express prior consent of the District Superintendent or her/his designee, no BOCES employee, acting in her/his capacity as an employee, may transport a student in the employee’s own vehicle to or from a school sponsored activity. This prohibition does not apply to a BOCES employee who is a parent transporting her/his own child.
A. Unauthorized Use of School District Property Prohibited
All property that is owned by, leased by, or otherwise in the possession of BOCES is public property and is not to be used for private purposes. No employee may use any building, grounds, vehicle, item, article, piece of equipment, or other property of BOCES except for the purposes for which the property was acquired. Use of BOCES property by an employee for any other purpose without authorization of the District Superintendent or her/his designee is strictly prohibited. Any such unauthorized use of school property of any sort may subject the employee who does so to disciplinary action, up to and including termination. In the event that circumstances warrant, a report of the employee’s conduct may be made to law enforcement authorities for appropriate response.

1. Use of BOCES Telephones
Telephones are provided throughout the school in order to promote the efficient and economical conduct of the business of BOCES. This equipment is not meant for employee’s private use or for the conduct of commercial, personal, or other business unrelated to the public business of BOCES.

It is understood that on occasion an employee will find it necessary to make or receive a telephone call of a personal nature while at work. Nevertheless, except in such incidental and infrequent circumstances, it is prohibited to use telephone equipment located in school buildings or facilities for any purpose not related to the business of BOCES, without the express prior permission of the District Superintendent or her/his designee.

Personal use of cell phones and other electronic devices during working hours is prohibited except during breaks or on an infrequent or emergent basis. All devices should be kept in a location that is not conspicuous and disruptive to others and set to vibrate or silent.

2. Use of Photocopiers or Facsimile (FAX) Machines
Photocopying equipment and facsimile transmission (fax) machines are provided throughout the school system to promote the efficient and economical conduct of the business of BOCES. This equipment is not meant for employees to use for personal copying or faxing, nor are they meant for use in producing or duplicating or distributing commercial materials or notices, or for any other purpose except the business of BOCES.

It is prohibited for any BOCES employee to use photocopying equipment or fax machines for any purpose that is not related to the business of BOCES without the express prior permission of the District Superintendent or her/his designee.

Policy# 2282 – Use of BOCES Property
3. Use of BOCES Official Stationery
   Official stationary of BOCES is intended for the use of school employees in the conduct of official school business. Official school stationery may not be used by any employee for personal, commercial, or any other purpose that is not directly related to the mission of BOCES.

4. Building Keys, Room Keys, Identification Badges and other BOCES Property
   a. School Keys are Property of BOCES: Building and room keys, as well as identification badges, to school system property and facilities are provided to school personnel solely for the benefit of the educational and other legitimate activities of BOCES. Such keys and badges are the property of BOCES. They are not property of the individual to whom they are provided.

   b. Unauthorized Possession or Copying of Keys and Identification Badges Prohibited: No person to whom such keys or ID badges are duly issued are to loan them to any other person without express prior approval of the District Superintendent or her/his designee. No person to whom such keys or ID badges are duly issued may copy or facilitate the copying of keys to any BOCES building or facility or room or rooms within such a building or facility, for any reason without express prior approval of the District Superintendent or her/his designee.

   c. Surrender of Keys, Identification Badges and Other BOCES Property:
      1. All BOCES property including but not limited to keys, identification badges, cellular phones, computers and other BOCES property provided to school system facilities and property that are provided to BOCES employees shall be surrendered on or before the last day of employment or immediately upon the request or demand of the District Superintendent, the Superintendent's designee, an employee's immediate supervisor or face disciplinary or legal action.

      2. Unauthorized keys or ID badges. Any employee who is in possession of one or more keys or ID badge to a BOCES building, or rooms within a school building, which have been copied without authorization, or the possession of which by that employee is unauthorized, shall immediately turn all such keys or ID badges over to her/his supervisor or face disciplinary or legal action.

Policy# 2282 – Use of BOCES Property
Policy# 5450 – Theft of Services or Property
Employee Handbook

I acknowledge an electronic version of the BOCES Employee Handbook has been provided to me.

Please sign below and return this page to your Principal’s and/or Director’s Office immediately:

Printed Name: ___________________________  Date: __________________

Signature: _____________________________________________________

Division: _______________________________________________________