

() Required
(X) Local
() Notice

MISSION STATEMENT AND VISION

The Board of Trustees recognizes that to govern effectively, it must clearly define why the district exists and what it aspires to be. The Board therefore adopts the following mission statement to convey the district's purpose, and vision to set forth what the district should strive to become in the future.

Mission Statement

The Sagaponack School and its community are committed to the belief that all children have the right and should be provided the opportunity to achieve excellence in educational pursuits. The District is to educate students in the values, critical skills and essential knowledge necessary to be informed and responsible citizens, prepared to take the next steps in their education, careers and lives in our diverse society.

Vision

The Board envisions the district as a safe and secure place in which our students will learn. Staff, parents, and the community will work collaboratively to nurture a positive and productive learning climate for all students. Students will be encouraged and taught to solve problems and make decisions that benefit themselves and others. Student achievement will be assessed continually to monitor progress. Teachers and students will be held accountable to high standards, not only academically, but in conduct as well. Students will be encouraged to be responsible, respectful, self-disciplined members of the community.

The Board recognizes that while the vision is intended to be a long-range statement of the ideal future for the district, it still requires continual evaluation. Accordingly, the Board will review the vision statement annually in developing the district's annual goals.

Cross-ref: 0300, Accountability

Adoption date: 2/12/13

(X) Required

() Local

() Notice

NON-DISCRIMINATION AND EQUAL OPPORTUNITY

The Board of Trustees, its officers and employees, shall not discriminate in its programs and activities on the basis of legally protected classes, such as, but not limited to: race, color, national origin, creed, religion, marital status, sex (including pregnancy, childbirth, or related medical condition), age, sexual orientation, disability (physical or mental), predisposing genetic characteristic, military work or status, domestic violence victim status, or use of a guide dog, hearing dog, or service dog, as applicable. The district will provide notice of this policy in accordance with federal and state law and regulation.

This policy of nondiscrimination includes access by students to educational programs, counseling services for students, course offerings, and student activities, as well as recruitment and appointment of employees and employment pay, benefits, advancement and/or terminations.

Additionally, to promote the district website's accessibility to staff, students, and members of the community with disabilities, the district will maintain a website that is accessible (or contains accessible alternatives) on perceivability, operability and understandability principles. The district's Superintendent is responsible for considering the following when developing or updating the district website when and where applicable:

- Adding the text equivalent to every image;
- Posting documents in a text-based format such as HTML or RTF in addition to PDFs;
- Avoiding dictating colors and font settings;
- Including audio descriptions and captions to videos;
- Identifying other barriers to access; and
- Making other considerations when developing the district's website.

The Board of Trustees, its officers and employees shall not discriminate against students on the basis of actual or perceived race, color, weight, national origin, ethnic group, religion, religious practice, disability, sex; sexual orientation, or gender (including gender identity and expression).

A finding that an individual has engaged in conduct in violation of this policy may result in disciplinary action and/or filing of a report with third parties in the manner prescribed by the district code of conduct, the law or applicable contract.

SAGAPONACK

Nothing in this policy shall be construed to prohibit a denial of admission into, or exclusion from, a course of instruction or activity based on a person's gender that would be permissible under the law, or to prohibit, as discrimination based on disability, actions that would be permissible under the law.

Annual Notification

At the beginning of each school year, the district shall publish a notice of the established grievance procedures for resolving complaints of discrimination to parents/guardians, employees, students and the community. The public notice shall:

1. inform parents, employees, students and the community that education programs, including but not limited to vocational programs, are offered without regard to actual or perceived race, color, weight, national origin, ethnic group, religion, religious practice, disability, sex; sexual orientation, or gender (including gender identity and expression);
2. provide the name, address and telephone number of the person designated to coordinate activities concerning discrimination; and
3. be included in announcements, bulletins, catalogues, and applications made available by the district.

The Superintendent has been designated to handle inquiries regarding the district's non-discrimination policies. Contact information for the Superintendent is available on the district's website. Complaints of sexual harassment or discrimination are covered by policy 0110.

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

The Board authorizes the Superintendent of Schools to establish such rules, regulations and procedures necessary to implement and maintain this policy.

Cross-ref: 0110, Sexual Harassment
5030, Student Complaints and Grievances
5300, Code of Conduct
9140.1, Staff Complaints and Grievances

Ref: Age Discrimination in Employment Act of 1967 29 U.S.C. §§621 *et seq.*
Americans with Disabilities Act, 42 U.S.C. §§12101 *et seq.*
Title VI, Civil Rights Act of 1964, 42 U.S.C. §§2000d *et seq.* (nondiscrimination based on race, color, and national origin in federally assisted programs)

SAGAPONACK

Title VII, Civil Rights Act of 1964, 42 U.S.C. §§2000e *et seq.* (nondiscrimination based on race, color, and national origin in employment)

Title IX, Education Amendments of 1972, 20 U.S.C. §§1681 *et seq.* (nondiscrimination based on sex)

§504, Rehabilitation Act of 1973, 29 U.S.C. §794

Individuals with Disabilities Education Law, 20 U.S.C. §§1400 *et seq.*

Genetic Information Nondiscrimination Act of 2008 P.L. 110-233

34 C.F.R. §§ 100.6; 104.8; 106.9; 110.25

Executive Law §§290 *et seq.* (New York State Human Rights Law)

Education Law §§10-18 (The Dignity for All Students Act)

Education Law §§313(3); 3201; 3201-a

ADA Best Practices Tool Kit for State and Local Governments, Website Accessibility Under Title II of the ADA (see Chapter 5 and Chapter 5 Addendum checklist), www.ada.gov/pcatoolkit/toolkitmain.htm

Adoption date: 3/21/17

(X) Required

() Local

(X) Notice

Non-Discrimination and Anti-Harassment

The Sagaponack Common School District (the District) is an equal opportunity employer. In accordance with applicable law, we prohibit discrimination by or against any individuals involved in our operations, including employees regardless of their position, applicants, interns and student teachers, vendors, contractors, sub-contractors, consultants and any other third party involved in our operations based on any legally-recognized basis, including, but not limited to: race, color, religion, creed, sex (including pregnancy, lactation, childbirth or related medical conditions), sexual orientation, marital, familial or partnership status, gender expression or identity, age, national origin or ancestry, citizenship, physical or mental disability, genetic information (including testing and characteristics), veteran status, status as a victim of domestic violence, uniformed service member status, certain arrest or conviction records or any other status protected by federal, state or local law.

The District is also committed to providing a work environment that is free of unlawful discrimination and harassment, including sexual harassment, and strictly prohibits discrimination and harassment by or against any individuals involved in our operations, including employees regardless of their position, applicants, interns and student teachers, vendors, contractors, sub-contractors, consultants and any other third party involved in our operations.

If such discrimination or harassment is committed in the workplace by someone not employed by the District, the reporting and complaint procedure in this policy should still be followed. The workplace includes: actual worksites, any setting in which work-related business is being conducted (whether during or after normal business hours), online and electronic interactions among District employees and third parties involved in our operations, District-sponsored events, and District owned/controlled property.

Sexual Harassment

Sexual harassment is unwelcome verbal or physical behavior based upon a person's gender/sex and includes unwanted verbal or physical sexual advances, requests for sexual favors or visual, verbal or physical conduct of a sexual nature when:

- Submission to such conduct is made a term or condition of employment; or

- Submission to, or rejection of, such conduct is used as a basis for employment decisions affecting the individual; or
- Such conduct has the purpose or effect of unreasonably interfering with an individual's work performance or creating an intimidating, hostile or offensive working environment, even if the individual raising the concern is not the intended target of such conduct.

The following is a non-exhaustive list of the types of conduct prohibited by this policy:

- Unwanted sexual advances or propositions (including repeated and unwelcome requests for dates);
- Offers of employment benefits in exchange for sexual favors;
- Making or threatening reprisals after a negative response to sexual advances;
- Visual conduct: leering, making sexual gestures, displaying of pornographic or sexually suggestive images, objects, pictures, cartoons, graffiti, posters or websites on computers, emails, cell phones, bulletin boards, etc.;
- Verbal conduct: making or using sexist remarks or derogatory comments based on gender, innuendos, epithets, slurs, sexually explicit jokes, or lewd or sexual comments about an individual's appearance, body or dress, whistling or making suggestive or insulting sounds;
- Verbal and/or written abuse of a sexual nature, graphic verbal and/or written sexually degrading commentary about an individual's body or dress, sexually suggestive or obscene letters, notes, invitations, emails, text messages, or social media postings;
- Physical conduct: unwelcome or inappropriate touching of employees or customers, physical violence, intimidation, assault or impeding or blocking normal movements;
- Hostile actions taken against an individual because of that individual's sex, sexual orientation, gender identity or transgender status, such as:
 - Interfering with, destroying or damaging a person's workstation, tools or equipment, or otherwise interfering with the individual's ability to perform the job;
 - Sabotaging an individual's work; and
 - Bullying, yelling, name-calling.

- Retaliation for making reports or threatening to report sexual harassment.

Behavior may constitute sexual harassment regardless of the gender of the person committing it or the person who is exposed to it. Sexual harassment includes harassment on the basis of an individual's sexual orientation, gender identity, perceived gender, or transgender status.

Individuals who observe conduct that may violate this policy are encouraged, but not required, to communicate to the offending person that the conduct is offensive and unwelcome. Individuals who observe any behavior directed at others that may violate this policy are encouraged to take reasonable action to defuse such behavior if possible, such as intervening directly, alerting the Superintendent/Principal or making a report under this policy (In the event that the Superintendent/Principal is not in attendance and/or is the offending person, the President of the Sagaponack School Board of Trustees (BOT) may be contacted.)

Other Types of Harassment

Harassment on the basis of any legally protected status is prohibited. Prohibited harassment may include behavior similar to the illustrations above pertaining to sexual harassment. It also includes, but is not limited to:

Verbal conduct including taunting, jokes, threats, epithets, derogatory comments or slurs based on an individual's protected status;

Visual and/or written conduct including derogatory posters, photographs, calendars, cartoons, drawings, websites, emails, text messages or gestures based on an individual's protected status; and

Physical conduct including assault, unwanted touching or blocking normal movement because of an individual's protected status.

Protection Against Retaliation

Retaliation is prohibited against any person covered by this policy who, in good faith: makes a complaint of discrimination, harassment, including sexual harassment, and retaliation either internally or with a government agency, using the complaint procedures described below; objects to, opposes or speaks out against discrimination, harassment, or retaliation; participates in an investigation of discrimination, harassment or retaliation; encourages another person to report discrimination, harassment or retaliation; or files, testifies, assists or participates in any manner in any investigation, proceeding or hearing conducted by the District or a governmental enforcement agency regarding discrimination, harassment or retaliation.

Prohibited retaliation includes, but is not limited to: termination, demotion, suspension, failure to hire or consider for hire, failure to give equal consideration in making employment decisions, failure to make employment recommendations impartially, adversely affecting working conditions or otherwise denying any employment benefit because someone has raised a complaint or participated in an investigation of discrimination or harassment. Retaliation is unlawful and a form of misconduct that will result in disciplinary action, up to and including termination of employment.

Individuals who believe that they or any other individual has been subjected to retaliation should report this concern using the complaint procedure set forth below.

Internal Complaint Procedure

Individuals who believe that they or any other individual has been subjected to discrimination, harassment, including sexual harassment or retaliation should, as soon as possible, report it to the Superintendent/Principal. In the event the Superintendent/Principal is not in attendance and/or is alleged to have committed this behavior, the individual should report it to the President of the Sagaponack School BOT. Reports can be made verbally or in writing. To submit a complaint in writing, individuals may use the sample complaint form (Employee Complaint Form 0110-Exhibit, but are not required to do so.

After a report is received, or the District otherwise becomes aware of a possible violation of this policy, a fair, timely, thorough and objective investigation will be undertaken if needed and will reach reasonable conclusions based on the information collected. The District will maintain confidentiality surrounding the investigation to the extent possible, consistent with a thorough and objective investigation, and to the extent permitted or required under applicable law. Both the individual(s) raising the complaint and the individual(s) about whom the complaint was made will be permitted to provide information that may be relevant to the investigation. The District also will gather information and speak with witnesses, as applicable. Once the investigation is completed and a determination is made, the complaining party will be advised that the investigation has been completed and may be informed of the resolution. The individual(s) about whom the complaint was made also will be informed of the outcome and if the District determines that this policy has been violated, will be subject to disciplinary action. The District expects all employees to fully cooperate with any investigation conducted by the District into a complaint of discrimination, harassment or retaliation.

Supervisory Responsibilities

When the Superintendent/Principal receives a complaint or information about suspected discrimination, harassment, retaliation, or observes behavior that may violate this policy or for any other reason suspect that discrimination, harassment

or retaliation is occurring, he/she is required to report such information to the President of the Sagaponack School BOT. The President of the Sagaponack School BOT may receive the complaint or information if the Superintendent/Principal is alleged to have committed this behavior.

In addition to being subject to discipline for engaging in discrimination, harassment or retaliation themselves, the Superintendent/Principal will be subject to discipline (up to and including termination) for failing to report suspected discrimination, harassment or retaliation or otherwise knowingly allowing such conduct to continue.

Discipline

If the District determines that this policy has been violated, including in the event that the Superintendent/Principal knowingly allows the policy to be violated without reporting it to the President of the Sagaponack School BOT, prompt remedial action will be taken, commensurate with the severity of the offense, up to and including termination of employment. Appropriate action will also be taken to deter any such conduct in the future.

Good Faith Reporting

The initiation of a good faith complaint of discrimination, harassment or retaliation will not be grounds for disciplinary or other retaliatory action, even if the allegations cannot be substantiated or the employee was mistaken about aspects of the complaint. Any individual who makes a complaint that is demonstrated to be intentionally false may be subject to discipline, up to and including termination.

External Resources

Discrimination, harassment and retaliation are unlawful under the federal Civil Rights Act of 1964, the New York State Human Rights Law, the New York City Human Rights Law and other federal, state and local laws. Individuals who believe they have experienced discrimination or harassment may file a complaint with an administrative agency or in a court of law.

The Equal Employment Opportunity Commission has district, area and regional offices and may be contacted by visiting www.eeoc.gov, emailing info@eeoc.gov or by telephone at 800-669-4000 (TTY 800-669-6820). The New York State Division of Human Rights may be contacted by visiting www.dhr.ny.gov, by telephone at 718-741-8400, or by mail to One Fordham Plaza, Fourth Floor, Bronx, New York 10458. The New York City Commission on Human Rights may be contacted by visiting NYC.gov/HumanRights or by telephone at 718-722-7131. Employees who are subjected to unlawful discrimination, harassment or retaliation may be entitled to certain legal remedies, including monetary damages, civil penalties, and injunctive relief (such as an order that certain action

be taken or that certain behavior stop). Additional information, including the physical location of agency offices and the rules, requirements and time limits for filing complaints, can also be found at the respective agency websites. Information regarding federal, state and city courts is available online.

Notes:

The Superintendent of Schools also serves as the Principal of the Sagaponack Common School District. For the purpose of this policy, the Superintendent/Principal will also serve as the Civil Rights Compliance Officer (CRCO).

References:

- Title VII of the Civil Rights Act of 1964, 42 USC Section 2000e, et seq.
- Title IX of the Education Amendments of 1972, 20 USC Section 1681, et seq.
- 29 CFR Section 1604.11(a)
- 34 CFR Subtitle B, Chapter I
- Civil Service Law Section 75-B
- Executive Law Article 15
- Labor Law Section 201-g
- Board Policy 9140.1 – Staff Complaints and Grievances
- Board Policy 5300 - Code of Conduct which includes DASA (Students)

Adopted: 12/20/18

SAGAPONACK COMMON SCHOOL DISTRICT
COMPLAINT FORM FOR NON-DISCRIMINATION AND ANTI-HARASSMENT
IN THE WORKPLACE (Policy 0110)

CONFIDENTIAL

If you wish to file a complaint, please provide the requested information so that the District may investigate and resolve your complaint. You are not limited to the space provided and may attach additional pages. Once you have completed this form, please submit it to the Civil Rights Compliance Officer (CRCO). In Sagaponack, the Superintendent/Principal services as the CRCO. In the event the alleged harasser is the Superintendent/Principal, you may submit the form to the President of the Sagaponack School Board of Trustees (BOT). You will not be retaliated against for filing a complaint. Questions regarding the completion or submission of this form can be directed to the CRCO, a trusted staff member with whom you feel comfortable, or the President of the Sagaponack BOT.

If you are more comfortable reporting verbally or in another manner, the person to whom you report the complaint should complete this form, provide you with a copy and follow the Sagaponack Non-Discrimination and Anti-Harassment Policy 0110 by investigating the claims accordingly.

For additional resources, visit: [ny.gov/programs/combating-sexual-harassment-workplace](https://www.ny.gov/programs/combating-sexual-harassment-workplace)

COMPLAINT INFORMATION

Name: _____ Job Title: _____

Work Location: _____ Work Phone: _____

Email: _____

Preferred Communication Method: Email Phone In person

SUPERVISOR INFORMATION

Name of Immediate Supervisor: _____

Job Title: _____

Work Location: _____ Work Phone: _____

COMPLAINT INFORMATION

1) Your complaint is made about:

Name: _____ Job Title: _____

Work Location: _____ Work Phone: _____

Relationship to you: Supervisor Subordinate Co-Worker Other

2) Please describe your complaint(s), including the name of the person(s) about whom you are complaining. If your complaint involves specific comments, please include a description of the comments.

3) Date(s) the events, comments, or actions occurred: / /20 / /20

/ /20 / /20

Is the situation continuing? Yes No

4) Related Material- Please list, and if possible, provide copies of, any emails, text messages, letters, notes, memos, diary entries, calendars, reports, or other items that relate to your complaint(s):

Name	Contact Information
_____	_____
_____	_____
_____	_____

5) Persons with Information- please list any individuals who you believe may have information about your complaint(s).

Name	Contact Information
_____	_____
_____	_____
_____	_____

6) Prior Report(s)- Have you reported your concerns to anyone else in the District? If so, please provide the name(s) and position(s) of the person or persons to whom you reported the concerns, and the date(s) of the report(s).

Date	Reported to
<u> / /20 </u> / <u> / /20 </u>	_____
<u> / /20 </u> / <u> / /20 </u>	_____
<u> / /20 </u> / <u> / /20 </u>	_____

I understand that if I become aware of additional information that relates to my complaint, I must promptly provide such information to the District. I also am aware that the District prohibits retaliation against me for filing this complaint, and I agree that I will immediately report any incident I believe is retaliatory using the District's procedures for reporting retaliation.

_____	<u> / /20 </u>
Employee's Signature	Date completed by Employee
_____	<u> / /20 </u>
District's Civil Rights Compliance Officer (CRCO)	Date received from Employee

() Required
(X) Local
(x) Notice

ACCOUNTABILITY

The Board of Trustees acknowledges that it is directly accountable to the community it has been elected to serve, and is committed to engaging in a continuous assessment of all district conditions affecting education.

The Board recognizes that a comprehensive accountability system is necessary to improve the effectiveness of the district's schools by keeping the primary focus on student achievement and on what can and should be done to improve that achievement.

Consistent with its obligations and commitments, the Board will:

1. Develop both short term and long term goals.
2. Request regular reports on student progress and needs, based on a variety of assessments to evaluate the quality and equity of education in the district, including instruction, services, and facilities.
3. Evaluate the Superintendent's performance in accordance with policy 0320, Evaluation of the Superintendent.
4. Evaluate the Board's performance in accordance with policy 0310, Board Self-Evaluation.
5. Evaluate progress toward the achievement of district long- and short-term goals and ensure that board policies and resources effectively support the district vision.
6. Provide appropriate staff and board training opportunities.
7. Fulfill governance responsibilities as required by state and federal law.

The Board acknowledges that publicizing the district's progress and performance is important to maintaining the community's trust and support. The Board is committed to keeping the public aware of such progress and performance on a regular basis.

Cross-ref: 0000, Mission Statement and Vision
 0310, Board Self-Evaluation
 0320, Evaluation of the Superintendent
 1000, Community Relations Goals

Adoption date: 2/12/13

- Required
- Local**
- Notice

BOARD SELF-EVALUATION

The Board of Trustees is committed to the continuous improvement of the district and its own functioning. Periodically, the members of the Board shall conduct an evaluation to determine the degree to which they are meeting their responsibilities as Board members and the needs of their educational community.

This self-evaluation shall be positive, frank and honest, and shall focus on evaluating the Board as a whole, not as individuals. The self-evaluation shall be based on the goals the Board sets for itself, not on goals it sets for the entire district. The results of the evaluation shall be used to establish priorities for action and specific goals and objectives to strengthen the operation of the Board.

Adoption date: 2/12/13

() Required
(X) Local
() Notice

EVALUATION OF THE SUPERINTENDENT

The Board of Trustees recognizes that student achievement, district progress and community satisfaction with the schools are all in large part affected by the superintendent's performance. The Board also recognizes the superintendent cannot function effectively without periodic feedback on performance, and is committed to ensuring that the superintendent is evaluated annually as required by Commissioner's regulations.

The purposes of the evaluation shall be to:

1. Gauge the district's progress toward the goals the Board has charged the superintendent to accomplish.
2. Provide a basis for assessing the strengths and weaknesses of the Board and the superintendent and to aid in the professional development of both parties.
3. Strengthen the working relationship between the Board and the superintendent.
4. Provide a basis for commending, rewarding and reinforcing good work.

Cross-ref: 3120, Duties of the Superintendent

Ref: 8 NYCRR 100.2 (o)(2)(v) (Performance review of superintendent)

Adoption date: 2/12/13