

## LEAVES OF ABSENCE FOR COVID-19 QUALIFYING REASONS

### I. Statement of Policy

- A. It is the policy of the District to allow an employee to be absent from his/her duties for the reasons stated in the Families First Coronavirus Response Act (FFCRA). The FFCRA requires certain employers to provide their employees with paid sick leave (EPSL), and expanded family and medical leave (FMLA+), for certain, specified reasons related to COVID-19.
- B. This Policy and any administrative regulations or procedures approved by the Superintendent shall be implemented so as to comply with the FFCRA and any current or subsequent regulations as they may relate to COVID-19 related leave, and any applicable provisions of the District's collective bargaining agreements.
- C. These provisions are effective from April 1, 2020 through ~~December~~ March 31, 2020 unless modified by Federal legislation.

### II. Emergency Paid Sick Leave

- A. An employee is entitled to take up to eighty (80) hours of their regular rate of pay, or a part time employee's two-week equivalent, of Emergency Paid Sick Leave if the employee is unable to work, including unable to telework, because the employee:
  - 1. Is subject to a Federal, State, or local quarantine or isolation order related to COVID-19;
  - 2. Has been advised by a health care provider to self-quarantine related to COVID-19;
  - 3. Is experiencing COVID-19 symptoms and is seeking a medical diagnosis;
  - 4. Is caring for an individual subject to an order described in (1) or self-quarantine as described in (2);
  - 5. Is caring for his or her child whose school or place of care is closed (or child care provider is unavailable) due to COVID-19 related reasons; or
  - 6. Is experiencing any other substantially-similar condition specified by the U.S. Department of Health and Human Services.
- B. An Employee will be paid at the following rates, dependent upon the qualifying reason for taking EPSL:
  - 1. If the employee qualifies for EPSL related to §II(A)(1), (2), or (3) above, 100% of their regular rate of pay, up to a maximum of \$511.00 daily, and \$5,110.00 in total;

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2. If the employee qualifies for EPSL related to §II(A)(4), (5) or (6) above, two-thirds (2/3) of their regular rate of pay, up to \$200.00 daily, with a maximum to payout of 2,000 total;

C. To be eligible for EPSL, an employee must have been employed by the District for a minimum of one (1) day.

III. Expanded FMLA

A. Employees who have been employed for at least thirty (30) days prior to their leave request may be eligible for up to twelve (12) weeks of Expanded FMLA, ten (10) weeks of which may be partially paid for reasons related to §II(A)(5).

B. An employee who qualifies for leave to care for a minor child who is between the ages of 15 and 17 (purpose 5 in §II(A)), or is over the age of 18 and unable to care for themselves because of disability, must provide special circumstances as to why this leave must be used.

C. For Expanded FMLA, the District requires that employees use any accruals for the hours the employee would otherwise be scheduled to work, as this is consistent with existing district policy and practices for other leave(s). Once this leave is exhausted, any additional leave shall be paid at 2/3 of their regular rate of pay, for up to ten (10) weeks of paid Expanded FMLA. Pay will not exceed \$200 per day and \$10,000 in total, or \$12,000 in total when using emergency paid sick leave for the first two weeks.

IV. Coordination with Paid Leave and Regular FMLA

A. The District will allow employees to elect to substitute any accrued vacation leave, personal leave, or medical or sick leave if the reason the leave is taken provides for partial paid leave under this Policy. The amount of paid leaves and use of accrued leave shall not exceed the employee's regular rate of pay.

B. The total leave time available to an employee for the FMLA Policy, and this Policy, is twelve (12) weeks. Therefore, if an Employee has taken FMLA pursuant to existing District Policy his or her available leave time under this Policy will be reduced by the amount of time used, or that will be used, during the current year.

C. COVID-19 FMLA Leave time is a supplemental benefit to the current FMLA provisions. The amount of leave provided for in this Policy does not carry over to the following year and expires on ~~December 31, 2020~~ March 31, 2021.

V. Intermittent or Reduced Schedule Absence

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- A. EPSL must be taken in full-day increments, and not intermittently, if the leave is being taken because:
1. An employee is subject to a Federal, State, or local quarantine or isolation order related to COVID-19;
  2. An employee has been advised by a health care provider to self-quarantine due to concerns related to COVID-19;
  3. An employee is experiencing symptoms of COVID-19 and seeking a medical diagnosis;
  4. An employee is caring for an individual who either is subject to a quarantine or isolation order related to COVID-19 or has been advised by a health care provider to self-quarantine due to concerns related to COVID-19; or
  5. An employee is experiencing any other substantially similar condition specified by the Secretary of Health and Human Services.
- B. If requested by the employee he or she may take paid sick leave intermittently under expanded FMLA if the employee is caring for a minor child whose school or place of care is closed, or whose child care provider is unavailable due to COVID-19 related reasons.

VI. Information Provided by District to Employees

A notice explaining EPSL and FMLA+, and providing other required information, shall be posted physically in District buildings, and provided to employees, in a manner that complies with federal regulations. A copy of the general notice shall also be provided to each new employee.

VII. Information Provided by Employees to District

- A. The employee must provide the District with a written request for leave that includes the following information:
1. The employee's name;
  2. The date or dates for which leave is requested;
  3. A statement of the COVID-19 related reason the employee is requesting the leave and written support for the reason; and
  4. A statement that the employee is unable to work, including that the employee is unable to telework, for the qualifying reason.
- B. The written statement of support required under this Policy must include the following:
1. In the case of a quarantine or isolation order, or recommendation from his or her provider:
    - i. The name of the government entity ordering quarantine or the name of the healthcare provider advising self-quarantine or isolation; and

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- ii. If the employee is caring for an individual under a governmental order of quarantine or on recommendation of a healthcare provider, that person's name and relation to the employee.
  2. In the case of an employee taking leave to care for a minor child whose school, daycare, or childcare provider is closed, or unavailable due to COVID-19 related reasons:
    - i. The name and age of the child or children to be cared for;
    - ii. The name of the school or place of care that has closed or unavailable;
    - iii. A representation that no other person will be providing care for the child during the period for which the employee is requesting leave; and
    - iv. If the care is for a child older than 14 during daylight hours, a statement that special circumstances exist requiring the employee to provide care.
- C. Employees shall responsively answer District questions intended to clarify whether an absence qualifies as an allowable absence, and to allow planning for the employee's absence.

VIII. Continuation of Health Care Insurance

- A. During any absence that qualifies for treatment under this Policy, the District shall maintain the employee's coverage under a group health insurance plan on the same conditions as coverage was provided prior to the absence. In addition,
  1. Any changes made to the scope or terms of coverage provided to active employees under the group health plan will be made available to an employee absent from work in accordance with this Policy.
  2. Notice of any opportunity to change plans or benefit levels that occurs while the employee is absent will be given to the employee.
  3. The District's continuation of group health plan benefits will end if circumstances occur that end, or would have ended, the employment relationship with the absent employee.
- B. During an allowable absence under this Policy and FMLA, an employee's obligation to pay group health insurance premiums continues. Notice of this obligation will be given at the time that the absence is designated as coming under this Policy.
  1. If paid leave is applied to an allowable absence, employee premium obligations shall be deducted from payroll in the usual manner.
  2. If the allowable absence is unpaid, the employee is required to make payment to the District at the time that a payroll deduction would otherwise have been processed by the District.
    - i. If the employee's payment is more than 30 days late, the Superintendent shall decide whether the District will exercise its right under FMLA to discontinue the employee's coverage.

POLICY

Draft 01/26/21  
6299

PERSONNEL

LEAVES OF ABSENCE FOR COVID-19 QUALIFYING REASONS

- ii. If an employee fails to make a payment, the Superintendent shall decide whether the District will exercise its right under FMLA to recover the amount from the employee.

IX. Reinstatement Rights

An employee absent for a purpose within the scope of this Policy and compliant with obligations under this Policy will be reinstated to their same or an equivalent position at the end of the absence, provided the employee continues to meet the qualifications for the position and the employee’s employment would not have been terminated or altered had the employee not been absent.

X. Superintendent Responsibility

The Superintendent, or his or her Designee, shall insure that required notices are properly posted in District buildings, that required information is distributed to staff members, and that supervisory personnel are familiar with the District’s obligations as it applies to EPSL and FMLA+, and the internal procedures for meeting those obligations.

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Madison Central School District

Cross Ref: FMLA Policy 6300

Legal Ref: H.R. 6201; *COVID-19-Related Tax Credits for Required Paid Leave Provided by Small and Midsize Businesses FAQs* (IRS); *Families First Coronavirus Response Act: Questions and Answers* (U.S. Dept. of Labor FAQs (March 2020)); *COVID-19 and the Fair Labor Standards Act Questions and Answers* (U.S. Dept. of Labor FAQs (March 2020)); *COVID-19 and the Family and Medical Leave Act Questions and Answers* (U.S. Dept. of Labor FAQs (March 2020))

Adopted: 07/07/20

Revised: \_\_\_\_\_

## INFORMING STUDENTS OF COMMUNITY-BASED ACTIVITIES

- I. The Board of Education recognizes that there are community-based organizations that sponsor programs and activities that support the intellectual, emotional, and physical growth of the District's students, and thereby reinforce the District's educational program. These include scouting programs, youth athletic programs, and non-profit membership organizations such as Rotary, Optimists, etc. The Board finds that the in-school distribution of information about these programs and activities in a manner that does not create a financial or administrative burden for the District is of benefit to our students.
- II. The Superintendent shall promulgate administrative regulations applicable to the in-school distribution of information about community-based programs and activities. Those regulations shall incorporate and implement at least the following standards:
  - A. Materials distributed shall be for programs or activities that are consistent with the District's educational mission.
  - B. The content of materials distributed shall be consistent with community standards of decency. The District will not distribute information promoting sales of a product or service other than in support of a not-for-profit organization; nor will it distribute information promoting a political candidate or party.
  - C. No material that is distributed may state or suggest that the program or activity described in the material is endorsed or approved by the District.
  - D. Material to be distributed will be provided to the District at a time and place convenient to the District, and will only be distributed at the next time designated by the Superintendent for distribution of such materials.
  - E. Procedures for the posting of information on indoor/outdoor message boards and the District's website will be established by the Superintendent.
  - G. The Superintendent may authorize the photocopying of an organization's printed material at District expense, provided that: no more than three hundred (300) copies will be made of information regarding any one activity, only plain copy paper will be used, and the copying shall occur at a time convenient to the District.

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Madison Central School District

Adopted: 11/02/10

Revised: 01/08/13, \_\_\_\_\_

# Madison Central School District

## SUPERINTENDENT'S REGULATION

Draft  
02/08/21  
1005.1

### STUDENTS

#### PHOTOCOPYING AND DISTRIBUTION PROCEDURES

#### I. Photocopying:

The Superintendent may authorize the photocopying of an organization's printed material at District expense, provided that:

- A. Requests must be submitted a week in advance of distribution unless extraordinary circumstances prevail;
- B. Submitting requests to the District Clerk through e-mail (ADDRESS) is preferred;
- C. The District will supply only plain copy paper;
- D. No more than three hundred (300) copies will be made of information regarding any one program or activity;
- E. The copying shall occur at a time convenient to the District.

#### II. Distribution of Materials

- A. Requests must be submitted a week in advance of distribution unless extraordinary circumstances prevail;
- B. Material to be distributed will be provided to the District in the ~~main~~ District office **(between the hours of 9 am – 3 pm)**;
- C. The Superintendent will designate the time and place for distribution of such materials;
- D. Requests for posting of information on indoor/outdoor message boards and the District's website should be submitted to District Clerk.

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Approved by the Superintendent: 11/02/10, 01/08/13, \_\_\_\_\_

COMMUNITY RELATIONS

SCHOOL VOLUNTEERS

- I. The Board of Education encourages the use of volunteers as supplementary staff to facilitate the delivery of the educational program.
- II. Volunteers are to work under the direction of the teacher(s) and administrator(s) to whom they are assigned. Their activities with children will be closely coordinated with, and directed by, the appropriate teacher(s) and/or administrator(s).
- III. All volunteers should register in the ~~main~~ District office upon arrival and receive a volunteer ID to be displayed while in the building.

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Madison Central School District

Adopted: 1984, 08/20/98

Revised: 06/12/03, 01/08/13, \_\_\_\_\_



# Regulation

COMMUNITY RELATIONS

Draft 02/08/21  
1004.1

## VOLUNTEER CONFIDENTIALITY STATEMENT

### **Information About Students is Protected by State and Federal Law**

The State Education Law and the federal Family Educational Rights and Privacy Act (FERPA) requires the District to ensure that personally identifiable information about students is not disclosed to anyone except a person with a legitimate educational interest in that information. This includes information found in paper records and information found in computer records. It includes photographs, videos, and sound recordings that may identify a particular student. It includes academic, personal, attendance, medical, disability, special education, and disciplinary information.

If you serve our school community in a volunteer capacity, you will learn things about students that must be kept confidential, which means that it cannot be shared with anyone other than another school staff member who has a “professional need to know. You may not discuss a particular student with any other student, with parents/guardians other than the student’s, or with your family and friends when talking about your volunteer work. Violations of data privacy laws may result in criminal penalties, civil penalties, and/or disciplinary action related to employment.

To indicate that you have read and understand this important obligation, please sign below.

### **Confidentiality Statement**

I hereby agree to regard all information received in the performance of my volunteer work for the Madison Central School as confidential, meaning that I will not disclose that information to anyone other than a school staff member with a “need to know” information about the particular student.

I understand that the Madison Central School District respects its students, staff and volunteer’s rights with regard to privacy of information and I agree to respect these rights in the performance of my volunteer duties and to keep “professional” confidentiality in all my statements outside the school district.

\_\_\_\_\_  
Volunteer Signature

\_\_\_\_\_  
Date

\_\_\_\_\_  
Volunteer Coordinator/Teacher Signature

\_\_\_\_\_  
Date

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Madison Central School District  
Approved by Superintendent: \_\_\_\_\_

## COMMUNITY RELATIONS

### VISITORS TO THE SCHOOLS

- I. In order to allow parents, members of the community and other interested persons to learn what the District does, the Board encourages visitations to the buildings and grounds.
- II. It is the policy of the District to allow visits to the school buildings and facilities by parents, adult community members and other interested persons, according to the guidelines issued herein to preserve the safety of students and staff and to avoid disruption of the educational program.
- III.
  - A. In order to safeguard a school and classroom atmosphere which is conducive to learning, the District establishes the following rules for the governance of visitors to the schools. These guidelines are in addition to any rule, regulation, penalty or punishment under the provisions of existing state law.
  - B. All visitors who have legitimate business in the public schools must report to the Main District Office immediately upon entering a building, sign in and receive the permission of the Building Principal or his/her designee before visiting. The visitor must have a guest ID visible when moving throughout the building. The visitor must sign out at the conclusion of the visit.
  - C. Parents are welcome at school.
    1. Visitations to classrooms for any purpose require permission in advance from an administrator or his/her designee in order to allow teachers the opportunity to accommodate their schedules. Parents or guardians wishing to speak with a specific teacher concerning the progress of a child must make an appointment with the teacher, in addition to obtaining the permission of the Building Principal.
    2. Parents are encouraged to visit guidance counselors, school nurses, school psychologists and other support personnel by appointment to discuss any concerns the parent or guardian may have regarding a student.
  - D. Any visitors wishing to inspect school records must comply with all applicable Board rules and regulations (Public Access to Records Policy).
  - E. No staff member shall transact business with, or permit the continuing presence in the school of, a visitor who has not been duly registered. Unauthorized visitors should be reported to the Building Principal or his/her designee.
  - F. The Superintendent and Building Principal each possess the authority to prohibit the entry of any person to the school premises, or to expel any person from the school premises, when the presence of such person is unauthorized or disruptive. If such individual refuses

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VISITORS TO THE SCHOOLS

to leave the school grounds or creates a disturbance, the Principal is authorized to request assistance from the local law enforcement agencies.

- G. Unauthorized visitors to the school buildings or grounds are subject to arrest under Sections 140.10 and 240.35 of the NYS Penal Law.

IV. Board Members

The Board encourages its members to visit the district schools and supportive school departments. However, such visits shall be made in accordance with the following guidelines:

- A. School visits should be scheduled with the Superintendent;
- B. The Superintendent or his/her designee should accompany the Board member on the visit if he/she so desires;
- C. Such visits are for the purpose of becoming acquainted with school programs, personnel, operation, and facility;
- D. Board members should refrain from giving directions or making evaluations of personnel or operating procedures during their visit;
- E. If a school visit leaves a Board member with a concern, this concern should be discussed with the Superintendent.
- F. Board members may have children in the schools and therefore have parental opportunities to converse with their child's teacher, counselor, or administrator. In those instances, the Board member should make it clear that he/she is visiting as a parent and not as a member of the Board of Education.

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Madison Central School District

Legal Ref: Section 2801, New York State Education Law

Adopted: 1984, 08/20/98, 06/12/03

Revised: 01/08/13, \_\_\_\_\_

## COMMUNITY USE OF SCHOOL FACILITIES

- I. While the district's school buildings and grounds are maintained primarily for the purpose of educating students within the district, the Board of Education recognizes that the buildings and grounds are a valuable community resource and believes that this resource should be available to the community for specific uses that will not interfere with educational activities. This policy is intended to identify the uses that community groups may make of those facilities.

Requests for the use of school facilities must be made in writing on the Community Use of School Facilities Request Form. Such requests must be made at least thirty (30) days in advance of the date of requested use. At its discretion, the school district may grant so much of the request as to allow the use of a school facility, but reserves the right to designate which school facility may be used. All uses must be non-exclusive and open to the general public.

- II. The Authority of the Board of Education

The authority of the Board of Education to permit the use of schoolhouses, grounds and facilities is subject to Article XI, Section 3, of the New York State Constitution and Sections 414 of the Education Law of New York.

The Board's authority to permit the use of school facilities by community groups is delegated to the Superintendent of Schools, who will seek counsel as necessary.

- A. Section 414: Use of Schoolhouse and Grounds Out-of-School Hours.

Schoolhouses and the ground connected therewith and all property belonging to the District shall be in the custody and under the control and supervision of the Board of Education of the district. The Board of Education may adopt reasonable regulations for the use of such schoolhouses, grounds or other property, when not in use for school purposes, for such other public purposes as herein provided. Such regulations shall provide for the safety and security of the pupils and shall not conflict with the provisions of this chapter and shall conform to the purposes and intent of this section, and shall be subject to review on appeal to the Commissioner of Education, as provided by law. The Board of Education of each district may, subject to regulations adopted as above provided, permit the use of the schoolhouse and rooms therein, and the grounds and other property of the district, when not in use for school purposes, if in the opinion of the board of education, use will not be disruptive of normal school operations, for any of the following purposes:

1. For instruction in any branch of education, learning or the arts;

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COMMUNITY USE OF SCHOOL FACILITIES

2. For public library purposes, subject to the provisions of the Education Law, or as stations of public libraries;
3. For social, civic and recreational meetings and entertainment, and other uses pertaining to the welfare of the community; but such meetings, entertainment and uses shall be non-exclusive and shall be open to the general public;
4. As polling places for holding primaries and elections, and for registration of voters.
5. For civic forums and community centers upon the petition of at least twenty-five (25) citizens residing within the district or city, the trustees or Board of Education in each school district or city shall organize and conduct community centers for civic purposes, and civic forums in the several school districts and cities, to promote and advance principles of Americanism among the residents of the state. The trustees or Board of Education in each school district or city, when organizing such community centers or civic forums, shall provide funds for the maintenance and support of such community centers and civic forums, and shall prescribe regulations for their conduct and supervision, providing that nothing herein contained shall prohibit the trustees of such school districts or the Board of Education to prescribe and adopt rules and regulations to make such community centers or civic forums self-supporting as far as practicable. Such community centers and civic forums shall be at all times under the control of the trustees or the Board of Education in each school district or city, and shall be nonexclusive and open to the general public.
6. For classes of instruction for disabled individuals operated by a private organization approved by the Commissioner of Education, rent for the use of such facilities may be demanded by said Board of Education.
7. For recreation, physical training and athletics, including competitive athletic contests of children attending a private nonprofit school.
8. For graduation exercises held by not-for-profit elementary and secondary schools, provided that no religious service is performed; and,
9. To provide child care services during non-school hours, provided that the cost of such care shall not be a school district charge but shall be paid by the person responsible for the support of such child; the local social

## COMMUNITY RELATIONS

COMMUNITY USE OF SCHOOL FACILITIES

services district as authorized by law; or any other public or private voluntary source.

## B. Guidelines:

District facilities may be used for the purposes listed, subject to the conditions and restrictions set forth in this policy.

1. Sponsoring organizations must provide sufficient competent adult supervision throughout the use of any facilities.
2. An employee of the School District must be on duty whenever school facilities are used by an organization or group. The custodian on duty should be notified at the start and finish of the activity.
3. No out-of-school group will begin its activities until school is dismissed in the afternoon and the students have left the building.
4. On days when school is closed because of snow or other calamity, all activities scheduled for that day will be cancelled or postponed.
5. The school building will not be used for recreation by outside groups on legal holidays.
6. Private individuals ~~or~~ and families ~~affairs~~ will not be permitted to use school facilities for personal activities.
7. No group will, under any circumstances, tamper with any electrical or heating controls.
8. The kitchen will not be used by any group unless arrangements are made to have one of the regular cafeteria workers present.
9. There will be no smoking or use of e-cigarettes in the District facilities and on school property.
10. All facilities used must be left in the same condition as they were before the activity.
11. All chairs and other equipment used by outside groups must be returned to their proper locations at the close of the activity.
12. School-sponsored activities have priority in the use of school facilities.

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#### COMMUNITY USE OF SCHOOL FACILITIES

13. There shall be no use, possession, sale or distribution of alcohol or controlled substances as defined in the Board Policy Drug and Alcohol Abuse, or of intoxicating beverages at any time in the school buildings or on school property.
14. Responsibility for preservation of order, loss and damage must be assumed by the applicant during the use of property. Any damage to school property shall be reimbursed by the organization using same.
15. ~~Necessary~~ Police protection and security will be provided when deemed necessary.
16. The Board assumes no responsibility for any properties left in the building or on the grounds.

#### III. Application for Use of School Facilities

- A. Applications for the use of facilities must be filed with the Superintendent at least thirty **30 days** prior to the date when facilities are desired to be used.
- B. The applicant must clearly and completely describe the intended use of the district facility in the application.
- C. All applicants must review this policy prior to submitting the application. All applications must be signed by an authorized agent of the group or organization requesting use. The applicant's signature on the application shall attest to the group or organization's intent to comply with all Board policies and regulations, and to use district facilities strictly in accordance with the use described in the application.
- D. The individual or organization approved for use of facilities shall accept full responsibility for any damage done to school property and for compliance with all regulations.
- E. Any individual or organization requesting use of the school facilities for certain events must be required to produce a certificate of insurance naming the School District as an additional insured before being granted permission to use facilities. This determination will be made by the Superintendent after consultation with the School District Attorney and/or insurance agent.

#### IV. Insurance and Release from Liability are required as follows:

## COMMUNITY RELATIONS

COMMUNITY USE OF SCHOOL FACILITIES

Prior to approval, any community group that charges admission or any community group that does not charge admission but does have insurance must:

~~Any group using school facilities is required to~~ present evidence of liability insurance, with the district named as an additional insured, in the amount of \$1,000,000 per occurrence/\$3,000,000 aggregate. All individuals shall act in a manner consistent with all applicable federal and state laws and regulations, as well as all policies, regulations and/or rules of the school district including the Public Conduct on School Property Policy and Regulation.

## V. Use of School Facilities by School Personnel

- A. Any use of school facilities for school-related activities will be scheduled through the Building Principal. Any other use outside the regular school week will be scheduled through the Building Use Review Committee.
- B. Recognized collective bargaining units may use school facilities to conduct meetings as specified in the collective bargaining agreement(s).
- C. No students are allowed in a school building unless appropriate school personnel are on duty. Scheduling in advance will ensure that the space requested is available and not given to outside groups.

## VI. Use of Schoolhouse by News Media.

The Board of Education of any school district may permit, subject to terms and conditions satisfactory to such Board, the admission of persons and equipment of any news medium to school grounds, school houses, school buildings and other locations for the dissemination of information by print, broadcast recording or other means, of athletic events, concerts, lectures and similar activities taking place there at of interest to the general public; provided that nothing herein contained shall prevent the broadcasting or televising of any such events or activities with or without commercial sponsorship.

## VII. Prohibited Uses of School Buildings and Property

State Education Law and the New York State Constitution specifically prohibit the following uses of school buildings and property:

1. For any purpose that will in any way interfere with the use of school buildings, grounds, or other school property by the school;
2. By any person or profit-making organization for personal or private gain, financial or otherwise;



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COMMUNITY USE OF SCHOOL FACILITIES

3. For a meeting, entertainment, or occasion where admission fees are charged, unless the proceeds thereof are to be expended for an educational or charitable purpose approved by the Board.
4. Meetings sponsored by political organizations unless authorized by a vote of the Board of Education.
5. Any use not permitted by this policy is prohibited.

VIII. Classification of School Groups:

A. Use of Facilities by School Groups (including school staff members):

School facilities may be used without a rental charge and without a charge for custodial service by any regularly sponsored school activity.

This includes PTO and school booster club meetings and PTO-SPONSORED groups, organizations and activities when custodians are regularly on duty.

B. Civic, Cultural, Religious and Service Groups

School facilities may be used by civic groups, service clubs, music, religious organizations, dramatic and literary organizations or other nonexclusive groups, organizations or activities as provided by regulations established by the Board of Education providing the school district: is reimbursed as scheduled, when reimbursement is called for under these regulations. The Board of Education, at its sole discretion, reserves the right to waive the charges scheduled in favor of fees for custodial services only when the proceeds of activities sponsored by organizations in this classification are used exclusively for the benefit of the school or charitable purpose.

C. For Example:

1. Parent-Teacher Organizations, Boy Scouts or Girl Scouts, shall not be required to pay for services for their regular meetings.
2. If the organizations hold a fund-raising activity, no rental fee will be charged, but they must pay the necessary fee for school employees required to be on duty. However, if in the judgment of the Principal the activity will not necessitate additional payment to the employee on duty, this fee may also be waived.

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3. These organizations must follow all other listed regulations for fund-raising activities.
- IX. In the event that the district is operating under a contingent budget, the use of school facilities will be restricted in accordance with New York State Law and decisions of the Commissioner of Education.

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Madison Central School District

Legal Ref: Section 414, NYS Education law; Section 1.01 Arts and Cultural Affairs Law

Adopted: 1984

Revised: 08/20/98, 06/12/03, 01/08/13, \_\_\_\_\_

## POLICY

GENERAL COMMITMENTS

0040

### CODE OF CONDUCT

#### **I. Introduction**

The Madison Central School District establishes this Code of Conduct for the Maintenance of Public Order on School Property and at School Functions to govern the conduct of students, teachers and other school personnel, and visitors. This Code of Conduct has been developed consistent with the Safe Schools Against Violence in Education Act (Chapter 181 of the Laws of 2000) and Section 100.2 of the implementing Commissioners Regulations and in collaboration with student, teacher, administrators and parent organizations, school safety personnel and other school personnel.

#### **II. Definitions**

For purposes of this code, the following definitions apply:

“Cyberbullying” means harassment or bullying that occurs through any form of electronic communication.

“Disability” means (a) a physical, mental or medical impairment resulting from anatomical, physiological, genetic or neurological conditions which prevents the exercise of a normal bodily function or is demonstrable by medically accepted clinical or laboratory diagnostic techniques or (b) a record of such an impairment or (c) a condition regarded by others as such an impairment, provided, however, that in all provisions of this article dealing with employment, the term must be limited to disabilities which, upon the provision of reasonable accommodations, do not prevent the complainant from performing in a reasonable manner the activities involved in the job or occupation sought or held.

"Disruptive student" means an elementary (K-5) or secondary (6-12) student under the age of 21 who is substantially disruptive of the educational process or substantially interferes with the teacher's authority over the classroom.

“Gender” means a person’s actual or perceived sex and includes a person’s gender identity or expression. **ADD**

“Harassment or bullying” means the creation of a hostile environment by conduct or by threats, intimidation, or abuse, including cyberbullying as defined in Education Law section 11(8), that either:

1. has or would have the effect of unreasonably and substantially interfering with a student’s educational performance, opportunities or benefits, or with the student’s mental, emotional and/or physical well-being, including conduct, threats, intimidation or abuse that reasonably causes or would reasonably be expected to cause emotional harm; or

## POLICY

### GENERAL COMMITMENTS

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#### CODE OF CONDUCT

- i. Possession or use of knives or other weapons not included in subsection (h) on school premises. School premises include school grounds, school buildings, or a school bus.
- j. Failure to comply with the directions of a teacher, administrator or other school employee.
- k. Engaging in acts of harassment or bullying as defined in Section II of the Code of Conduct, labeled "Definitions."
- l. Discrimination, which includes the use of a persons actual or perceived race, color, creed, national origin, weight, ethnic group, religion, religious practice, gender, sexual orientation or disability as a basis for treating another in a negative manner.
- m. Using in either words, clothing, or signs, profane, lewd, vulgar, abusive language or words which may incite or offend another person; or constitute a health and safety hazard (including clothing that promotes the sale or use of alcohol, tobacco and/or controlled substances) or a substantial disruption or material interference with the mission, work or discipline of the school community.
- n. Selling, using or possessing obscene material.
- o. Lateness for, missing or leaving school or class without permission or an excuse given by a faculty member.
- p. Smoking a cigarette, <sup>e-cigarette,</sup> cigar or pipe, or using chewing or smokeless tobacco on school premises (including buildings or grounds) or on a bus going to or from a school function or a school-sponsored function.
- q. Any willful act which disrupts the normal operation of the school community.
- r. Unacceptable classroom behavior including being disrespectful to a teacher or staff member or inappropriate talking in class.
- s. Unacceptable bus behavior including not staying seated, throwing objects, excessive loudness or other activities that distract the driver of the bus.
- t. Public displays of affection.

CODE OF CONDUCT

is substantially disruptive of the educational process or substantially interferes with the teacher's authority over the classroom.

~~DELETE~~  
ADD TO PG 2 OF 0040 ←  
"Gender" means a person's actual or perceived sex and includes a person's gender identity or expression. ["Gender Identity" means a person's gender-related identity, appearance or behavior, whether or not that gender-related identity, appearing or behavior is different from that traditionally associated with the person's physiology or assigned sex at birth. "Gender Expression" means the manner in which a person represents or expresses gender to others, often through behavior, clothing, hairstyles, activities, voice or mannerisms.]

"Harassment or bullying" means the creation of a hostile environment by conduct or by threats, intimidation, or abuse, including cyberbullying as defined in Education Law section 11(8), that either:

1. has or would have the effect of unreasonably and substantially interfering with a student's educational performance, opportunities or benefits, or with the student's mental, emotional and/or physical well-being, including conduct, threats, intimidation or abuse that reasonably causes or would reasonably be expected to cause emotional harm; or
2. reasonably causes or would reasonably be expected to cause physical injury to a student or to cause a student to fear for his or her physical safety.

This Code applies to all acts of harassment or bullying that occur on school property or at a school function, as well as to acts occurring off school property when

1. those acts create or would foreseeably create a risk of substantial disruption within the school environment, and
2. it is foreseeable that the conduct, threats, intimidation, or abuse might reach school property.

"Parent" means parent, guardian or person in parental relation to a student.

"School property" means in or within any building, structure, athletic playing field, playground, parking lot or land contained within the real property boundary line of a public elementary or secondary school, or on a school bus, as defined in Vehicle and Traffic Law §142.

"School function" means any school-sponsored extra-curricular event or activity. For the purposes of this policy, a "school function" is defined as any event, occurring on or off school property, sanctioned or approved by the school, including but not limited to offsite athletic events, school dances, plays, musical productions, field trips or other school-sponsored trips.

"Sexual Orientation" means a person's emotional and sexual attraction to other people based on the gender of the other person.