

DEER PARK SCHOOL DISTRICT
BOARD OF EDUCATION AGENDA
COMMITTEE MTGS & WORK SESSION
ADMINISTRATION BUILDING
TUESDAY- OCTOBER 11, 2022



Committee Meetings: (enter thru District Office doors)

6:30 p.m. Special Ed – JFK Library

6:30 p.m. Technology – JFK Music Suite

7:00 p.m. Facilities – JFK Music Suite

WORK SESSION – 7:30 p.m.

NEW BUSINESS:

1. SECOND READING & APPROVAL OF POLICIES #0101 & #2160

Recommend that the Board of Education approve the following Resolution:

RESOLVED, that the Board of Education approve the following policies as accepted and adopted by the Board of Education and will be placed in the Board of Education policy book:

#0101 – Gender Neutral Single Occupancy Bathrooms

#2160 – School District Officer and Employee Code of Ethics

2. ACCEPTANCE OF A DONATION TO JOHN F. KENNEDY SCHOOL

Recommend that the Board of Education approve the following Resolution:

RESOLVED, that the Board of Education accept a whiteboard and 30 movable seats with positive message for an outdoor classroom in the courtyard at JFK. These items were created and donated by Girl Scouts Allie Fade and Maddie Kleiber as part of their Silver Award.

3. ACCEPTANCE OF DONATION TO THE DEER PARK ATHLETIC DEPARTMENT

Recommend that the Board of Education approve the following Resolution:

RESOLVED, that the Board of Education approve a donation from Performax Physical Therapy of a Hydrocollator (model E-1-TH).

This machine holds moist heat packs and delivers deeper heating effect to different areas of the body.

4. DISPOSAL OF WELDING EQUIPMENT AT THE HIGH SCHOOL

Recommend that the Board of Education approve the following Resolution:

RESOLVED, that the Board of Education approve the disposal of the following equipment at the DPHS that are no longer used in the curriculum and are out of date and/or hazardous to store.

80 cu/ft oxygen cylinder

40 cu/ft acetylene cylinder

Marquete arc welder 180 AC

80 cu/ft argon cylinder

Miller syncrowave welder 180 DC

Lincoln arc welder deci/arc SP-150

AGENDA ITEM:

- Committee Meetings re-cap
- Sr. Citizen Exemption & Disability Exemption

GENDER NEUTRAL SINGLE-OCCUPANCY BATHROOMS

All single-occupancy bathroom facilities in the district are designated as gender neutral. Signs designating gender neutral single-occupancy bathrooms must be posted on the wall next to the door of that bathroom facility.

A “single-occupancy bathroom” is as defined in Public Buildings Law §145(d) as “a bathroom intended for use by no more than one occupant at a time or for family or assisted use and which has a door for entry into and egress from the bathroom that may be locked by the occupant to ensure privacy.”

The Superintendent of Schools or designee is directed to post appropriate signage to implement this policy consistent with applicable laws. Handbooks, directional signs, memos, safety plans, and maps will also be updated as necessary.

Ref: Education Law §409-m (single-occupancy bathrooms designated gender neutral)
Public Buildings Law §145(d)
Building Code of New York State §§1111; 2902.4

First Reading: July 6, 2021
Adoption Date: July 27, 2021
First Reading: September 20, 2022
Adoption Date: October 11, 2022

SCHOOL DISTRICT OFFICER AND EMPLOYEE CODE OF ETHICS

The Board of Education is committed to avoiding any situation in which the existence of conflicting interests of any Board member, officer, employee or agent may call into question the integrity of the management or operation of the school district. The Board recognizes that sound, ethical standards of conduct serve to increase the effectiveness of district officers and staff as educators and public employees in the community. Adherence to a code of ethics promotes public confidence in the schools and furthers the attainment of district goals.

The Board also recognizes its obligation to adopt a code of ethics setting forth the standards of conduct required of all Board members, district officers and employees under the provisions of the General Municipal Law. Therefore, every Board member, officer and employee of the district, whether paid or unpaid, shall adhere to the following code of ethics.

Statutory Conflicts of Interest

It is a conflict of interest for a Board member, officer, employee or agent to benefit personally from contracts made in their official capacity.

- **"Contract"** is defined broadly to include any claim or demand against the district or account or agreement with the district, whether expressed or implied which exceeds the sum of \$750.00 in any fiscal year.
- An **"interest"** is defined as a direct or indirect benefit that runs to the employee as a result of a contract with the district.
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No Board member, officer, employee or agent shall have an **"interest"** (i.e., receive a direct or indirect benefit as the result of a contract with the district) in:

1. a firm, partnership or association in which he/she is a member or employee;
2. a corporation in which he/she is an officer, director or employee;
3. a corporation in which he/she, directly or indirectly, owns or controls 5 % or more of the stock;
4. a contract between the district and his/her spouse, minor child or dependents, except for an employment contract between the school district, a spouse, minor child or dependent of a Board member authorized by §800(3) of the General Municipal Law or §3016 of the Education Law.

Every officer, employee and agent of the district, whether paid or unpaid, including member of the Board of Education, shall adhere to the following code of conduct:

1. Gifts: An officer, employee or agent shall not directly or indirectly solicit, accept or receive any gift having a value of \$75 or more, whether in the form of money, services, loan, travel, entertainment, hospitality, thing or promise, or any other form, under circumstances in which it could reasonably be inferred that the gift was intended to influence him or her in the performance of his or her official duties or was intended as a reward for any official action on his or her part.

However, the Board welcomes and encourages the writing of letters or notes expressing gratitude or appreciation to staff members. Gifts from children that are principally sentimental in nature and of insignificant financial value may be accepted in the spirit in which they are given.

2. Confidential information: A Board member, officer or employee shall not disclose confidential information acquired by him or her in the course of his or her official duties or use such information to further his or her personal interest. This includes matters discussed in a properly convened executive session. However, the Board, acting as a whole, may decide to disclose such information where disclosure is not prohibited under the law. Additionally, disclosure of such information is not prohibited where it is warranted to appropriate law enforcement entities for investigation and possible action, or where a board member is compelled to reveal the information in a court case.
3. Representation before the Board: An officer, employee or agent shall not receive or enter into any agreement, expressed or implied, for compensation for services other than employment with the district, to be rendered in relation to any matter before the school district.
4. Representation before the Board for a contingent fee: An officer, employee or agent shall not receive or enter into any agreement, express or implied, for compensation for services to be rendered in relation to any matter before the school district other than employment with the district, whereby the compensation is to be dependent or contingent upon any action by the school district with respect to such matter, provided that this paragraph shall not prohibit the fixing at any time of fees based upon the reasonable value of the services rendered.
5. Disclosure of interest in matters before the Board: A member of the Board of Education and any officer, employee or agent of the district, whether paid or unpaid, must publicly disclose the nature and extent of any interest they or their spouse have, will have or later acquire in any actual or proposed contract, purchase agreement, lease agreement or other agreement involving the school district (including oral agreements), to the governing body and

his/her immediate supervisor (where applicable) even if it is not a prohibited interest under applicable law. Such disclosure must be in writing and made part of the official record of the school district. Disclosure is not required in the case of an interest that is exempted under Section 803(2) of the General Municipal Law. The term "interest" means a pecuniary or material benefit accruing to an officer, employee or agent. Exceptions to the conflict of interest law can be found in Section 802 of the General Municipal Law.

6. Investments in conflict with official duties: An officer, employee or agent shall not invest or hold any investment directly in any financial, business, commercial or other private transaction that creates a conflict with his or her official duties.
7. Private employment: An officer, employee or agent shall not engage in, solicit, negotiate for or promise to accept private employment when that employment or service creates a conflict with or impairs the proper discharge of his or her official duties.
8. Future employment: An officer, employee or agent shall not, after the termination of service or employment with the district, appear before the Board or any panel or committee of the Board, in relation to any case, proceeding, or application in which he or she personally participated during the period of his or her service or employment or that was under his or her active consideration. This shall not bar or prevent the timely filing by a present or former officer, employee or agent of any claim, account, demand or suit against the district on his or her own behalf or on behalf of any member of his or her family arising out of any personal injury or property damage or for any lawful benefit authorized or permitted by law.
9. Involvement with Charitable Organizations: A Board member, officer, employee or agent may be involved as a volunteer, officer, employee or agent in a charitable organization which has a relationship with the district. If a Board member is a board member, officer, employee or agent of the charitable organization the Board member must disclose such relationship in writing to the district, and the Board member must recuse himself or herself from any discussions or votes relating to the charitable organization which may come before the Board. When participating in the activities of the charitable organization, the Board member, officer, employee or agent shall not disclose any confidential information learned in the course of his or her official duties or use such information to further personal interests. Additionally, the Board member, officer, employee or agent shall not make representations on behalf of the district unless specifically authorized to do so by the Board.

Distribution of Code of Ethics

The Superintendent of Schools shall cause a copy of this Code of Ethics to be distributed to every officer, employee and agent of the school district. Each officer, employee and agent elected or appointed thereafter shall be furnished a copy before entering upon the duties of his or her office or employment. In addition, the Superintendent shall ensure that a copy of Article 18 of the General Municipal Law shall be kept posted in each public building under the district's jurisdiction in a place conspicuous to the district's officers, employees and agents.

Penalties

In addition to any penalty contained in any other provision of law, any person who shall knowingly and intentionally violate any of the provisions of the Board's code of ethics and its accompanying regulation may be fined, suspended or removed from office or employment, as the case may be, in the manner provided by law.

Cross ref: 2330, Executive Sessions
6700, Purchasing

Ref: General Municipal Law §§806-808
Opn. St. Comp. 2008-01
Application of the Board of Education, 57 EDR Dec. No. 17,147 (2017)
Application of Nett and Raby, 45 EDR 259 (2005)

Adoption Date: January 22, 2008
First Reading: January 3, 2018
Adoption Date: February 6, 2018
First Reading: November 17, 2020
Adoption Date: December 15, 2020
First Reading: September 20, 2022
Adoption Date: October 11, 2022