Please be advised that the District's Policy Manual developed with Erie 1 BOCES Policy Services is not to be interpreted as the rendering of legal advice. Application of Board policies to specific situations may necessitate consultation with the School Administrators/School Attorney to address the particular circumstances.

FOREWORD

Contained herein are the policy statements formulated by the Board of the Shoreham-Wading River Central School District.

Policy is defined as a basic plan of action. It establishes limits within which freedom of judgment can be exercised.

Policy is a governing principle of management. It is a statement that has an effect on the interests of those who come under its jurisdiction. A policy may originate from the constitution, from statute, from local determinations and/or from customary patterns of formal behavior.

Policy should accomplish the following:

a) State a position taken by the District;

b) Grant the authority to act;

c) Be sufficiently detailed to give adequate direction;

d) Be achievable within the real environment of the school and community;

e) Provide for impartial procedures.

In addition to the adopted policies, the operation of the School District is governed by and subject to all applicable Laws, Regulations of the Commissioner of Education, Civil Service requirements, Board Resolutions, School Administrative Regulations and Contracts of Agreement.

If any part of this manual is made invalid by judicial decision or legislative or administrative enactment, all other parts will remain in full effect unless and until they are amended or repealed by the Board. The official record of the adoption, amendment, or repeal of the by-laws and policies of the Shoreham-Wading River Central School District will be the minutes of the meetings of the Board.
PHILOSOPHY STATEMENT

In preparing individuals to develop their fullest potential for living in the society of today and tomorrow, the Board and the staff of the School District:

I. Recognize their responsibility to help meet the physical, intellectual and emotional needs of children; particularly the needs to inquire, learn, think, and create; to establish aesthetic, moral and ethical values; and to relate satisfactorily to others in social situations involving family, work, government and recreation.

II. Accept primary responsibility for giving students a mastery of the basic skills of learning, thinking and problem-solving; for teaching them to use the various media of self-expression; for instilling in them a knowledge of the social and natural sciences; for acquainting them with the richness of our heritage; and for stimulating them to productive work in the various areas of human endeavor.

III. Acknowledge the importance of their supplemental role to the home and other social agencies in developing habits and attitudes which make for effective personal living, the maintenance of optimum physical and mental health, and the establishment of sound moral, ethical, and aesthetic values.

Realizing that education, as here defined, is a lifelong process, the School System seeks to orient its graduates toward various types of post-secondary education and further formal training and study of many types; and to provide educational opportunities particularly suited to the needs of adults, both as individuals and as citizens in a democracy.
Shoreham-Wading River Central School District

**ORGANIZATION OF THE BOARD**

1.1 School District and Board Legal Status ................................................................. 1110
1.2 Board Authority ..................................................................................................... 1120
1.3 Number of Members and Terms of Office ............................................................. 1130

**NOMINATION AND ELECTION OF BOARD MEMBERS**

2.1 Board Members: Qualifications ............................................................................ 1210
2.2 Board Members: Nomination and Election ......................................................... 1220
2.2.1 Guidelines for the Election of School Board Members RESCINDED 5/1/18 ... 1221
2.3 Reporting of Expenditures and Contributions ...................................................... 1230
2.4 Resignation and Dismissal .................................................................................... 1240

**THE ROLE OF THE BOARD**

3.1 Board Approval of Contracts .................................................................................. 1310
3.2 Nomination and Election of Board Officers ......................................................... 1320
3.2.1 Duties of the President of the Board ................................................................. 1321
3.2.2 Duties of the Vice President of the Board ......................................................... 1322
3.3 Appointments and Designations by the Board ...................................................... 1330
3.3.1 Duties of the District Clerk ............................................................................ 1331
3.3.2 Duties of the School District Treasurer ......................................................... 1332
3.3.4 Duties of the External (Independent) Auditor .................................................. 1334
3.3.5 Appointment and Duties of the Internal Claims Auditor ................................. 1335
3.3.6 Duties of the Extraclassroom Activities Funds Treasurer .............................. 1336
3.3.7 Duties of the School Attorney ....................................................................... 1337
3.3.8 Duties of the School Physician/Nurse Practitioner ........................................ 1338
3.4 Principles for School Board Members ................................................................... 1340

**BOARD POLICY**

4.1 Policy and Administrative Regulations .................................................................. 1410
4.2 Execution of Policy: Administrative Regulations .................................................. 1420
## Shoreham-Wading River Central School District

### MEETINGS OF THE BOARD

- **5.1 Regular Board Meetings**
  - Agenda Format
  - Broadcasting and Tape Recording of Board Meetings

- **5.2 Special Meetings of the Board**

- **5.3 Executive Session**

### MEETINGS OF THE DISTRICT

- **6.1 Annual District Meeting and Election/Budget Vote**
  - Business of the Annual District Election

- **6.2 Annual Organizational Meeting**

- **6.3 Legal Qualifications of Voters at School District Meetings**

- **6.4 Absentee Ballots**

- **6.5 Submission of Questions and Propositions at Annual Elections and Special District Meetings**

### RULES OF MEETINGS

- **7.1 Quorum**

- **7.2 Minutes**

- **7.3 Executive Sessions**
SUBJECT: SCHOOL DISTRICT AND BOARD LEGAL STATUS

This policy has been replaced by Policy #2100: School Board Legal Status, which can be found in Board Docs → Policies
SUBJECT: BOARD AUTHORITY

This policy has been replaced by Policy #2110: School Board Powers and Duties, which can be found in Board Docs ➔ Policies
SUBJECT: NUMBER OF MEMBERS AND TERMS OF OFFICE

The Board of the Shoreham-Wading River Central School District does consist of seven (7) members elected by the qualified voters of the School District at the annual election as prescribed by law.

Members of the Board will serve for three (3) years beginning July 1 following their election and each term will expire on the thirtieth day of June of the third year.

Education Law Sections 1602, 1702(1), 1804(1), 2105 and 2502

Adopted: 3/24/09
SUBJECT: BOARD MEMBERS: QUALIFICATIONS

This policy has been replaced by Policy #2121: Board Member Qualifications, which can be found in Board Docs ➔ Policies
SUBJECT: BOARD MEMBERS: NOMINATION AND ELECTION

This policy has been replaced by Policy #2120: School Board Elections, which can be found in Board Docs ➔ Policies
SUBJECT: REPORTING OF EXPENDITURES AND CONTRIBUTIONS

This policy has been replaced by Policy #2120.1: Candidates and Campaigning, which can be found in Board Docs ➔ Policies
SUBJECT: RESIGNATION AND DISMISSAL

This policy has been replaced by Policy #2130: Board Member Resignation and Dismissal, which can be found in Board Docs ➔ Policies
SUBJECT: BOARD APPROVAL OF CONTRACTS

The President or the Superintendent will not sign an agreement without prior approval in the form of a Board resolution adopted at a public meeting, except in emergency circumstances involving imminent danger to persons or District property. In such circumstances, the contractor will be advised that the contract is subject to Board approval, and that the contract will be null and void if it is not approved by the Board, and Board action ratifying the President's or Superintendent's signature, or not, will be taken at the next regularly scheduled Board meeting.

The President of the Board will sign all contracts or contractual renewals on behalf of the District involving an expenditure of District funds of five thousand dollars ($5,000) or more. Contracts or contract renewals involving an expenditure of less than five thousand dollars ($5,000) may be signed on behalf of the District by the Superintendent.

Adopted: 3/24/09
SUBJECT: NOMINATION AND ELECTION OF BOARD OFFICERS

This policy has been replaced by Policy #2210: Board Organizational Meeting, which can be found in Board Docs ➔ Policies
SUBJECT: DUTIES OF THE PRESIDENT OF THE BOARD

This policy has been replaced by Policy #2220: Board Officers, which can be found in Board Docs ➔ Policies
SUBJECT: DUTIES OF THE VICE PRESIDENT OF THE BOARD

This policy has been replaced by Policy #2220: Board Officers, which can be found in Board Docs → Policies.
SUBJECT: APPOINTMENTS AND DESIGNATIONS BY THE BOARD

This policy has been replaced by Policy #2230: Appointed Board Officials, which can be found in Board Docs ➔ Policies
SUBJECT: DUTIES OF THE DISTRICT CLERK

This policy has been replaced by Policy #2230: Appointed Board Officials, which can be found in Board Docs ➔ Policies
SUBJECT: DUTIES OF THE SCHOOL DISTRICT TREASURER

This policy has been replaced by Policy #2230: Appointed Board Officials, which can be found in Board Docs ➔ Policies
SUBJECT: DUTIES OF THE EXTERNAL (INDEPENDENT) AUDITOR

The Board by law will obtain an annual audit of its records by an independent certified public accountant or an independent public accountant. The audit will also include all extraclassroom activity funds. The independent accountant will present the report of the annual audit to the Board and provide a copy of the audit to each Board member. The Board will adopt a resolution accepting the audit report and file a copy of the resolution with the Commissioner. The District will also file the audit report with the Commissioner for a specific school year by October 15th of the following school year. In addition to the annual audit, the District will be subject to State audits conducted by the State Comptroller.

In addition, the independence and objectivity of the auditor may be enhanced when the Board and Audit Committee perform an oversight role with respect to the hiring and performance of the auditor, as required by law.

Request for Proposal Process

In accordance with law, no audit engagement will be for a term longer than five (5) consecutive years. The District may, however, permit an independent auditor engaged under an existing contract for such services to submit a proposal for such services in response to a request for competitive proposals or be awarded a contract to provide such services under a request for proposal process.

Duties and Responsibilities

The independent auditor must conduct the audit in accordance with Generally Accepted Government Auditing Standards (GAGAS) issued by the Comptroller General of the United States. Standards of GAGAS are organized as general, fieldwork, and reporting.

Below are some important considerations the District will expect of the auditor in preparing the audit; however, they should not be considered all-inclusive or a substitute for the auditor's professional judgment.

a) Independence: The auditor must document that he/she is independent of the District and free of personal and external impairments. The auditor must establish an internal quality control system to identify any personal and external impairment and assure compliance with GAGAS independence requirements.

b) Internal Quality Control System: The auditor must document that his/her internal quality control processes adequately demonstrate compliance with government auditing standards. He/she must establish an organizational structure, policies and procedures to provide reasonable assurance of complying with applicable standards governing audits.

c) Internal Controls: The auditor must obtain a sufficient understanding of the District's internal controls and document such understanding covering the five interrelated components: the control environment, risk assessment, control activities, information and communication, and monitoring.
SUBJECT: DUTIES OF THE EXTERNAL (INDEPENDENT) AUDITOR

d) Planning and Supervision: The auditor's work is to be properly planned and supervised and consider materiality in order to provide reasonable assurance of detecting misstatements resulting from direct and material illegal acts and material irregularities to financial statements. The auditor should also be aware of the possibility that indirect illegal acts may have occurred.

e) Audit documentation: In order to meet the GAGAS requirements, the audit documentation should provide a clear understanding of its purpose, the source, and the conclusions the auditor reached. It should be organized to provide a clear link to the findings, conclusions, and recommendations contained in the audit report.

f) Reporting on Internal Controls and Compliance: The auditor must report on and present the results of his/her testing of the District's compliance with laws and regulations and its internal controls over financial reports in light of irregularities, illegal acts, other material noncompliance, significant deficiencies, and material weaknesses in internal controls.

Generally Accepted Government Auditing Standards (GAGAS) Sections 3.50-3.54, 4.03, 4.19-4.24, and 5.07-5.20
Education Law Sections 1709(20-a), and 2116-a
General Municipal Law Sections 33 and 104-b
8 New York Code of Rules and Regulations (NYCRR) Sections 170.2, 170.3 and 170.12

Adoption Date: 3/24/09
Revised and Re-Adopted: 12/20/16
SUBJECT: APPOINTMENT AND DUTIES OF THE CLAIMS AUDITOR

The Board may adopt a resolution establishing the appointment of a Claims Auditor who will hold the position subject to the pleasure of the Board and report directly to the Board on the results of audits of claims. The Board may require that the Claims Auditor report to the Clerk of the District or the Board, or to the Superintendent for administrative matters such as workspace, time and attendance.

School Boards may at their discretion adopt a resolution establishing the office of Deputy Claims Auditor to act as the Claims Auditor in the absence of the Claims Auditor. A Board may, by resolution, abolish the position of Deputy Claims Auditor at any time. The same eligibility requirements/qualifications that apply to a Claims Auditor apply to the Deputy Claims Auditor.

Qualifications

The Claims Auditor must have the necessary knowledge and skills to effectively audit claims including experience with purchasing, bidding and claims. The Claims Auditor must be bonded prior to assuming his/her duties.

No person will be eligible for appointment to the office of Claims Auditor who will be:

a) A member of the Board;
b) The Clerk or Treasurer of the Board;
c) The Superintendent or official of the District responsible for business management;
d) The Purchasing Agent;
e) Clerical or professional personnel directly involved in accounting and purchasing functions of the District or under the direct supervision of the Superintendent;
f) The individual or entity responsible for the internal audit function (the Internal Auditor);
g) The External (Independent) Auditor responsible for the external audit of the financial statements;
h) A close or immediate family member of an employee, officer, or contractor providing services to the District. A "close family member" is defined as a parent, sibling or nondependent child; an "immediate family member" is a spouse, spouse equivalent, or dependent (whether or not related).

The Claims Auditor is not required to be a resident of the District and will be classified in the civil service exempt class.
SUBJECT: APPOINTMENT AND DUTIES OF THE CLAIMS AUDITOR

The Board may delegate this claims audit function by using inter-municipal cooperative agreements, shared services through a Board of Cooperative Educational Services, or independent contractors, providing that the individual or organization serving as independent contractor meets the following standards for independence between the Claims Auditor and the District:

a) Has no other responsibilities related to the business operations of the School District;

b) Has no interest in any other contracts with, and does not provide any goods or services to, the School District; and

c) Is not a close or immediate family member of anyone who has responsibilities related to business operations of the School District, or has an interest in any other contracts with the District. A "close family member" is defined as a parent, sibling or nondependent child; an "immediate family member" is a spouse, spouse equivalent, or dependent (whether or not related).

If a School District delegates the claims audit function using an inter-municipal cooperative agreement, shared service or an independent contractor, the School Board remains responsible for auditing all claims for services from the entity providing the delegated Claims Auditor, either directly or through a delegation to a different independent entity.

Valid claims against the District will be paid by the Treasurer only upon the approval of the Claims Auditor. The Claims Auditor will certify that each claim listed on the warrant was audited and payment was authorized. He/she will:

a) Examine all claim forms with respect to the availability of funds within the appropriate codes and adequacy of evidence to support the District's expenditure;

b) Meet such other requirements as may be established by the Regulations of the Commissioner of Education and/or the Comptroller of the State of New York.

Education Law Sections 1604(35), 1709(20-a), 2526 and 2554(2)
8 New York Code of Rules and Regulations (NYCRR) Section 170.12(c)

Adoption Date: March 24, 2009
Revised and Re-Adopted: March 6, 2012
SUBJECT: DUTIES OF THE EXTRACLASSROOM ACTIVITIES FUNDS TREASURER

The Extraclassroom Activities Funds Treasurer is appointed by the Board and is responsible for the supervision of the extraclassroom activities funds.

The Treasurer's duties include the following:

a) Countersigns all checks disbursing funds from the Extraclassroom Activities Account;

b) Provides general supervision to ensure that all receipts are deposited and that disbursements are made by check only;

c) Maintains records of all receipts and expenditures;

d) Submits records and reports to the Board as required;

e) Assumes other duties customary to the position.

8 New York Code of Rules and Regulations (NYCRR)
Part 172

Adopted: 3/24/09
SUBJECT: DUTIES OF THE SCHOOL ATTORNEY

This policy has been replaced by Policy #2270: School Attorney, which can be found in Board Docs ➔ Policies
SUBJECT: DUTIES OF THE SCHOOL PHYSICIAN/NURSE PRACTITIONER

The school physician/nurse practitioner will be appointed by the Board. The duties of the school physician/nurse practitioner will include, but are not limited to, the following:

   a) Performs professional medical services in the examination and care of school children;

   b) Performs routine examinations of school children to detect the presence of contagious diseases and physical defects;

   c) Serves as an on call member on the Committee on Special Education;

   d) Reports to the Board on school health services;

   e) Coordinates scheduling for physical examinations to all students participating in interscholastic athletics;

   f) Provides final medical clearance for a return to physical activity for all students suspected of a mild traumatic brain injury;

   g) Develops the program of health service in accordance with policies approved by the Board and as directed by the Superintendent;

   h) Conducts a medical evaluation on any employee at the request of the Board.

8 NYCRR Section 136.5
Education Law Sections 902, 913 and 6902

Adoption Date: 3/24/09
Revised and Re-Adopted: 5/7/13
SUBJECT: PRINCIPLES FOR SCHOOL BOARD MEMBERS

This policy has been replaced by Policy #2111: Board Member Authority, which can be found in Board Docs ➔ Policies
SUBJECT: POLICY AND ADMINISTRATIVE REGULATIONS

This policy has been replaced by Policy #2410: Policy Development, Adoption, Implementation, and Review, which can be found in Board Docs ➤ Policies
SUBJECT: EXECUTION OF POLICY: ADMINISTRATIVE REGULATIONS

This policy has been replaced by Policy #2440: Administration in Policy Absence, which can be found in Board Docs ➔ Policies
SUBJECT: REGULAR BOARD MEETINGS AND RULES (QUORUM AND PARLIAMENTARY PROCEDURE)

This policy has been replaced by Policy #2310: Regular Meetings, which can be found in Board Docs ➔ Policies
SUBJECT: AGENDA FORMAT FOR REGULAR BOARD MEETINGS AND BOARD WORKSHOPS

This policy has been replaced by Policy #2342: Board Meeting Procedures, which can be found in Board Docs ➔ Policies
SUBJECT: BROADCASTING AND TAPE RECORDING OF BOARD MEETINGS

This policy has been replaced by Policy #2382: Broadcasting and Taping of Board Meetings, which can be found in Board Docs ➔ Policies
SUBJECT: SPECIAL MEETINGS OF THE BOARD

This policy has been replaced by Policy #2320: Special Meetings, which can be found in Board Docs ➔ Policies
SUBJECT: EXECUTIVE SESSIONS

This policy has been replaced by Policy #2330: Executive Sessions, which can be found in Board Docs ➔ Policies
SUBJECT: ANNUAL DISTRICT MEETING AND ELECTION/BUDGET VOTE

This policy has been replaced by Policy #2210: Board Organizational Meeting, which can be found in Board Docs ➔ Policies
SUBJECT: BUSINESS OF THE ANNUAL DISTRICT MEETING

This policy has been replaced by Policy #1050: Annual District Election and Budget Vote, which can be found in Board Docs ➔ Policies
SUBJECT: ANNUAL ORGANIZATIONAL MEETING

This policy has been replaced by Policy #2210: Board Organizational Meeting, which can be found in Board Docs ➔ Policies
SUBJECT: LEGAL QUALIFICATIONS OF VOTERS AT SCHOOL DISTRICT MEETINGS

This policy has been replaced by Policy #2120.2: Voting Procedures, which can be found in Board Docs ➔ Policies
SUBJECT: ABSENTEE BALLOTS

This policy has been replaced by Policy #2120.2: Voting Procedures, which can be found in Board Docs ➔ Policies
SUBJECT: SUBMISSION OF QUESTIONS AND PROPOSITIONS AT THE ANNUAL MEETING AND ELECTION AND SPECIAL DISTRICT MEETINGS

This policy has been replaced by Policy #1050: Annual District Election and Budget Vote, which can be found in Board Docs ➔ Policies
SUBJECT: QUORUM

This policy has been replaced by Policy #2310: Regular Meetings, which can be found in Board Docs ➔ Policies
SUBJECT: MINUTES

This policy has been replaced by Policy #2360: Minutes, which can be found in Board Docs ➔ Policies
SUBJECT: EXECUTIVE SESSIONS

This policy has been replaced by Policy #2330: Executive Sessions, which can be found in Board Docs ➔ Policies
Shoreham-Wading River Central School District

INTERNAL OPERATIONS

1.1 Orienting New Board Members................................................................. 2110
1.2 Use of Parliamentary Procedure............................................................... 2120
1.3 Board Member Training on Financial Oversight, Accountability and Fiduciary Responsibilities ......................................................... 2130

BOARD COMMITTEES

2.1 Committees of the Board........................................................................... 2210

BOARD ACTIVITIES

3.1 Membership in Associations...................................................................... 2310
3.2 Attendance by Board Members at Conferences, Conventions and Workshops .................................................................................. 2320
3.3 Compensation and Expenses .................................................................... 2330
3.4 Board Self-Evaluation.................................................................................. 2340
SUBJECT: ORIENTING NEW BOARD MEMBERS

This policy has been replaced by Policy #2510: New Board Member Orientation, which can be found in Board Docs ➔ Policies
SUBJECT: USE OF PARLIAMENTARY PROCEDURE

This policy has been replaced by Policy #2310: Regular Meetings, which can be found in Board Docs ➔ Policies
SUBJECT: BOARD MEMBER TRAINING

This policy has been replaced by Policy #2520: Board Member Training, which can be found in Board Docs ➔ Policies
SUBJECT: COMMITTEES OF THE BOARD

This policy has been replaced by Policy #2250: Board Committees, which can be found in Board Docs ➔ Policies
SUBJECT: MEMBERSHIP IN ASSOCIATIONS

This policy has been replaced by Policy #2530: Membership in Associations, which can be found in Board Docs ➔ Policies
SUBJECT: ATTENDANCE BY BOARD MEMBERS AT CONFERENCES, CONVENTIONS AND WORKSHOPS

This policy has been replaced by Policy #2521: School Board Conferences, Conventions, and Workshops, which can be found in Board Docs → Policies
SUBJECT: COMPENSATION AND EXPENSES

No member of the Board may receive any compensation for his/her services unless he/she will also serve as District Clerk and be paid as Clerk. All members of the Board may be reimbursed for actual expenses incurred in representing the District. All bills or claims for reimbursement must be itemized in reasonable detail.

Conference Travel for Newly Elected Board Members

In accordance with General Municipal Law, the Board, by a majority vote, may authorize a newly elected Board member whose term of office has not yet commenced to attend a conference. Such conference travel will be for official District business and will be made utilizing a cost-effective and reasonable method of travel.

Authorization must be by resolution adopted prior to such attendance and duly entered in the minutes. However, the Board may delegate the power to authorize such attendance at a conference to the Board President or Board Vice President.

Education Law Section 2118
General Municipal Law Sections 77-b and 77-b(2)

Adopted: 3/24/09
SUBJECT: BOARD SELF-EVALUATION

This policy has been replaced by Policy #0310: Board Self-Evaluation, which can be found in Board Docs ➔ Policies
Shoreham-Wading River Central School District

SCHOOL COMMUNITY RELATIONS

1.1 Community Relations .................................................................3110
1.1.1 School Sponsored Media .....................................................3111
1.1.2 Communications from Outside the Schools ..........................3112
1.1.3 Request for District Boundary Changes ..............................3113
1.2 Relations with the Municipal Governments .............................3120
1.3 Senior Citizens .....................................................................3130
1.4 Flag Display .........................................................................3140
1.5 School Volunteers .................................................................3150
1.6 School District Standards and Guidelines for Web Page Publishing ........................................3160
1.7 Website Accessibility..............................................................3170

PARTICIPATION BY THE PUBLIC

2.1 Visitors to the School.................................................................3210
2.2 Public Expression at Meetings ..................................................3220
2.2.1 Use of Service Animals .......................................................3221
2.3 Public Complaints ..................................................................3230
2.4 Student Participation ..............................................................3240
2.5 School-Community Associations ..........................................3250
2.6 Booster Clubs ......................................................................3260
2.7 Solicitations
2.7.1 Solicitation of Charitable Donations from Students ..........3271
2.7.2 Advertising in the Schools ..................................................3272
2.7.3 Soliciting Funds from School Personnel ............................3273
2.7.4 Corporate Sponsorships .....................................................3274
2.8 Public Use of School Facilities ..............................................3280
2.8.1 Use of School-Owned Materials and Equipment .............3281
2.8.2 Use of Facilities by the Boy Scouts of America and Patriotic Youth Groups ..............3282
2.9 Operation of Motor-Driven Vehicles on District Property ..........3290

DISTRICT RECORDS

3.1 Public Access to Records..........................................................3310
3.2 Confidentiality of Computerized Information ..........................3320

PUBLIC ORDER ON SCHOOL PROPERTY

4.1 Code of Conduct on School Property .......................................3410
4.1.1 Unlawful Possession of a Weapon Upon School Grounds ........3411
4.1.2 Threats of Violence in School .............................................3412
4.2 Anti-Harassment in the School District .....................................3420
4.3 Uniform Violent and Disruptive Incident System ..................................................... 3430

Community Relations

Shoreham-Wading River Central School District

NUMBER

EMERGENCY SITUATIONS

5.1 Emergency School Closings ................................................................. 3510
5.2 Extraordinary Circumstances ............................................................. 3520
SUBJECT: COMMUNITY RELATIONS

This policy has been replaced by Policy #1000: Community Relations Goals, which can be found in

Board Docs ➔ Policies
SUBJECT: SCHOOL SPONSORED MEDIA

This policy has been replaced by Policy #1130: Media Relations, which can be found in Board Docs ➔ Policies
SUBJECT: COMMUNICATIONS FROM OUTSIDE THE SCHOOLS

This policy has been replaced by Policy #1145: Dissemination of Information, Materials, and Student Goods and Services Through the Schools, which can be found in Board Docs → Policies
SUBJECT: REQUEST FOR DISTRICT BOUNDARY CHANGES

It will be the policy of the Shoreham-Wading River Central School District to maintain the integrity of its present boundaries. The Superintendent will inform the Board of any requests for boundary changes and will, following the next regularly scheduled Board meet, inform those requesting boundary changes of the Board's policy providing no other action was taken by the Board at that meeting.

Adopted: 3/24/09
SUBJECT: RELATIONS WITH THE MUNICIPAL GOVERNMENTS

It is the policy of the Board to establish and maintain a positive working relationship with the governing bodies of the municipality. The Board will also cooperate with municipal, county and state agencies whose work affects the welfare of the children of the District, including the County Social Service Department, the Board of Health, the Recreation Department, the Public Library, and all community emergency service agencies.

Adopted: 3/24/09
SUBJECT: SENIOR CITIZENS

The Board will consider school related programs for senior citizens in accordance with Education Law and/or regulations of the Commissioner of Education. Such programs include special use of school buildings or school buses, school lunches and partial tax exemptions.

Education Law Sections 1501-b(1)(a), 1501-b(1)(b), and 1709(22)
Real Property Tax Law Section 467

Adopted: 3/24/09
SUBJECT: FLAG DISPLAY

This policy has been replaced by Policy #4311: Flag Display, which can be found in Board Docs ➔ Policies.
SUBJECT: SCHOOL VOLUNTEERS

This policy has been replaced by Policy #4532: School Volunteers, which can be found in Board Docs ➔ Policies
SUBJECT: SCHOOL DISTRICT STANDARDS AND GUIDELINES FOR WEB PAGE PUBLISHING

This policy has been replaced by Policy #0100: Non-Discrimination, Anti-Harassment, and Equal Opportunity, which can be found in Board Docs ➔ Policies
SUBJECT: WEBSITE ACCESSIBILITY

This policy has been replaced by Policy #0100: Non-Discrimination, Anti-Harassment, and Equal Opportunity, which can be found in

Board Docs ➔ Policies
SUBJECT: VISITORS TO THE SCHOOL

Immediately upon arrival, all visitors must stop at the designated front entrance reception area.

All visitors must state the purpose of their visit, sign in, show identification, and leave identification.

Front desk will direct visitors to the appropriate location.

Visitations to the classrooms for any purpose requires permission in advance from the building principal in order to allow teachers the opportunity to arrange their schedules to accommodate such requests.

Education Law Section 2801
Penal Law Sections 140.10 and 240.35

Adopted: March 24, 2009
Revised and Re-Adopted: April 29, 2014
SUBJECT: PUBLIC EXPRESSION AT MEETINGS

This policy has been replaced by Policy #1230: Public Participation at Board Meetings, which can be found in Board Docs → Policies

Adopted: 3/24/09
SUBJECT: USE OF SERVICE ANIMALS

The Board allows the use of service animals on school grounds by individuals with disabilities, subject to restrictions permitted by federal and/or state law, and procedures established by the Superintendent or designee.

A service animal is defined as any dog that is individually trained to do work or perform tasks for the benefit of an individual with a disability, including a physical, sensory, psychiatric, intellectual, or other mental disability. Other species of animals, whether wild or domestic, trained or untrained, are not service animals.

The work or tasks performed by a service animal must be directly related to the individual's disability. The crime deterrent effects of an animal's presence and the provision of emotional support, well-being, comfort, or companionship do not constitute work or tasks for the purposes of this definition. Psychiatric service animals that have been trained to take a specific action to help avoid an anxiety attack or to reduce its effects, however, may qualify as a service animal.

Where reasonable, the Board also allows the use of miniature horses on school grounds by individuals with disabilities. This use will only be permitted where a miniature horse has been individually trained to do work or perform tasks to benefit an individual with a disability. The use of miniature horses by individuals with disabilities is subject to the considerations and restrictions permitted by federal and/or state law.

The Superintendent or designee may create procedures, regulations, and/or building-specific rules regarding the use of service animals and miniature horses on school grounds by individuals with disabilities.

28 CFR §§ 35.104, 35.136, 35.139

Adoption Date: June 21, 2016
SUBJECT: PUBLIC COMPLAINTS

This policy has been replaced by Policy #1400: Public Complaints, which can be found in Board Docs ➔ Policies
SUBJECT: STUDENT PARTICIPATION

This policy has been replaced by Policy #1145: Dissemination of Information, Materials, and Student Goods and Services Through the Schools, which can be found in Board Docs ➔ Policies
SUBJECT:  SCHOOL-COMMUNITY ASSOCIATIONS

The Board recognizes that the goal of the School-Community Associations are to develop a united effort between educators and the general public to secure for every child the highest achievement in physical, academic and social education. Therefore, staff members and parents are encouraged to join the various Parent-Teacher Associations and Parent-Teacher Organizations, and to participate actively in its programs.

Representatives and members of school-community associations will, in all circumstances, be treated by District employees as sincerely interested friends of the schools, and as staunch supporters of public education in the District.

Adopted: 3/24/09
SUBJECT: BOOSTER CLUBS

This policy has been replaced by Policy #1222: Relationship with Booster Organizations, which can be found in Board Docs ➔ Policies
SUBJECT: SOLICITATION OF CHARITABLE DONATIONS FROM STUDENTS

Direct solicitation of charitable donations from students in the District schools on school property during regular school hours is prohibited. It is a violation of District policy to ask District students directly to contribute money or goods for the benefit of a charity during the hours in which they are compelled to be on school grounds.

However, this policy does not prevent the following types of fundraising activities:

a) Fundraising activities which take place off school grounds or outside of regular school hours during before-school or after-school extracurricular periods;

b) Arms-length transactions, where the purchaser receives consideration for his/her donation. For example, the sale of goods or tickets for concerts or social events, where the proceeds go to charity;

c) Indirect forms of charitable solicitation on school grounds that do not involve coercion, such as placing a bin or collection box in a hallway or other common area for the donation of food, clothing, other goods or money.

The Board designates the Superintendent of Schools to decide which organizations, groups, etc. can solicit charitable donations and for what purposes, as long as the activities comply with the terms of this policy and the Rules of the Board of Regents.

New York State Constitution Article 8, Section 1
Education Law Section 414
8 New York Code of Rules and Regulations (NYCRR)
Section 19.6

NOTE: Refer also to Policy #7450 -- Fundraising by Students

Adopted: 3/24/09
Revised and Re-Adopted: 3/26/19
SUBJECT: ADVERTISING IN THE SCHOOLS

This policy has been replaced by Policy #1511: Advertising in the Schools, which can be found in Board Docs → Policies
SUBJECT: SOLICITING FUNDS FROM SCHOOL PERSONNEL

Soliciting of funds from school personnel by persons or organizations representing public or private organizations will be prohibited. The Superintendent will have the authority to make exceptions to this policy in cases where such solicitation is considered to be in the District's best interest. The Board will be notified of these instances.

Distribution of information about worthwhile area charities may be made through the Office of the Superintendent as a service to School District personnel.

Adopted: 3/24/09
SUBJECT: CORPORATE SPONSORSHIPS

This policy has been replaced by Policy #1801: Corporate Sponsorships, which can be found in Board Docs → Policies
SUBJECT: PUBLIC USE OF SCHOOL FACILITIES

This policy has been replaced by Policy #1500: Public Use of School Facilities, which can be found in Board Docs ➔ Policies
SUBJECT: USE OF SCHOOL-OWNED MATERIALS AND EQUIPMENT

Except when used in connection with or when rented under provisions of Education Law Section 414, school-owned materials or equipment may be used by members of the community or by District employees and/or students for school related purposes only. Private and/or personal use of school owned materials and equipment is strictly prohibited.

The Board will permit school materials and equipment to be loaned to staff members when such use is directly or peripherally related to their employment and loaned to students when the material and equipment is to be used in connection with their studies or extracurricular activities. Community members will be allowed to use school-owned materials and equipment only for educational purposes that relate to school operations.

Administrative regulations will be developed to assure the lender's responsibility for, and return of, all such materials and equipment.

Education Law Section 414

Adopted: 3/24/09
SUBJECT: USE OF FACILITIES BY THE BOY SCOUTS OF AMERICA AND PATRIOTIC YOUTH GROUPS

To the extent the District receives funds made available through the United States Department of Education and maintains a "designated open forum" or a "limited public forum," as those terms are defined in federal regulation, it will not deny any group officially affiliated with the Boy Scouts of America or any other patriotic youth group listed in Title 36 of the United States Code equal access or a fair opportunity to meet. Likewise, the District will not discriminate against any such group that requests to conduct a meeting within the District's designated open forum or limited public forum, including denying such access or opportunity or discriminating for reasons based on the group's membership or leadership criteria or oath of allegiance to God and country.

The District will provide groups officially affiliated with the Boy Scouts of America or other Title 36 patriotic youth group access to facilities and the ability to communicate using school-related means of communication on terms that are no less favorable than the most favorable terms provided to other outside youth or community groups.

The District is not required to sponsor any group officially affiliated with Boy Scouts or any other Title 36 patriotic youth group.

20 USC Section 7905
36 USC Subtitle II
34 CFR Parts 75, 76 and 108

Refer also to Policy #3280 – Public Use of School Facilities

Adoption Date: 4/29/14
SUBJECT:  OPERATION OF MOTOR-DRIVEN VEHICLES ON DISTRICT PROPERTY

The use of motor-driven vehicles, including cars, snowmobiles, mini-bikes, motorcycles, all-terrain vehicles (ATV's) and other such vehicles is prohibited on any school grounds or areas except for authorized school functions or purposes.

A school function will mean a school-sponsored or school-authorized extracurricular event or activity regardless of where such event or activity takes place, including any event or activity that may take place in another state.

All student vehicles are to be registered with the High School Principal and parked in authorized areas only.

Education Law Section 2801(1)
Vehicle and Traffic Law Section 1670

Adopted: 3/24/09
SUBJECT: PUBLIC ACCESS TO RECORDS

This policy has been replaced by Policy #1120: School District Records, which can be found in Board Docs → Policies
SUBJECT: CONFIDENTIALITY OF COMPUTERIZED INFORMATION

The development of centralized computer banks of educational data gives rise to the question of the maintenance of confidentiality of such data while still conforming to the New York State Freedom of Information Law. The safeguarding of confidential data from inappropriate use is essential to the success of the District's operation. Access to confidential computerized data will be limited only to authorized personnel of the School District.

It will be a violation of the District's policy to release confidential computerized data to any unauthorized person or agency. Any employee who releases or otherwise makes improper use of such computerized data will be subject to disciplinary action.

However, if the computerized information sought is available under the Freedom of Information Law and can be retrieved by means of existing computer programs, the District is required to disclose such information.

Family Educational Rights and Privacy Act of 1974
20 United States Code (USC) 1232(g)
Public Officers Law Section 84 et seq.

Adopted: 3/24/09
SUBJECT: CODE OF CONDUCT ON SCHOOL PROPERTY

The District has developed and will amend, as appropriate, a written Code of Conduct for the Maintenance of Order on School Property, including school functions, which will govern the conduct of students, teachers and other school personnel, as well as visitors and/or vendors. The Board will further provide for the enforcement of such Code of Conduct.

For purposes of this policy, and the implemented Code of Conduct, 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 the District's elementary or secondary schools, or in or on a school bus; and a school function will mean a school-sponsored extracurricular event or activity regardless of where such event or activity takes place, including those that take place in another state.

The District Code of Conduct has been developed in collaboration with student, teacher, administrator, and parent organizations, school safety personnel and other school personnel.

The Code of Conduct will include, at a minimum, the following:

a) Provisions regarding conduct, dress and language deemed appropriate and acceptable on school property and at school functions, and conduct, dress and language deemed unacceptable and inappropriate on school property; provisions regarding acceptable civil and respectful treatment of teachers, school administrators, other school personnel, students and visitors on school property and at school functions; the appropriate range of disciplinary measures which may be imposed for violation of such Code; and the roles of teachers, administrators, other school personnel, the Board and parents/persons in parental relation to the student;

b) Provisions prohibiting discrimination and harassment against any student, by employees or students on school property or at a school function, that creates a hostile environment by conduct, with or without physical contact and/or verbal threats, intimidation or abuse, of such a severe nature that:

   1. Has or would have the effect of unreasonably and substantially interfering with a student's educational performance, opportunities or benefits, or mental, emotional and/or physical well-being; or

   2. Reasonably causes or would reasonably be expected to cause a student to fear for his/her physical safety.

Such conduct will include, but is not limited to, threats, intimidation, or abuse based on a person's actual or perceived race, color, weight, national origin, ethnic group, religion, religious practices, disability, sexual orientation, gender as defined in Education Law Section 11(6), or sex; provided that nothing in this subdivision will be construed to prohibit a denial of admission into, or exclusion from, a course of instruction based on a
SUBJECT: CODE OF CONDUCT ON SCHOOL PROPERTY

person's gender that would be permissible under Education Law Sections 3201-a or 2854(2) (a) and Title IX of the Education Amendments of 1972 (20 USC Section 1681, et seq.), or to prohibit, as discrimination based on disability, actions that would be permissible under 504 of the Rehabilitation Act of 1973;

c) Standards and procedures to assure security and safety of students and school personnel;

d) Provisions for the removal from the classroom and from school property, including a school function, of students and other persons who violate the Code;

e) Provisions prescribing the period for which a disruptive student may be removed from the classroom for each incident, provided that no such student will return to the classroom until the Principal (or his/her designated School District administrator) makes a final determination pursuant to Education Law Section 3214(3-a)(c) or the period of removal expires, whichever is less;

f) Disciplinary measures to be taken for incidents on school property or at school functions involving the use of tobacco, the possession or use of illegal substances or weapons, the use of physical force, vandalism, violation of another student's civil rights, harassment and threats of violence;

g) Provisions for responding to acts of discrimination and harassment against students by employees or students on school property or at a school function pursuant to clause (b) of this subparagraph;

h) Provisions for detention, suspension and removal from the classroom of students, consistent with Education Law Section 3214 and other applicable federal, state and local laws, including provisions for school authorities to establish procedures to ensure the provision of continued educational programming and activities for students removed from the classroom, placed in detention, or suspended from school, which will include alternative educational programs appropriate to individual student needs;

i) Procedures by which violations are reported and determined, and the disciplinary measures imposed and carried out;

j) Provisions ensuring the Code of Conduct and its enforcement are in compliance with state and federal laws relating to students with disabilities;

k) Provisions setting forth the procedures by which local law enforcement agencies will be notified of Code violations which constitute a crime;
SUBJECT: CODE OF CONDUCT ON SCHOOL PROPERTY

l) Provisions setting forth the circumstances under and procedures by which parents/persons in parental relation to the student will be notified of Code violations;

m) Provisions setting forth the circumstances under and procedures by which a complaint in criminal court, a juvenile delinquency petition or person in need of supervision ("PINS") petition as defined in Articles 3 and 7 of the Family Court Act will be filed;

n) Circumstances under and procedures by which referral to appropriate human service agencies will be made;

o) A minimum suspension period for students who repeatedly are substantially disruptive of the educational process or substantially interfere with the teacher's authority over the classroom, provided that the suspending authority may reduce such period on a case-by-case basis to be consistent with any other state and federal law. For purposes of this requirement, as defined in Commissioner's Regulations, "repeatedly is substantially disruptive of the educational process or substantially interferes with the teacher's authority over the classroom" will mean engaging in conduct which results in the removal of the student from the classroom by teacher(s) pursuant to the provisions of Education Law Section 3214(3-a) and the provisions set forth in the Code of Conduct on four (4) or more occasions during a semester, or three (3) or more occasions during a trimester, as applicable;

p) A minimum suspension period for acts that would qualify the student to be defined as a violent student pursuant to Education Law Section 3214(2-a)(a). However, the suspending authority may reduce the suspension period on a case-by-case basis consistent with any other state and federal law;

q) A Bill of Rights and Responsibilities of Students which focuses upon positive student behavior and a safe and supportive school climate, which will be written in plain-language publicized and explained in an age-appropriate manner to all students on an annual basis; and

r) Guidelines and programs for in-service education programs for all District staff members to ensure effective implementation of school policy on school conduct and discipline, including but not limited to, guidelines on promoting a safe and supportive school climate while discouraging, among other things, discrimination or harassment against students by students and/or school employees; and including safe and supportive school climate concepts in the curriculum and classroom management.

The District's Code of Conduct will be adopted by the Board only after at least one (1) public hearing that provided for the participation of school personnel, parents/persons in parental relation, students, and any other interested parties.
SUBJECT: CODE OF CONDUCT ON SCHOOL PROPERTY

The Code of Conduct will be reviewed on an annual basis, and updated as necessary in accordance with law. The District may establish a committee pursuant to Education Law Section 2801(5)(a) to facilitate review of its Code of Conduct and the District's response to Code of Conduct violations. The School Board will reapprove any updated Code of Conduct or adopt revisions only after at least one (1) public hearing that provides for the participation of school personnel, parents/persons in parental relation, students, and any other interested parties. The District will file a copy of its Code of Conduct and any amendments with the commissioner, in a manner prescribed by the Commissioner, no later than thirty (30) days after their respective adoptions.

The Board will ensure community awareness of its Code of Conduct by:

a) Posting the complete Code of Conduct on the District website, if any, including any annual updates and other amendments to the Code;

b) Providing copies of a summary of the Code of Conduct to all students in an age-appropriate version, written in plain language, at a school assembly to be held at the beginning of each school year;

c) Providing a plain language summary of the Code of Conduct to parents or persons in parental relation to students before the beginning of each school year and making the summary available thereafter upon request;

d) Providing each existing teacher with a copy of the complete Code of Conduct and a copy of any amendments to the Code as soon as practicable following initial adoption or amendment of the Code. New teachers will be provided a complete copy of the current Code upon their employment; and

e) Making complete copies available for review by students, parents or persons in parental relation to students, other school staff and other community members.

Privacy Rights

As part of any investigation, the District has the right to search all school property and equipment including District computers. Rooms, desks, cabinets, lockers, computers, etc. are provided by the District for the use of staff and students, but the users do not have exclusive use of these locations or equipment and should not expect that materials stored therein will be private.

Education Law Sections 801-a, 2801 and 3214
Family Court Act Articles 3 and 7
Vehicle and Traffic Law Section 142
8 NYCRR Section 100.2(l)(2)

NOTE: Refer also to District Code of Conduct on School Property

Revised: 5/22/12
Re-Adoption Date: 5/22/12
SUBJECT:  PROHIBITION OF WEAPONS ON SCHOOL GROUNDS

With the exception of law enforcement officers, as permitted by law, and individuals who have the express written permission of the Board or its designee, no person may have in his/her possession any weapon on school grounds, in any District building, on a school bus or District vehicle, or at any school sponsored activity or setting under the control and supervision of the District. This prohibition includes, but is not limited to: any of the objects or instruments referred to in Section 265.01 of the New York State Penal Law; any air-gun, spring-gun, taser gun or other instrument or weapon in which the propelling force is a spring, air, piston or CO2 cartridge; and any object that could be considered a reasonable facsimile of a weapon.

Penal Law §§ 265.01-265.06

NOTE:  Refer also to Policies #3410 -- Code of Conduct on School Property
       #7313 -- Suspension of Students
       #7360 -- Weapons in School and the Gun-Free Schools Act

Adopted: 3/24/09
Revised and Re-Adopted: 12/20/16
SUBJECT:  THREATS OF VIOLENCE IN SCHOOL

The School District is committed to the prevention of violence against any individual or property in the schools or at school activities whether such acts and/or threats of violence are made by students, staff, or others. Threats of violence against students, school personnel and/or school property will not be tolerated whether or not such threats occur on school grounds or during the school day.

Any acts and/or threats of violence, including bomb threats, whether made orally, in writing, or by e-mail, will be subject to appropriate discipline in accordance with applicable law, District policies and regulations, as well as the Code of Conduct for the Maintenance of Order on School Property and collective bargaining agreements, as may be necessary.

While acknowledging an individual's constitutional rights, including applicable due process rights, the District refuses to condone acts and/or threats of violence which threaten the safety and well being of staff, students and the school environment. Employees and students will refrain from engaging threats or physical actions which create a safety hazard for others.

All staff who are made aware of physical acts and/or threats of violence directed to students or staff are to report such incidents to the Building Principal/designee, who will report such occurrences to the Superintendent. Additionally, the Building Principal/designee will also report occurrences of violence, whether involving an actual confrontation or threat of potential violence, to the school psychologist and/or Director of Special Education if applicable. Local law enforcement agencies may be called as necessary upon the determination of the Superintendent/designee.

Students are to report all acts and/or threats of violence, including threats of suicide, of which they are aware by reporting such incidents to the school hotline, a faculty member, or the Building Principal.

The District reserves the right to seek restitution, in accordance with law, from the parents/persons in parental relation to the student(s) and/or student for any costs or damages which had been incurred by the District as a result of the threats or acts of violence in the schools.

This policy will be enforced in accordance with applicable laws and regulations, as well as collective bargaining agreements and the Code of Conduct as may be necessary. Additionally, this policy will be disseminated, as appropriate, to students, staff, and parents/persons in parental relation to the student(s) and will be available to the general public upon request.

Appropriate sanctions for violations of this policy by students will be addressed in the Code of Conduct.

Adopted:  3/24/09
SUBJECT: NON-DISCRIMINATION AND ANTI-HARASSMENT IN THE DISTRICT

This policy has been replaced by Policy #0100: Non-Discrimination, Anti-Harassment, and Equal Opportunity, which can be found in Board Docs ➔ Policies
SUBJECT: UNIFORM VIOLENT AND DISRUPTIVE INCIDENT SYSTEM

In compliance with the Uniform Violent and Disruptive Incident System, the District will record each violent or disruptive incident that occurs on school property or at a school function. School property will mean 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 in or on a school bus as defined in Vehicle and Traffic Law Section 142. A school function will mean a school-sponsored or school-authorized extracurricular event or activity regardless of where such event or activity takes place, including any event or activity that may take place in another state.

In accordance with the manner prescribed, the District will submit an annual report of violent and disruptive incidents (on the Summary of Violent and Disruptive Incidents form) from the previous school year to the Commissioner of Education. Summary data will be used to determine the rate of violent and disruptive incidents in each school and to identify schools as persistently dangerous, as required by the No Child Left Behind Act.

The District will utilize the Individual Violent or Disruptive Incident Report form for the reporting of individual incidents by each building and/or program under its jurisdiction and for the tally count of incidents into the Summary Form. Copies of such incident reports will be retained for the time prescribed by the Commissioner in the applicable records retention schedule. These reports will be available for inspection by the State Education Department upon request.

All personally identifiable information included in a violent or disruptive incident report will be confidential and will not be disclosed to any person for any purpose other than that specified in Education Law, Section 2802, except as otherwise authorized by law.

The District will include a summary of the District's annual violent or disruptive incident report in its School District Report Card in the format prescribed by the Commissioner.

Reporting Guidelines

The District will utilize the New York State Education Department's website to obtain copies of the forms, directions, glossary and additional information at www.emsc.nysed.gov/irts/.

Education Law Sections 2801(1) and 2802
8 New York Code of Rules and Regulations (NYCRR)
Section 100.2 (gg)

Adopted: 3/24/09
SUBJECT: EMERGENCY SCHOOL CLOSINGS

In the event it is necessary to close school for the day, activate a delayed starting time or early dismissal (as well as information relating to cancellation of after-school activities/late bus runs), due to inclement weather, impassable roads, or other emergency reasons, announcement thereof will be made over local radio and television stations, Global Connect/auto dialing and the Internet/District website.

The attendance of personnel will be governed by their respective contracts.

Education Law Section 3604(7)

Adoption Date: 3/24/09
Revised and Re-Adopted: 5/13/14
SUBJECT: EXTRAORDINARY CIRCUMSTANCES

The District considers the safety of its students and staff to be of the utmost importance and is acutely aware that extraordinary circumstances such as widespread illness, natural disaster, or other emergency situation may make District premises unsafe or otherwise interrupt the District's ability to effectively operate.

In these circumstances, the District will follow its previously developed policies, procedures, and plans including, but not limited to, the District-wide school safety plan and building-level emergency response plan(s). To the extent that any District policy, procedure, or plan is in any way inconsistent with or conflicts with federal, state, or county law, regulation, or executive order released for the purpose of addressing the extraordinary circumstance, the federal, state, or county law, regulation, or executive order will govern. Additionally, the Board may adopt resolutions or take other actions as needed to respond to changes in federal, state, or county law, regulation, or executive order to provide further direction during an extraordinary circumstance.

Adoption Date: 11/17/20
Shoreham-Wading River Central School District

ADMINISTRATION

1.1 Administrative Personnel ........................................................................................................... 4110

ADMINISTRATIVE OPERATIONS

2.1 Administrative Organization and Operation ............................................................................. 4210
    2.1.1 Line Responsibility ........................................................................................................... 4211
2.2 Abolishing an Administrative Position ....................................................................................... 4220
2.3 Administrative Authority During Absence of the Superintendent ............................................. 4230
2.4 Administrative Latitude in the Absence of Board Policy ............................................................ 4240
2.5 Use of Committees ..................................................................................................................... 4250
2.6 Evaluation of the Superintendent and Other Administrative Staff ............................................ 4260

CENTRAL OFFICE AND BUILDING ADMINISTRATION

3.1 Superintendent ......................................................................................................................... 4310
3.2 Superintendent-Board Relations .............................................................................................. 4320

COMPENSATION AND RELATED BENEFITS

4.1 Professional Development Opportunities .................................................................................... 4410
4.2 Compensation and Related Benefits ........................................................................................ 4420
SUBJECT: ADMINISTRATIVE PERSONNEL

This policy has been replaced by Policy #3200: Administrative Organization and Operation, which can be found in Board Docs ➔ Policies
SUBJECT: ADMINISTRATIVE ORGANIZATION AND OPERATION

This policy has been replaced by Policy #3200: Administrative Organization and Operation, which can be found in Board Docs ➔ Policies
SUBJECT: LINE RESPONSIBILITY

This policy has been replaced by Policy #3200: Administrative Organization and Operation, which can be found in Board Docs ➔ Policies
SUBJECT: ABOLISHING AN ADMINISTRATIVE POSITION

Existing administrative positions will not be abolished by the Board without previous written notification of the impending abolition. Such written notification is to be served to the individual currently holding that position. In all cases the individual currently holding the position should receive as much advance notice as possible.

Education Law Section 3013

Adopted: 4/14/09
SUBJECT: ADMINISTRATIVE AUTHORITY DURING ABSENCE OF THE SUPERINTENDENT

This policy has been replaced by Policy #3200: Administrative Organization and Operation, which can be found in Board Docs → Policies
SUBJECT: ADMINISTRATIVE LATITUDE IN THE ABSENCE OF BOARD POLICY

This policy has been replaced by Policy #2440: Administration in Policy Absence, which can be found in Board Docs → Policies
SUBJECT: USE OF COMMITTEES

This policy has been replaced by Policy #2250: Board Committees, which can be found in Board Docs → Policies
SUBJECT: EVALUATION OF THE SUPERINTENDENT AND OTHER ADMINISTRATIVE STAFF

This policy has been replaced by Policy #0320: Evaluation of Superintendent, which can be found in Board Docs ➔ Policies
SUBJECT: SUPERINTENDENT

This policy has been replaced by Policy #3120: Duties of the Superintendent, which can be found in Board Docs → Policies
SUBJECT: SUPERINTENDENT-BOARD RELATIONS

This policy has been replaced by Policy #2240: Board-Superintendent Relationship, which can be found in Board Docs ➔ Policies
SUBJECT: PROFESSIONAL DEVELOPMENT OPPORTUNITIES

The Board will encourage administrators to keep informed of current educational theory and practice by study, by visiting other school systems, by attendance at educational conferences, and by such other means as are appropriate.

The approval of the Superintendent will be required for any conference attendance or visitations requested by administrators.

Participation will be limited by available resources and reimbursement guidelines.

General Municipal Law Sections 77-b and 77-c

Adopted: 4/14/09
SUBJECT: COMPENSATION AND RELATED BENEFITS

The salaries and related benefits of administrators who are not represented by the Shoreham-Wading River Administrators' Association will be set annually by the Board upon the recommendation of the Superintendent.

The salaries and related benefits of all other administrators will be as provided for in the collective bargaining agreement between the District and the Shoreham-Wading River Administrators' Association.

Adopted: 4/14/09
Shoreham-Wading River Central School District

BUDGET

1.1 Budget Planning and Development ................................................................. 5110
1.2 School District Budget Hearing ................................................................. 5120
1.3 Budget Adoption ......................................................................................... 5130
1.4 Administration of the Budget ................................................................. 5140

INCOME

2.1 Revenues ....................................................................................................... 5210
2.2 District Investments ...................................................................................... 5220
2.3 Acceptance of Gifts, Grants and Bequests to the School District .................. 5230
2.4 Property Tax Exemptions ............................................................................. 5240
2.5 Sale and Disposal of School District Property ............................................. 5250

EXPENDITURES

3.1 Bonding of Employees and School Board Members ................................... 5310
3.2 Expenditures of School District Funds .......................................................... 5320
  3.2.1 Use of Credit Cards and Automotive Fuel Charge Cards ...................... 5321
  3.2.2 Use of the District Cell Phone .............................................................. 5322
  3.2.3 Reimbursement for Meals/Refreshments .............................................. 5323
3.3 Budget Transfers .......................................................................................... 5330
3.4 Borrowing of Funds ..................................................................................... 5340
3.5 Payroll ........................................................................................................... 5350

PURCHASING

4.1 Purchasing ..................................................................................................... 5410
4.2 Procurement of Goods and Services ............................................................ 5411
  4.3 Alternative Formats for Instructional Materials ......................................... 5412
4.4 Federal Fund Purchasing ............................................................................. 5413

FISCAL ACCOUNTING AND REPORTING

5.1 Accounting of Funds ..................................................................................... 5510
5.2 Extra Classroom Activities Funds ............................................................... 5520
5.3 Petty Cash Funds and Cash in School Buildings ........................................... 5530
5.4 Publication of District's Annual Financial Statement .................................... 5540
5.5 Maintenance of Fiscal Effort (Title I Programs) ........................................... 5550
5.6 Allocation of Title I, Part A Funds in the District

........................5551
FISCAL ACCOUNTING AND REPORTING

5.6 Use of Federal Funds for Political Expenditures ................................................................. 5560
5.7 Financial Accountability ........................................................................................................ 5570
  5.7.1 Allegations of Fraud ........................................................................................................ 5571
  5.7.2 Audit Committee ............................................................................................................ 5572
  5.7.3 Internal Audit Function .................................................................................................. 5573
  5.7.4 Confidential Medicaid Disclosure Policy ..................................................................... 5574
  5.7.5 Fund Balance Policy ...................................................................................................... 5575
  5.8.5 Maintenance of Fund Balance ...................................................................................... 5576

NON-INSTRUCTIONAL OPERATIONS

6.1 Insurance .................................................................................................................................. 5610
6.2 Inventories .................................................................................................................................. 5620
  6.2.1 Accounting of Fixed Assets ............................................................................................ 5621
6.3 Facilities: Inspection, Operation and Maintenance ............................................................... 5630
  6.3.1 Hazardous Waste and Handling of Toxic Substances by Employees ......................... 5631
  6.3.2 Standard Operating Procedures for Two Way Radios ................................................... 5632
  6.3.3 All Gender Restrooms ...................................................................................................... 5633
6.4 Smoking/Tobacco/Electronic Cigarette Use ........................................................................ 5640
6.5 Energy/Water Conservation and Recycling of Solid Waste .................................................. 5650
6.6 Special Milk Program .............................................................................................................. 5660
6.7 Records Management ............................................................................................................. 5670
  6.7.2 Information Security Breach and Notification ................................................................. 5672
  6.7.3 Student Grading Information System ............................................................................. 5673
  6.7.4 Data Networks and Security Access .................................................................................. 5674
6.8 Safety and Security .................................................................................................................. 5680
  6.8.1 School Safety Plans .......................................................................................................... 5681
  6.8.2 Cardiac Automated External Defibrillators (AEDs) in Public School Facilities ............. 5682
  6.8.3 Fire Drills, Bomb Threats and Bus Emergency Drills ...................................................... 5683
  6.8.4 Computer Controls for Financial Network and District Computer Systems .............. 5684
  6.8.5 Use of Surveillance Cameras in the School District and on School Buses .................... 5685
6.9 Exposure Control Program .................................................................................................... 5690
  6.9.1 Communicable Diseases ................................................................................................. 5691
  6.9.2 Human Immunodeficiency Virus (HIV) Related Illnesses ............................................. 5692
7.0 Food Distribution .................................................................................................................... 5693

TRANSPORTATION

7.1 Transportation Program ........................................................................................................... 5710
7.2 Scheduling and Routing ........................................................................................................ 5720
7.3 Transportation of Students .......................................................................................... 5730
7.4 Idling School Buses on School Grounds ................................................................. 5731
7.5 School Bus Safety Program ...................................................................................... 5750
7.6 Qualifications of Bus Drivers .................................................................................. 5760
  7.6.1 Drug and Alcohol Testing for School Bus Drivers and Other
       Safety-Sensitive Employees ........................................................................... 5761
SUBJECT:  BUDGET PLANNING AND DEVELOPMENT

Budget planning and development for the District will be an integral part of program planning so that the annual operating budget may effectively express and implement programs and activities of the School System. Budget planning will be a year-round process involving participation of District-level administrators, Principals, Directors, Coordinators, teachers, and other personnel. The process of budget planning and development should allow for community input and contain numerous opportunities for public information and feedback.

The Superintendent will have overall responsibility for budget preparation, including the construction of and adherence to a budget calendar. Program managers will develop and submit budget requests for their particular areas of responsibility after seeking the advice and suggestions of staff members.

Principals will develop and submit budget requests for their particular schools in conjunction with the advice and suggestions of staff members and their own professional judgment. Each school's budget request will be the Principal's recommendation as to the most effective way to use available resources in achieving progress toward the approved educational objectives of the school. Program budgets and school budgets will reflect state and/or federal requirements, special sources of funding, and District objectives and priorities.

The Board will give consideration to budget requests, and will review allocations for appropriateness and for their consistency with the School System's educational priorities.

All budget documents for distribution to the public will be in plain language and organized in a manner which best promotes public comprehension of the contents. Documents will be complete and accurate and contain sufficient detail to adequately inform the public regarding such data as estimated revenues, proposed expenditures, transfers to other funds, fund balance information, and changes in such information from the prior year's submitted budget.

In accordance with Commissioner's Regulations, the budget will be presented in three (3) components which are to be voted upon as one (1) proposition. The law prescribes the types of items to be included in each component and further prescribes that all relevant costs be included in the component.

a) A program component which will include, but need not be limited to, all program expenditures of the School District, including the salaries and benefits of teachers and any school administrators or supervisors who spend a majority of their time performing teaching duties, and all transportation operating expenses;

b) A capital component which will include, but need not be limited to, all transportation capital, debt service, and lease expenditures; costs resulting from judgments and tax certiorari proceedings or the payment of awards from court judgments, administrative orders or settled or compromised claims; and all facilities costs of the School District, including facilities lease
SUBJECT: BUDGET PLANNING AND DEVELOPMENT

Expenditures, the annual debt service and total debt for all facilities financed by bonds and notes of the School District, and the costs of construction, acquisition, reconstruction, rehabilitation or improvement of school buildings, provided that such budget will include a rental, operations and maintenance section that includes base rent costs, total rent costs, operation and maintenance charges, cost per square foot for each facility leased by the District, and any and all expenditures associated with custodial salaries and benefits, service contracts, supplies, utilities, and maintenance and repairs of school facilities; and

c) An administrative component which will include, but need not be limited to, office and central administrative expenses, traveling expenses and all compensation, including salaries and benefits of all school administration and supervisors, business administrators, superintendents of schools and deputy, assistant, associate or other superintendents under all existing employment contracts or collective bargaining, any and all expenditures associated with the operation of the Office of the School Board, the Office of the Superintendent, General Administration, the School Business Office, consulting costs not directly related to direct student services and programs, planning and all other administrative activities.

Additionally, the Board will append to the proposed budget the following documents:

a) A detailed statement of the total compensation to be paid to the Superintendent, and any Assistant or Associate Superintendent in the ensuing school year, including a delineation of the salary, annualized cost of benefits and any in-kind or other form of remuneration;

b) A list of all other school administrators and supervisors, if any, whose annual salary for the coming school year will be at or above that designated in law for such reporting purposes, with the title of their positions and annual salary identified;

c) A School District Report Card, prepared pursuant to Commissioner's Regulations, which includes measures of the academic performance of the School District, on a school by school basis, and measures of the fiscal performance of the District;

d) A Property Tax Report Card prepared in accordance with law and Commissioner's Regulations (see subheading Property Tax Report Card); and

e) A Tax Exemption Report as received from the Town Assessor’s Office (see subheading Tax Exemption Report).

The proposed budget for the ensuing school year will be reviewed by the Board and publicly disseminated, in accordance with law, prior to its submission to District voters for approval.

District funds may be expended to inform the public regarding the annual budget and to present the annual budget to District voters; however, such funds will not be utilized to promote either a favorable or negative opinion of the proposed budget.
SUBJECT: BUDGET PLANNING AND DEVELOPMENT

Property Tax Report Card

Each year, the Board will prepare a Property Tax Report Card, pursuant to Commissioner's Regulations, and will make it publicly available by appending it to copies of the proposed budget made publicly available as required by law, making it available for distribution at the Annual Meeting, and otherwise disseminating it as required by the Commissioner.

The Property Tax Report Card will include:

a) The amount of total spending and total estimated school tax levy that would result from adoption of the proposed budget, and the percentage increase or decrease in total spending and total school tax levy from the School District budget for the preceding school year; and

b) The projected enrollment growth for the school year for which the budget is prepared, and the percentage change in enrollment from the previous year; and

c) The percentage increase in the average of the Consumer Price Indexes from January first of the prior school year to January first of the current school year as defined in Education Law; and

d) The projected amount of the adjusted unrestricted fund balance that will be retained if the proposed budget is adopted; the projected amount of the adjusted restricted fund balance; the projected amount of the assigned appropriated fund balance; the percentage of the proposed budget that the adjusted unrestricted fund balance represents; the actual adjusted unrestricted fund balance retained in the School District budget for the preceding school year; and the percentage of the School District budget for the preceding school year that the actual adjusted unrestricted fund balance represents; and

e) The District's school tax levy limit calculation. The District will submit its school tax levy limit calculation to the Office of the State Comptroller, NYSED and the Office of Taxation and Finance by March 1 annually. If a voter override of the tax levy limit is necessary, the budget vote must be approved by sixty percent (60%) of the District's qualified voters present and voting.

A copy of the Property Tax Report Card prepared for the Annual District Meeting will be submitted to the State Education Department in the manner prescribed by the Department by the end of the business day next following approval of the Property Tax Report Card by the Board, but no later than twenty-four (24) days prior to the statewide uniform voting day (i.e., the third Tuesday in May).

The State Education Department will compile such data for all school districts whose budgets are subject to a vote of the qualified voters, and will make such compilation available electronically at least ten (10) days prior to the statewide uniform voting day.
SUBJECT:  BUDGET PLANNING AND DEVELOPMENT

Tax Exemption Report

A Tax Exemption Report, as received from the Town Assessor’s Office, will be annexed to any tentative or preliminary budget and will become part of the final budget.

Education Law Sections 1608(3)-(7), 1716(3)-(7), 2022(2-a), 2023-a, 2601-a(3) and 2601-a(7)
General Municipal Law Section 36
Real Property Tax Law Sections 495 and 1318(l)
8 New York Code of Rules and Regulations (NYCRR) Sections 170.8, 170.9 and 170.11
State Education Department Handbook No. 3 on Budget

Adoption Date: 4/14/09
Revised and Re-Adopted: 12/20/16
SUBJECT: SCHOOL DISTRICT BUDGET HEARING

The Board will hold an Annual Budget Hearing, in accordance with law, so as to inform and present to District residents a detailed written statement regarding the District's estimated expenditures and revenue for the upcoming school year prior to the budget vote which is taken at the Annual District Meeting and Election.

The Budget Hearing will be held not less than seven (7) nor more than fourteen (14) days prior to the Annual District Meeting and Election or Special District Meeting at which will the budget vote occur. The proposed budget will be completed at least seven (7) days prior to the budget hearing at which it is to be presented.

Notice of the date, time and place of the annual budget hearing will be included in the notice of the Annual Meeting and Election and/or Special District Meeting as required by law.

All School District budgets which are submitted for voter approval will be presented in three (3) components: a program component, an administrative component, and a capital component; and each component will be separately delineated in accordance with law and/or regulation.

The Board will also prepare and append to copies of the proposed budget a School District Report Card, pursuant to the Regulations of the Commissioner of Education, referencing measures of academic and fiscal performance. Additionally, the Board will also append to copies of the proposed budget a detailed statement of the total compensation to be paid to various administrators as enumerated in law and/or regulation, and a Property Tax Report Card prepared in accordance with law and Commissioner's Regulations.

All budget documents for distribution to the public will be written in plain language and organized in a manner which best promotes public comprehension of the contents. New York School District Report Cards and Property Tax Report Cards are also available online from the State Education Department.

Dissemination of Budget Information

Copies of the proposed annual operating budget for the succeeding year and all required attachments may be obtained by any District resident. Additionally, the Board will include notice of the availability of copies of the budget at least once during the school year in any District-wide mailing.

Budget Notice

The School District Clerk will mail a School Budget Notice to all qualified voters of the School District after the date of the Budget Hearing, but no later than six (6) days prior to the Annual Meeting and Election or Special District Meeting at which a school budget vote will occur. The School Budget Notice will compare the percentage increase or decrease in total spending under the proposed budget over total spending under the School District budget adopted for the current school year, with the percentage increase or decrease in the Consumer Price Index from January first of the prior school year to January first of the current school year.
SUBJECT: SCHOOL DISTRICT BUDGET HEARING

Beginning with the budget notice for the 2012-2013 proposed budget, the District will also include in the notice:

a) The school tax levy limit;

b) The proposed school year tax levy (without permissible exclusions to the school tax levy limit);

c) The total permissible exclusions; and

d) The proposed school year tax levy (including permissible exclusions to the school tax levy limit).

The Notice will also include, in a manner and format prescribed by the Commissioner of Education, a comparison of the tax savings under the basic school tax relief (STAR) exemption and the increase or decrease in school taxes from the prior year, and the resulting net taxpayer savings for a hypothetical home within the District with a full value of one hundred thousand dollars ($100,000) under the existing School District budget as compared with such savings under the proposed budget.

The Notice will also set forth the date, time and place of the school budget vote in the same manner as in the Notice of the Annual Meeting. The School Budget Notice will be in a form prescribed by the Commissioner of Education.

Notice of Budget Hearing/Availability of Budget Statement:
Education Law Sections 1608(2), 1716(2), 2003(1), 2004(1), 2023-a and 2601-a(2)

Election and Budget Vote:
Education Law Sections 1804(4), 1906(1), 2002(1), 2017(5), 2017(6), 2022(1), 2023-a and 2601-a(2)

Budget Development and Attachments:
Education Law Sections 1608(3), 1608(4), 1608(5), 1608(6), 1608(7), 1716(3), 1716(4), 1716(5), 1716(6), 1716(7), 2022(2-a), 2023-a and 2601-a(3)
8 NYCRR Sections 100.2(bb), 170.8 and 170.9

Adoption Date: 4/14/09
Revised and Re-Adopted: 12/20/16
SUBJECT: BUDGET ADOPTION

The Board will review the recommended budget of the Superintendent and will seek public input and feedback regarding the recommended budget including, but not limited to, holding a public budget hearing not less than seven (7) nor more than fourteen (14) days prior to the Annual District Meeting and Election at which the budget vote is to occur. The Board may modify the recommended budget of the Superintendent prior to its submission to District voters. Final authorization of the proposed budget is dependent upon voter approval unless a contingency budget is adopted by the Board.

In the event the original proposed budget is not approved at the Annual District Meeting and Election, the Board may resubmit the original proposed budget or a revised budget for voter approval, or individual propositions may be placed before District voters, at a special meeting held on the third Tuesday of June. If the voters fail to approve the second budget submittal, or budget proposition(s), or if the Board elects not to put the proposed budget to a public vote a second time, the Board must adopt a contingency budget with a tax levy that is no greater than the prior year's levy.

The District budget for any school year, or any part of such budget, or any proposition(s) involving the expenditure of money for that school year, will not be submitted for a vote of the qualified District voters more than twice.

The District budget, once adopted, becomes the basis for establishing the tax levy on real property within the District.

8 New York Code of Rules and Regulations (NYCRR) Sections 100.2(bb), 170.8 and 170.9

Adopted: 4/14/09
Revised and Re-Adopted: 2/5/13
SUBJECT: ADMINISTRATION OF THE BUDGET

The Superintendent, working in conjunction with the administrative staff, is responsible to the Board for the administration of the budget.

a) He/she will acquaint District employees with the final provisions of the program budget and guide them in planning to operate efficiently and economically within these provisions.

b) Under his/her direction the District will maintain such records of accounting control as are required by the New York State Uniform System of Accounts for School Districts, the Board, and such other procedures as are deemed necessary and will keep the various operational units informed through periodic reports as to the status of their individual budgets.

c) Board approval is required prior to the expenditure of District funds.

Adopted: 4/14/09
SUBJECT: REVENUES

The School District Treasurer will have custody of all District funds in accordance with the provisions of state law. The Treasurer will be authorized and directed by the Board to invest the balances available in various District funds in accordance with regulations set forth in state law.

Education Law Sections 1604(a) and 1723(a)

Adopted: 4/14/09
SUBJECT: DISTRICT INVESTMENTS

Scope
This investment policy applies to all monies and other financial resources available for investment on its own behalf or on behalf of any other entity or individual.

Objectives
The primary objectives of the local government's investment activities are, in priority order:

a) To conform with all applicable federal, state and other legal requirements (legal);

b) To adequately safeguard principal (safety);

c) To provide sufficient liquidity to meet all operating requirements (liquidity); and

d) To obtain a reasonable rate of return (yield).

Delegation of Authority
The governing Board's responsibility for administration of the investment program is delegated to the Treasurer in conjunction with the Business Administrator who will establish written procedures for the operation of the investment program consistent with these investment guidelines. Such procedures will include an adequate internal control structure to provide a satisfactory level of accountability based on a data base or records incorporating description and amounts of investments, transaction dates, and other relevant information and regulate the activities of subordinate employees.

Prudence
All participants in the investment process will seek to act responsibly as custodians of the public trust and will avoid any transaction that might impair public confidence in the Shoreham-Wading River Central School District to govern effectively.

Investments will be made with judgment and care, under circumstances then prevailing which persons of prudence, discretion and intelligence exercise in the management of their own affairs, not for speculation, but for investment, considering the safety of the principal as well as the probable income to be derived.

All participants involved in the investment process will refrain from personal business activity that could conflict with proper execution of the investment program, or which would impair their ability to make impartial investment decisions.

Diversification
It is the policy of the Shoreham-Wading River Central School District to diversify its deposits and investments by financial institution, by investment instrument, and by maturity scheduling.
SUBJECT: DISTRICT INVESTMENTS (CONT.)

Internal Controls
It is the policy of the Shoreham-Wading River Central School District for all monies collected by any officer or employee of the government to transfer those funds to the Treasurer within two (2) days of deposit, or within the time period specified in law, whichever is shorter.

The Treasurer, the Business Administrator and the Internal Auditor are responsible for establishing and maintaining an internal control structure to provide reasonable, but not absolute, assurance that deposits and investments are safeguarded against loss from unauthorized use or disposition, that transactions are executed in accordance with management's authorization and recorded properly, and are managed in compliance with applicable laws and regulations.

Designation of Depositories
The banks and trust companies must be approved by the Board.

Collateralizing of Deposits
In accordance with the provisions of General Municipal Law Section 10, all deposits of the Shoreham-Wading River Central School District, including certificates of deposit and special time deposits, in excess of the amount insured under the provisions of the Federal Deposit Insurance Act will be secured by one or more of the following means:

1. By a pledge of "eligible securities" with an aggregate "market value" as provided by General Municipal Law Section 10, equal to the aggregate amount of deposits from the categories designated in Appendix A to the policy.

2. By an “irrevocable letter of credit” issued in favor of the District by a federal home loan bank whose commercial paper and other unsecured short-term debt obligations are rated in the highest rating category by at least one nationally recognized statistical rating organization, as security for the payment of 100 percent of the aggregate amounts of public deposits and investments from the District, and the agreed-upon interest, if any.

Safekeeping and Collateralization
Eligible securities used for collateralizing deposits will be held by the depository or a third party bank or trust company subject to security and custodial agreements acceptable to the District. The security agreement will provide that eligible securities are being pledged to secure District deposits together with agreed upon interest, if any, and any costs or expenses arising out of the collection of such deposits upon default. It will also provide the conditions under which the securities being held may be sold, presented for payment, substituted, or released, and the events which will enable the District to exercise its rights against the pledged securities. In the event that the securities are not registered or inscribed in the name of the District, such securities will be delivered in a form suitable for transfer or with an assignment in blank to the Shoreham-Wading River Central School District or its custodial bank.
SUBJECT: DISTRICT INVESTMENTS (CONT.)

The custodial agreement will provide that securities held by the bank or trust company, or agent of and custodian for, the District, will be kept separate and apart from the general assets of the custodial bank or trust company and will not, in any circumstances, be commingled with or become part of the collateralization for any other deposit or other liabilities. The agreement will also describe that the custodian will confirm the receipt, substitution or release of the pledged securities. The agreement will provide for the frequency of revaluation of eligible securities and for the substitution of securities when a change in the rating of a security may cause ineligibility. Such agreement will include all provisions necessary to provide the District a perfected interest in the securities.

Permitted Investments
As authorized by General Municipal Law Section 11, the Shoreham-Wading River Central School District authorizes the Business Manager/Treasurer to invest moneys not required for immediate expenditure for terms not to exceed its projected cash flow needs in the following types of investments:

a) Special time deposit accounts;
b) Certificates of deposit;
c) Obligations of the United States of America;
d) Obligations guaranteed by agencies of the United States of America where the payment of principal and interest are guaranteed by the United States of America;
e) Obligations of the State of New York.

All investment obligations will be payable or redeemable at the option of the Shoreham-Wading River Central School District within such times as the proceeds will be needed to meet expenditures for purposes for which the monies were provided and, in the case of obligations purchased with the proceeds of bonds or notes, will be payable or redeemable at the option of the Shoreham-Wading River Central School District within one (1) year of the date of purchase.

Authorized Financial Institutions and Dealers
The Shoreham-Wading River Central School District will maintain a list of financial institutions approved for investment purposes. All financial institutions with which the local government conducts business must be credit worthy. Banks will provide their most recent Consolidated Report of Condition (Call Report) at the request of the Shoreham-Wading River Central School District. The Treasurer and Business Administrator is responsible for evaluating the financial position and maintaining a listing of proposed depositories, trading partners and custodians. Such listing will be evaluated at least annually.

Adopted: 4/14/09
Revised: 1/19/2021, 3/23/2021
SUBJECT: ACCEPTANCE OF GIFTS, GRANTS AND BEQUESTS TO THE SCHOOL DISTRICT

This policy has been replaced by Policy #1800: Donations, Gifts, and Grants to the District, which can be found in Board Docs → Policies
SUBJECT: SCHOOL TAX ASSESSMENT AND COLLECTION/PROPERTY TAX EXEMPTIONS

A tax collection plan giving dates of warrant and other pertinent data will be prepared annually and submitted for review and consideration by the School Business Official to the Board. Tax collection will occur by mail or by direct payment to the place designated by the Board.

Senior Citizens

Unless specifically exempted by law, real property used exclusively for residential purposes and owned by one (1) or more persons, each of whom is sixty-five (65) years of age or over, or real property owned by husband and wife or by siblings, one of whom is sixty-five (65) years of age or over, will be exempt from taxation to the extent of percentum of the assessed valuation determined by the Board if the owners meet the criteria established annually by the Board.

The real property tax exemption of real property owned by husband and wife, when one of them is sixty-five (65) years of age or over, once granted, will not be rescinded solely because of the death of the older spouse so long as the surviving spouse is at least sixty-two (62) years of age.

Disabled Citizens

Unless specifically exempted by law, real property used exclusively for residential purposes and owned by one or more persons with disabilities; or owned by a husband, wife or both, or siblings, at least one of whom has a disability; and whose income, as defined pursuant to law, is limited by reason of such disability will be exempt from taxation to the extent of per centum of the assessed valuation determined by the Board if the owners meet the criteria established annually by the Board. The Board must adopt a resolution allowing such an exemption following a public hearing on this specific issue.

No exemption will be granted unless the real property is the legal residence of and is occupied in whole or in part by the disabled person; except where the disabled person is absent from the residence while receiving health-related care as an in-patient of a residential health care facility as defined in Public Health Law.

The District may permit a property tax exemption to an otherwise eligible disabled citizen even if a child who attends a public school resides at that address, provided that any such resolution will condition such exemption upon satisfactory proof that the child was not brought into the residence in whole or in substantial part for the purpose of attending a particular school within the District. The Board must adopt a resolution allowing such an exemption following a public hearing on this specific issue.

For purposes of this policy, and in accordance with law, a person with a disability is one who has a physical or mental impairment, not due to current use of alcohol or illegal drug use, which substantially limits such person's ability to engage in one or more major life activities, such as caring for one's self, performing manual tasks, walking, seeing, hearing, speaking, breathing, learning and working; and who is certified to receive Social Security Disability Insurance (SSDI) or Supplemental Security Income (SSI) benefits under the federal Social Security Act or is certified to receive Railroad
SUBJECT: SCHOOL TAX ASSESSMENT AND COLLECTION/PROPERTY TAX EXEMPTIONS

Retirement Disability benefits under the federal Railroad Retirement Act, or has received a certificate from the State Commission for the Blind and Visually Handicapped stating that such person is legally blind.

Volunteer Firefighters and Ambulance Workers

In accordance with law, the District, after a public hearing, may adopt a resolution allowing the full benefits of the real property tax law exemptions for enrolled members of an incorporated volunteer fire company, fire department or incorporated voluntary ambulance service.

Enrolled members will be exempt from real property and school taxation to the extent of ten percent (10%) not to exceed three thousand dollars ($3000) multiplied by the latest state equalization rate for the assessing unit in which the property is located.

Such tax exemptions will not be granted to enrolled members unless:

a) They reside in the city, town or village which is served by the incorporated volunteer fire company, fire department or incorporated voluntary ambulance service; and

b) The property is their primary residence, used exclusively for residential purposes; however, if any portion of the property is used otherwise, that portion is subject to regular taxation.

Members must be certified by the jurisdiction as having been an enrolled member of the incorporated volunteer fire company, fire department or incorporated voluntary ambulance service for at least five (5) years. An enrolled member who is certified as having accrued more than twenty (20) years of active service will be granted the exemption for the remainder of his/her life provided his/her residence is located within a county providing such exemption.

Any volunteer firefighter or volunteer ambulance worker already receiving benefits under the existing real property tax law will not have their benefits diminished.

Alternative Veterans' Exemption

The Board, having held a public hearing and passed a resolution, pursuant to the Real Property Tax Law provides a property tax exemption available to any veteran of the U.S. Armed Forces who served on active duty during a period of war, or received an expeditionary medal. The District will grant such exemption in a manner consistent with the Real Property Tax Law and at levels set forth by the Board. Should the District wish to reduce or increase the ceilings on the exemptions, it must hold a separate hearing and pass a separate resolution.

Education Law Section 2130
Public Health Law Section 2801
Real Property Tax Law Sections 458-a, 459-c, 466-c, 466-f, 466-g, 466-l, 467, 1300-1342

Adopted: 4/14/09
Revised and Re-Adopted: 12/20/16
SUBJECT: SALE AND DISPOSAL OF SCHOOL DISTRICT PROPERTY

Sale of School Property

No school property will be sold without prior approval of the Board. However, the responsibility for such sales may be delegated. The net proceeds from the sale of school property will be deposited in the General Fund.

Disposal of District Personal Property

Equipment

School District equipment that is obsolete, surplus, or unusable by the District will be disposed of in such a manner that is advantageous to the District.

The Superintendent will be responsible for selling the equipment in such a way so as to maximize the net proceeds of sale which may include a bona fide public sale preceded by adequate public notice. If it is determined that reasonable attempts to dispose of the equipment have been made and such attempts have not produced an adequate return, the Superintendent or his/her designee may dispose of the equipment in any manner which he/she deems appropriate.

Textbooks

Textbooks may lose their value to the educational program because of changes in the curriculum or they contain outdated material and/or are in poor condition.

If textbooks are no longer useful or usable, the procedures for disposal will adhere to the following order of preference:

a) Sale of textbooks. If reasonable attempts to dispose of surplus textbooks fail to produce monetary return to the School District; then

b) Donation to charitable organizations; or

c) Disposal as trash.

Education Law Sections 1604(4), 1604(30), 1604(36), 1709(9), 1709(11), 2503, 2511 and 2512
General Municipal Law Sections 51 and 800 et seq.

Adopted: 4/14/09
SUBJECT: BONDING OF EMPLOYEES AND SCHOOL BOARD MEMBERS

In accordance with New York State Education Law and the Commissioner’s Regulations, the Board directs that the Treasurer of the Board and the Internal Auditor be bonded prior to assuming their duties. Such bonds will be in the amounts as determined and approved by the Board.

Other school personnel and members of the Board authorized or required to handle School District revenues may be covered by a blanket undertaking provided by the District in such amounts as approved by the Board based upon the recommendations of the Superintendent or his/her designee.

Education Law Sections 1709(20-a), 1720, 2130(5), 2526 and 2527
Public Officers Law Section 11(2)
8 New York Code of Rules and Regulations (NYCRR) Section 170.2(d)

Adopted: 4/14/09
SUBJECT: EXPENDITURES OF SCHOOL DISTRICT FUNDS

The Board authorizes the Purchasing Agent to expend school funds as appropriated by approved operational and capital budgets, and by the adoption of special resolutions. He/she will make expenditures in accordance with applicable law and in a manner that will achieve the maximum benefit from each dollar expended.

All claims will be properly audited before payment by the Internal Claims Auditor who will attest to the existence of evidence of indebtedness to support the claim.

Complete records of all expenditures will be maintained for future analysis and reporting within the time frame required by the Records Disposition Law or regulation.

Arts and Cultural Affairs Law Section 57.19
Education Law Sections 1720 and 2523
8 New York Code of Rules and Regulations (NYCRR)
Section 185

NOTE: Refer also to Policies #5321 -- Use of the District Credit Card
      #5322 -- Use of the District Cell Phone
      #5323 -- Reimbursement for Meals/Refreshments
      #6161 -- Conference/Travel Expense Reimbursement

Adopted: 4/14/09
SUBJECT: USE OF CREDIT CARDS AND AUTOMOTIVE FUEL CHARGE CARDS

Note: A multi-purpose credit card used by personnel in charging reimbursable expenses is permissible but any claim for payment by the credit card company must comply with the provisions of sections 1724(1) or 2524(1) of the Education Law. These sections provide that a claim cannot be paid unless an itemized voucher has been approved, audited and allowed as required by law and Board policy.

The Board prohibits the use of District credit cards by District employees and Board members.

Automotive fuel charge cards may be used only for authorized gasoline and diesel fuel purchases by authorized District personnel only for specified District-owned vehicles. The list of vehicle authorizations will be reported to and approved by the Board each year at the re-organizational meeting in July.

Users must take proper care of these credit cards and take all reasonable precautions against damage, loss or theft. Any damage, loss or theft must be reported immediately to the Business Office and to the Plant Facilities Administrator. Failure to take proper care of credit cards or failure to report damage, loss of theft may subject the employee to financial liability.

Purchases that are unauthorized, illegal, represent a conflict of interest, are personal in nature or violate the intent of this policy may result in credit card revocation and discipline of the employee.

The Superintendent, in consultation with the School Business Administrator and Plant Facilities Administrator, will establish regulations governing the issuance and use of credit cards. Each cardholder will be apprised of the procedures governing the use of the automotive fuel card and a copy of this policy and accompanying regulations will be given to each cardholder.

The School Business Administrator will periodically, but not less than twice a year, monitor the use of each automotive charge card, report to the Board and provide copies of the regulations.

Education Law Sections 1724(1) and 2524(1)

NOTE: Refer also to Policy #5410 – Purchasing

Adopted: 4/14/09
SUBJECT: USE OF THE DISTRICT CELL PHONE

The Board recognizes that certain District employees will be required to carry District-owned cellular telephones to meet their job responsibilities. Job titles requiring District-owned cellular telephones will be listed in Regulation 5322R. The number of staff may be changed by the Superintendent with prior approval of the Board. The list will be reported to and approved by the Board each year at the District's organizational meeting in July.

The District will establish the level of service contract for each specific employee. Said contract will be reviewed and approved by the Board.

Employees must comply with state and local regulations dealing with the use of cellular telephones. Hands-free devices must be used whenever required by applicable law. Employees will make every attempt to use their cellular telephones for business purposes only. In the event an employee uses a District-owned cellular telephone for other than business purposes, he/she will reimburse the District for such non-business calls within thirty (30) days of notice. Authorization to use a District-owned cellular telephone will be restricted for any employee who is delinquent in reimbursing the District for non-business calls.

All District-owned cellular telephones are to remain the property of the District. District-owned cellular telephones will be returned immediately upon the employee's termination of employment or upon request. Employees who fail to return a District-owned cellular telephone upon termination of employment or at the District's request will be billed for the actual cost of the cellular telephone and for all charges made after termination of employment or the District's request and may be subject to disciplinary action.

As with any District-owned equipment, employees must take proper care of cellular telephones and take all reasonable precautions against damage, loss or theft. Any damage, loss or theft must be reported immediately to the Business Office.

At least once each year, the Business Office will evaluate the District's cellular telephone plan and will recommend any appropriate modifications thereto to the Superintendent.

Adopted: 4/14/09
SUBJECT: REIMBURSEMENT FOR MEALS/REFRESHMENTS

Travel Outside of District/Emergency Meetings

School District officials and employees are entitled to reimbursement for necessary expenses incurred in the performance of their official duties. However, it is the position of the New York State Comptroller's Office that meals of public officers and employees generally should not be reimbursed or paid by the municipal entity unless the officer or employee is traveling outside his/her regular work area on official business for an extended period of time, or where events prevent them from taking off during mealtime for food consumption because of a pressing need to complete business. All requests for reimbursement must document who attended the meetings and how the meetings fit these conditions.

The Board recognizes that each year there may be a limited number of instances where Board Members are expected to participate by virtue of their Board office in activities of a combined business and social nature, where their participation is deemed by the Board to be in the best interests of the District. These include, but are not limited to, District-wide events open to the school community, such as an annual PTA Recognition Dinner, where Board Members will serve as representatives of the Board to express the Board's appreciation for the efforts of parent volunteers and other honorees, and at retirement dinners for teacher retirees or administrative retirees where the presence of Board members is essential to the promotion of the goals of harmonious labor relations and for the expression of the Board's appreciation for past services by such retirees to the District and its students. In such circumstances, the Board may designate those of its members whom it deems to be in the best interest of the District to attend such functions at District expense.

Staff/Board Meetings and District Events

However, the Board recognizes that at certain times it may be appropriate to provide meals and/or refreshments at District meetings and/or events which are being held for an educational purpose. Prior approval of the Superintendent/designee must be obtained for food and beverages provided at meetings or activities which will be charged to the District.

Any such expenditures must be appropriately documented with an itemized receipt and information showing the date and purpose of the meeting, food served, who attended the meetings and why the attendees needed food and/or refreshments to conduct School District business. These requirements must be met for meals/refreshments provided by the school lunch fund or local vendors, charged to District credit cards and/or reimbursed to a School District official.

In no case will the costs for meals exceed the current Federal per diem meal rates for the geographic area.

NOTE: Refer also to Policy #6161 -- Conference/Travel Expense Reimbursement

Adopted: 4/14/09
SUBJECT: BUDGET TRANSFERS

Within legal limits as established by the Board, the Superintendent or Assistant Superintendent for Finance and Operations or the Business Manager are authorized to transfer funds within the budget. Whenever a change over two thousand dollars ($2,000) is made, it is to be incorporated in the next Board agenda for information only.

8 New York Code of Rules and Regulations (NYCRR)
Section 170.2(l)
Education Law Section 1718

Adopted: 4/14/09
Revised and Re-Adopted: 10/22/13
SUBJECT: BORROWING OF FUNDS

The School District may borrow money only by means of serial bonds, bond anticipation notes, capital notes, tax anticipation notes, revenue anticipation notes and budget notes.

Local Finance Law Article 2
SUBJECT: PAYROLL

A duly certified payroll is one that has been examined and approved by the Board appointee (ex: Claims Auditor, Superintendent and/or Business Official). The Business Official and his/her staff is responsible for preparing all payrolls.

A periodic test will be conducted to verify accuracy and appropriateness of District payrolls.

A payroll schedule will be approved by the Superintendent each fiscal year.

Teachers will generally receive paychecks every second Friday during the school year in accordance with the payroll schedule. Teachers will have an option to receive instead twenty (26) equal paychecks. The checks for the summer months will be received at the end of the school year in June.

Twelve-month employees will generally receive paychecks on every second Friday during the calendar year.

Ref: Education Law Section 1604; 1719; 1720; 2116-a

Adoption Date: July 6, 2010
SUBJECT: PURCHASING

The District's purchasing activities will be part of the responsibilities of the Business Office, under the general supervision of the Purchasing Agent, Mr. David Carlson, designated by the Board. The purchasing process should enhance school operations and educational programs through the procurement of goods and services deemed necessary to meet District needs.

Competitive Bids and Quotations

As required by law, the Superintendent will follow normal bidding procedures in all cases where needed quantities of like items will total the maximum level allowed by law during the fiscal year, (similarly for public works-construction, repair, etc.) and in such other cases that seem to be to the financial advantage of the School District.

The Board is required by law to award all purchase contracts for supplies, materials and equipment involving expenditures in excess of twenty thousand dollars ($20,000.00) and all contracts for public works in excess of thirty-five thousand ($35,000.00) to the lowest responsible bidder.

A bid bond may be required if considered advisable.

No bid for supplies will be accepted that does not conform to specifications furnished unless specifications are waived by Board action. Contracts will be awarded to the lowest responsible bidder who meets specifications. However, the Board may choose to reject any bid.

Rules will be developed by the administration for the competitive purchasing of goods and services.

The Superintendent may authorize purchases without bidding if required by emergencies and are legally permitted.

The Board is authorized to enter into cooperative bidding for various needs of the School District.

Request for Proposal Process for the Independent Auditor

In accordance with law, no audit engagement will be for a term longer than five (5) consecutive years. The District may, however, permit an independent auditor engaged under an existing contract for such services to submit a proposal for such services in response to a request for competitive proposals or be awarded a contract to provide such services under a request for proposal process.

Procurement of Goods and Services

The Board recognizes its responsibility to ensure the development of procedures for the procurement of goods and services not required by law to be made pursuant to competitive bidding requirements. These goods and services must be procured in a manner so as to:

a) Assure the prudent and economical use of public moneys in the best interest of the taxpayer;
SUBJECT: PURCHASING

a) Facilitate the acquisition of goods and services of maximum quality at the lowest possible cost under the circumstances; and

b) Guard against favoritism, improvidence, extravagance, fraud and corruption.

These procedures will contain, at a minimum, provisions which:

a) Prescribe a process for determining whether a procurement of goods and services is subject to competitive bidding and if it is not, documenting the basis for such determination;

b) With certain exceptions (purchases pursuant to General Municipal Law, Section 186; State Finance Law, Sections 175-a and 175-b; State Correction Law, Section 184; or those circumstances or types of procurements set forth in f) of this section), provide that alternative proposals or quotations for goods and services will be secured by use of written request for proposals, written quotations, verbal quotations or any other method of procurement which furthers the purposes of General Municipal Law Section 104-b;

c) Set forth when each method of procurement will be utilized;

d) Require adequate documentation of actions taken with each method of procurement;

e) Require justification and documentation of any contract awarded to other than the lowest responsible dollar offer, stating the reasons;

f) Set forth any circumstances when, or the types of procurement for which, the solicitation of alternative proposals or quotations will not be in the best interest of the District; and

g) Identify the individual or individuals responsible for purchasing and their respective titles.

Any unintentional failure to fully comply with these provisions will not be grounds to void action taken or give rise to a cause of action against the District or any District employee.

The Board will solicit comments concerning the District's policies and procedures from those employees involved in the procurement process. All policies and procedures regarding the procurement of goods and services will be reviewed annually by the Board.

Alternative Formats for Instructional Materials

Preference in the purchase of instructional materials will be given to vendors who agree to provide materials in a usable alternative format (i.e., any medium or format, other than a traditional print textbook, for presentation of instructional materials that is needed as an accommodation for each student with a disability, including students requiring Section 504 Accommodation Plans, enrolled in the School District). Alternative formats include, but are not limited to, Braille, large print, open and closed captioned, audio, or an electronic file in an approved format as defined in Commissioner's Regulations.
SUBJECT: PURCHASING

District Plan

As required by federal law and New York State Regulations, the District has adopted the National Instructional Materials Accessibility Standard (NIMAS) to ensure that curriculum materials are available in a usable alternative format for students with disabilities. The School District will participate in the National Instructional Materials Access Center (NIMAC).

Environmentally Sensitive Cleaning and Maintenance Products

In accordance with Commissioner's Regulations, State Finance Law and Education Law, effective with the 2006-2007 school year, the District will follow guidelines, specifications and sample lists when purchasing cleaning and maintenance products for use in its facilities. Such facilities include any building or facility used for instructional purposes and the surrounding grounds or other sites used for playgrounds, athletics or other instruction.

Environmentally sensitive cleaning and maintenance products are those which minimize adverse impacts on health and the environment. Such products reduce as much as possible exposures of children and school staff to potentially harmful chemicals and substances used in the cleaning and maintenance of school facilities. The District will identify and procure environmentally sensitive cleaning and maintenance products which are available in the form, function and utility generally used. Coordinated procurement of such products as specified by the Office of General Services (OGS) may be done through central state purchasing contracts to ensure that the District can procure these products on a competitive basis.

The District will notify their personnel of the availability of such guidelines, specifications and sample product lists.

Apparel and Sports Equipment Purchases

Competitive Bidding Purchases

The Board will only accept bids from "responsible bidders." A determination that a bidder on a contract for the purchase of apparel or sports equipment, is not a "responsible bidder" will be based upon either or both of the following considerations:

a) The labor standards applicable to the manufacture of the apparel, or sports equipment, including but not limited to employee compensation, working conditions, employee rights to form unions, and the use of child labor; or

b) The bidder's failure to provide information sufficient for the Board to determine the labor standards applicable to the manufacture of the apparel or sports equipment.
SUBJECT: PURCHASING

Non-Competitive Bidding Purchases

The Board's internal policies and procedures governing procurement of apparel or sports equipment, where such procurement is not required to be made pursuant to competitive bidding requirements, will prohibit the purchase of apparel or sports equipment, from any vendor based upon either or both of the following considerations:

a) The labor standards applicable to the manufacture of the apparel or sports equipment, including but not limited to employee compensation, working conditions, employee rights to form unions, and the use of child labor; or

b) The bidder's failure to provide information sufficient for the Board to determine the labor standards applicable to the manufacture of the apparel or sports equipment.

Contracts for Goods and Services

No contracts for goods and services will be made by individuals or organizations in the school that involve expenditures without first securing approval for such contract from the Purchasing Agent.

No Board member or employee of the School District will have an interest in any contract entered into by the Board or the School District.

Upon the adoption of a resolution by a vote of at least three-fifths (3/5) of all Board members stating that for reasons of efficiency or economy there is need for standardization, purchase contracts for a particular type or kind of equipment, materials or supplies of more than twenty thousand ($20,000) may be awarded by the Board to the lowest responsible bidder furnishing the required security after advertisement for sealed bids in the manner provided in law.

"Piggybacking" Law - Exception to Competitive Bidding

On August 1, 2012, General Municipal Law (GML) Section 103 was amended to allow school districts to purchase certain goods and services (apparatus, materials, equipment and supplies) through the use of contracts let by the United States or any agency thereof, any state, and any county, political subdivision or district of any state. The amendment authorizes school districts and BOCES to "piggyback" on contracts let by outside governmental agencies in a manner that constitutes competitive bidding "consistent with state law."

This "piggybacking" is permitted on contracts issued by other governmental entities, provided that the original contract:

a) Has been let by the United States or any agency thereof, any state (including New York State) or any other political subdivision or district therein;

b) Was made available for use by other governmental entities and agreeable with the contract holder; and
SUBJECT: PURCHASING

c) Was let in a manner that constitutes competitive bidding consistent with New York State law and is not in conflict with other New York State laws.

The "piggybacking" amendment and the "best value" amendment may not be combined to authorize a municipality to "piggyback" onto a cooperative contract which was awarded on the basis of "best value." In other words, while a school district or BOCES may authorize the award of contracts on the basis of "best value", it may not "piggyback" onto a purchasing contract awarded by another agency on the basis of "best value."

Education Law Sections 305(14), 409-i, 1604, 1709, 1950, 2503, 2554 and 3602
General Municipal Law Articles 5-A and 18
State Finance Law Section 163-b
8 New York Code of Rules and Regulations (NYCRR) Sections 170.2, 200.2(b)(10), 200.2(c)(2) and 200.2(i)

Adopted: 2009
Revised and Re-Adopted: February 7, 2011
Revised and Re-Adopted: December 15, 2015
Revised and Re-Adopted: November 1, 2016
Revised and Re-Adopted: December 20, 2016
SUBJECT: PROCUREMENT OF GOODS AND SERVICES

Purchasing Authority

The District's purchasing activities will be part of the responsibilities of the Business Office, under the general supervision of the Purchasing Agent designated by the Board. The Purchasing Agent is authorized to enter into cooperative bidding and cooperative purchasing arrangements to meet the various needs of the District. No contracts for goods and services will be made by individuals or organizations in the school that involve expenditures without first securing approval for the contract from the Purchasing Agent.

Except as authorized by law, no Board member or employee of the District will have an interest in any contract entered into by the District.

Purchasing Process

The Board recognizes its responsibility to ensure the development of procedures for the procurement of goods and services not required by law to be made pursuant to competitive bidding requirements. These goods and services will be procured in a manner so as to:

a) Assure the prudent and economical use of public moneys in the best interests of the taxpayer;

b) Facilitate the acquisition of goods and services of maximum quality at the lowest possible cost under the circumstances; and

c) Guard against favoritism, improvidence, extravagance, fraud, and corruption.

These procedures will contain, at a minimum, provisions which:

a) Prescribe a process for determining whether a procurement of goods and services is subject to competitive bidding and if it is not, documenting the basis for such determination;

b) Contracts for professional services requiring special skills or training, such as legal or medical services, property appraisals, engineers, architects, investment managements, and claims management are exempt from public bidding. However, the District may decide if the solicitation of quotes or proposals is in the best interest of the District.

c) With certain exceptions, provide that alternative proposals or quotations for goods and services will be secured by use of written request for proposals, written quotations, verbal quotations, or any other method of procurement which furthers the purposes of General Municipal Law Section 104-b;

d) Set forth when each method of procurement will be utilized;

e) Require adequate documentation of actions taken with each method of procurement;
SUBJECT: PROCUREMENT OF GOODS AND SERVICES

f) Require justification and documentation of any contract awarded to other than the lowest responsible dollar offer, stating the reasons;

g) Set forth any circumstances when, or the types of procurement for which, the solicitation of alternative proposals or quotations will not be in the best interest of the District; and

h) Identify the individual or individuals responsible for purchasing and their respective titles. This information will be updated biennially.

Any unintentional failure to fully comply with these provisions will not be grounds to void action taken or give rise to a cause of action against the District or any District employee.

The District will develop administrative regulations to establish procedures for the procurement of goods and services.

Education Law §§ 1604, 1709, 1950, 2503, 2554, and 3602
General Municipal Law Articles 5-A and 18
General Municipal Law § 119-o

NOTE: Refer also to Policies #5410 -- Purchasing: Competitive Bidding and Offering
#5412 -- Alternative Formats for Instructional Materials

Adoption Date: 10/23/18
SUBJECT: ALTERNATIVE FORMATS FOR INSTRUCTIONAL MATERIALS

This policy has been replaced by Policy #4321.06: Availability of Alternative Format Instructional Materials for Students with Disabilities, which can be found in Board Docs ➔ Policies
SUBJECT: FEDERAL FUNDS PURCHASING

The Board of Education views purchasing as serving the educational program by providing necessary supplies, equipment and related services. Purchasing will be centralized in the business office under the general supervision of the Purchasing Agent designated by the Board.

This policy applies to contracts for purchases, services, and public works wholly or in part funded with federal financial assistance (direct or reimbursed). The requirements of this policy also apply to any sub-recipient of the funds.

(For purchasing requirements applying to contracts for purchases, services, and public works funded with non-federal funding, policy 6700, Purchasing applies.)

All federally funded projects, loans, grants, and sub-grants, whether wholly funded or in part, are subject to the Uniform Administrative Requirements, Cost Principles, and Audit Requirements for federal awards (Uniform Guidance) unless the federal agency or state pass-through agency awarding the funds has stated otherwise in writing.

The district will also follow all applicable local, state, and federal purchasing requirements when spending federal funds. In the event local, state, or other federal requirements are more restrictive than Uniform Guidance indicates, the more restrictive requirement will apply.

All contracts paid for in whole or in part with federal funds shall be in writing. The written contract must include or incorporate by reference the provisions required by Uniform Guidance.

**Competitive Bidding**

Purchase contracts and public works contracts subject to competitive bidding will be awarded to the lowest responsible bidder possessing the ability to successfully meet the obligations under the terms and conditions of the contract.

If possible, purchasing contracts can be divided into smaller components to allow the greatest degree of participation by small and minority businesses and women business enterprises. However, no contract may be divided to bring the cost under bid thresholds or to evade any requirements under this policy or state and federal law

Purchases made with federal funding in whole or in part must be necessary to perform the scope of work and must avoid purchasing of unnecessary or duplicative items.

The Purchasing Agent shall procure all contracts in accordance with the requirements of this section of the policy.
SUBJECT: FEDERAL FUNDS PURCHASING

For all purchasing costing $250,000 or more, the Purchasing Agent shall develop an estimate of the cost of the purchasing prior to soliciting bids. These estimates may be developed by reviewing prior contract costs, online review of similar products or services, or other means by which a good faith cost estimate may be obtained. Cost estimates for public works contracts may be developed by the project designer, or construction manager.

All requests for bids must include:

- A clear and accurate description of the technical requirements for the materials, products, or services to be procured. Brand names may be used only when it is impractical or uneconomical to write a clear and accurate description of the requirement(s). When a brand name is listed, it is used as reference only and "or equivalent" must be included in the description;
- All other requirements which bidders must fulfill; and
- All other factors to be used in evaluating bids or proposals.

Additionally, all requests for bids must also include:

- Acknowledgment the use of federal funding for the contract;
- Notice that bidders must acknowledge that funding is contingent upon compliance with all terms and conditions of the funding award; and
- Notice to prospective contractors that they must comply with all applicable federal laws, regulations, executive orders, and terms and conditions of the funding award.

Designers, suppliers, and contractors who assist in the development or drafting of specifications, requirements, statements of work, invitation for bids or requests for proposals shall be not be allowed to submit bids.

Requests for bids shall be prepared in a way to be fair, full, and provide for open competition. They may not contain technical features that restrict competition including but not limited to unnecessary supplier experience, specifying a brand name without allowing for "or equal" products, or other unnecessary or technical requirements that have the effect of restricting competition.

The district will only accept bids which include fixed pricing, therefore will not accept the following:

- Cost plus percentage of cost contracts
- "Time and materials" contracts (unless no other form of contract is suitable and the contract includes a "Not to Exceed" amount).
- Should a time and materials contract need to be used, it must have express written permission of the federal agency or state pass-through agency that awarded the funds.
SUBJECT: FEDERAL FUNDS PURCHASING

The Board directs the Purchasing Agent to review the federally debarred bidder's list to ensure that no contract shall be awarded to a contractor included on that list.

The Board acknowledges that under certain circumstances, it may be more economical to lease equipment or buildings instead of purchasing. The Purchasing Agent will perform an analysis of such options to determine the most economical approach.

Documentation must be maintained by the Business Office detailing the history of all purchasing. The documentation must include at least the following:

- rationale for the purchasing method used,
- selection of contract type,
- contractor selection or rejection:
- basis for the contract price; and
- any other documentation required under state law, as outlined in Board policy 6700. Purchasing, and its associated regulation 6700-R.

All documentation relating to the award of any contract must be made available to the granting agency upon request.

Geographic Preference

No contract shall be awarded on the basis of a geographic preference, except that geographic location can be a selection criteria for architecture and engineering contracts as long an appropriate number of firms are able to compete for the contract.

Small and Minority Businesses, Women's Business Enterprises, and Labor Surplus Area Firms

The district will take all affirmative steps required by federal regulations (2 CFR § 200.321) in order to use small and minority businesses, women’s business enterprises, and labor surplus area firms, when possible.

Specific Purchasing Procedures

The district shall solicit bids in accordance with the requirements under this section of the policy based on the type and cost of the contract.
SUBJECT: FEDERAL FUNDS PURCHASING

Purchase Contracts and Public Works Contracts

Contracts for physical items, services, and public works shall be procured using the following processes, depending on the contract amount:

1. **Contracts of $10,000 and below** are subject to the Uniform Guidance "micro-purchase" method of procurement and the district's policy and regulation on purchasing (see 6700 and 6700-R, Purchasing). To the extent practicable, purchases must be distributed among qualified suppliers.
2. **Contracts of over $10,000 up to $20,000 (for purchase contracts) or $35,000 (for public works contracts)** are subject to the Uniform Guidance "small purchase" method of procurement and the district's policy and regulation on purchasing (see 6700 and 6700-R, Purchasing), except where the "non-competitive proposals" method is determined to be most appropriate.
3. **Contracts of over $20,000 (for purchase contracts) or $35,000 (for public works contracts) up to $250,000** are subject to the requirements of New York State with regard to competitive bidding, as outlined in the district's policy and regulation on purchasing (see 6700 and 6700-R, Purchasing), except where the "non-competitive proposals" method is determined to be most appropriate.
4. **Contracts of over $250,000** are subject to either (1) a combination of the most restrictive requirements of the Uniform Guidance "sealed bid" procedure and state competitive bidding procedures (outlined in the district's policy and regulation on purchasing (see 6700 and 6700-R, Purchasing) or (2) the "competitive proposals" method of procurement, except where the "non-competitive proposals" method is determined to be most appropriate.

Methods of Procurement

1. **Sealed Bids:** The following rules apply to the use of sealed bids:
2. Bids will be solicited from an adequate number of known suppliers, providing them sufficient response time prior to the date set for opening the bids, and the invitation for bids must be publically advertised;
3. The invitation for bids, which will include any specifications and pertinent attachments, will define the items or services in order for the bidder to properly respond;
4. All bids will be opened at the time and place prescribed in the invitation for bids, and the bids will be opened publicly;
SUBJECT: FEDERAL FUNDS PURCHASING

5. A firm fixed price contract award will be made in writing to the lowest responsive and responsible bidder. Where specified in bidding documents, factors such as discounts, transportation cost, and life cycle costs must be considered in determining which bid is lowest. Payment discounts will only be used to determine the low bid when prior experience indicates that such discounts are usually taken advantage of; and

6. Any or all bids may be rejected if there is a sound documented reason.

Sealed bids may not be appropriate when:

1. Time does not permit the solicitation, submission and evaluation of sealed bids;
2. It is necessary to conduct discussions with the responding offerors about their bids;
3. A complete, adequate, and realistic specification or purchase description is not available;
4. The procurement does not lend itself to a firm fixed price contract, so the selection of a successful bidder cannot be made principally on the basis of price; or
5. There is a reasonable expectation that only one sealed bid will be received.

Competitive Proposals: Where the use of sealed bids is not appropriate, competitive proposals may be used:

1. Requests for proposals will be publicized and identify all evaluation factors and relative importance. All responses to proposals will be considered to the extent practical;
2. Proposals will be solicited from an adequate number (at least two) of qualified sources;
3. The district will utilize the method outlined in policy 6741 to evaluate the proposals and select a recipient;
4. The district will award contracts to the responsible firm whose proposal is most advantageous to the program, considering price and other factors; and
5. For qualifications-based architectural/engineering services, the district may select the most qualified competitor, subject to negotiation of fair and reasonable compensation, where price is not used as a selection factor.

Noncompetitive Proposals: Purchase Contracts or Public Works Contracts of over $10,000 may utilize noncompetitive proposals, where only one source is solicited, when one or more of the following conditions apply:

1. The item is available only from a single source;
2. There is an emergency which does not permit delay due to soliciting competition;
3. The Federal awarding agency or pass-through entity expressly authorizes noncompetitive proposals in response to a written request from the district; or
SUBJECT: FEDERAL FUNDS PURCHASING

4. The district solicits from of a number of sources and determines competition to be inadequate.

Important Additional Information

Any contract for the erection, construction or alteration of building when the entire cost of such work shall exceed [select as applicable: $1,500,000 (for Nassau, Suffolk, and Westchester counties) OR $500,000 (for all other counties, except New York City)] must have specification prepared in accordance with New York State General Municipal Law §101 (The Wicks Law).

All bidders shall submit all documents required by General Municipal Law Article 5-A.

Contractor Oversight

The district must maintain oversight of the contract to ensure that contractor is performing in accordance with the contract terms, conditions, and specifications.

Ref: 2 CFR §§200.318; 200.319; 200.323; 200.465
General Municipal Law §§103; 104-b

Adoption date: 3/23/2021
SUBJECT: ACCOUNTING OF FUNDS

Accounting and reporting procedures will be developed to facilitate analysis and evaluation of the District's financial status and fixed assets. The District will use the Uniform System of Accounts for School Districts.

Books and records of the District will be maintained in accordance with statutory requirements.

Provision will be made for the adequate storage, security, and disposition of all financial and inventory records.

Online Banking

The Board has entered into a written agreement with designated banks and trust companies for online banking and electronic or wire transfers, which includes the implementation of a security procedure for all transactions. Online transactions must be authorized by the District's Treasurer. The District Treasurer, with a separate established user name and password, will have the authority to process online banking transactions. The President or Vice-President of the Board, by presenting identification at a local bank branch, will be responsible for online banking transactions in the event the District Treasurer is not available. A monthly report of all online banking activity will be reviewed by staff independent of the online banking process and reconciled with the bank statement. Online banking will only take place on secure District computers located inside the Treasurer's office, or at a local bank branch.

Electronic Transactions and Wire Transfers

The District Treasurer is authorized to initiate, approve, transmit, and record electronic transactions. In the absence of the District Treasurer, the President or Vice-President of the Board will initiate and transmit wire or electronic transfers. The Assistant Superintendent of Finance and Operations will receive an email confirmation of wires directly from the bank. The Business Manager will reconcile electronic transactions and wire transfers on bank statements to financial records on a monthly basis.

The District will enter into written wire transfer security agreements for District bank accounts which will include established procedures for authenticating wire transfer orders.

All wire transfers must be authorized by the District Treasurer.

The Internal Auditor will periodically confirm that wire transfers have appropriate signatures, verification and authorization of proper personnel.

Adopted: 4/14/09
Revised and Re-Adopted: 12/20/16

Education Law Section 2116-a
General Municipal Law Article 2 Section 5, 5-a, 5-b, 99-b
N.Y. UCC Section 4-A-201
Education Law Section 2116-a
SUBJECT: EXTRA CLASSROOM ACTIVITIES FUNDS

Any organization within the District whose activities are conducted by students, and whose financial support is raised other than by taxation or through charges of the Board, is an Extraclassroom Activity (ECA). The moneys raised by these organizations are referred to as ECA funds. ECA fund management provides students with the opportunity to learn proper business practices and how to operate a successful business. The Board and designated District staff will protect and provide oversight of ECA funds. All ECAs will be approved by the Board.

The Board will appoint an ECA Central Treasurer, a Faculty Auditor, and a chief faculty counselor (appointed for each building in the District, typically the building principal). Each ECA will have a faculty advisor appointed by the chief faculty counselor. Additionally, each ECA will have a student activity treasurer elected by the members of the ECA.

All ECA funds will be handled in accordance with the financial procedures set forth in The Safeguarding, Accounting, and Auditing of Extraclassroom Activity Funds, Revised 2019, published by the New York State Education Department. All moneys received from the conduct, operation, or maintenance of any ECA will be deposited with the ECA Central Treasurer. Two separate and independent sets of records of receipts and expenditures will be maintained, one by the ECA Central Treasurer and one by the ECA's student activity treasurer. On a quarterly basis, the ECA Central Treasurer will submit to the Board a financial report relating to the receipts and expenditures for all ECA accounts. The authority to expend moneys will be distinct and separate from the custody of these moneys. The District will invest ECA funds in accordance with its investment policy.

ECAs are prohibited from using the District's New York State sales tax exemption. The ECA Central Treasurer is responsible for filing the periodic sales tax returns for ECA funds.

All commitments and contracts will be the sole responsibility of the ECA incurring the transaction, regardless of a change in faculty advisors, membership, or officers.

In conjunction with the annual audit of District records, the Independent Auditor will audit all ECA funds. This audit will include a statement of receipts, disbursements, and balances for each ECA, together with a reconciliation of cash.

When an ECA becomes inactive or is discontinued, the ECA Central Treasurer is directed to expend the leftover ECA funds as voted by the organization controlling these funds. If this designation does not exist, then leftover funds of inactive or discontinued ECAs and of graduating classes will automatically revert to the account of the general student organization or student council. To reactivate, inactive or discontinued EGAs must follow the start-up procedures for new ECAs.
SUBJECT: EXTRA CLASSROOM ACTIVITIES FUNDS

8 New York Code of Rules and Regulations (NYCRR) Part 172
NYSED Finance Pamphlet, The Safeguarding, Accounting, and Auditing of Extraclassroom Activity Funds, Revised 2019

NOTE: Refer also to Policies #1330 - Appointments and Designations by the Board
#1334 - Duties of the External (Independent) Auditor
#1336 - Duties of the Extraclassroom Activity Fund Central Treasurer and Faculty Auditor
#3280 - Use of School Facilities, Materials, and Equipment
#5220 - District Investments
#5530 Petty Cash Funds and Cash in School Buildings
#5620 - Fixed Asset Inventories, Accounting, and Tracking
#7410 -- Extracurricular Activities
#7450 -- Fundraising by Students

Adopted: 4/14/09
Revised and Re-Adopted: 12/20/16, 6/8/21
SUBJECT: PETTY CASH FUNDS AND CASH IN SCHOOL BUILDINGS

Petty Cash Funds

A petty cash fund of not more than one hundred dollars ($100) will be maintained in the District Office and in each school building in a secure location. Payments from petty cash funds may be made for materials, supplies or services only when payment is required upon delivery. At the time of reimbursement, an itemized statement of expenditures, together with substantiating receipts, will be submitted. Such accounts will be authorized by Board resolution at their annual meeting.

Appropriate regulations will be developed for implementation of this policy.

Cash in School Buildings

Not more than two hundred fifty dollars ($250), whether District or extraclassroom funds, will be held in the vault in the Main Office of each District school building. Under no circumstances will cash be left in classroom areas or desks. The District will not be responsible for funds left unprotected.

All funds, whether District or extraclassroom funds, will be deposited prior to close of school each week. Only authorized personnel designated by the building administrator will be allowed in the Main Office vault.

Education Law Sections 1604(26), 1709(29) and 2503(1)
8 New York Code of Rules and Regulations (NYCRR)
Section 170.4

Adopted: 4/14/09
SUBJECT: PUBLICATION OF DISTRICT'S ANNUAL FINANCIAL STATEMENT

In compliance with Education Law, as a Central School District, the Board is required to publish a financial statement, including a full detailed account of moneys received and moneys expended, at least once a year, during either July or August. This annual financial report will be in the form prescribed in Commissioner's Regulations.

The law requires that the information be published in the official District newspaper(s) which is/are published in the District. If no public newspaper is published in the District, and there is no newspaper having general circulation in the District, then the School District must provide the information to the taxpayers by posting copies in five (5) public places in the District.

Education Law Sections 1610, 1721, 2117, 2528 and 2577
8 New York Code of Rules and Regulations (NYCRR)
Section 170

Adopted: 4/14/09
SUBJECT: MAINTENANCE OF FISCAL EFFORT (TITLE I PROGRAMS)

A Local Educational Agency (LEA) may receive its full allocation of Title I funds if the combined fiscal effort per student or the aggregate expenditures of state and local funds with respect to the provision of free public education in the (LEA) for the preceding fiscal year was not less than ninety percent (90%) of the combined fiscal effort per student or the aggregate expenditures for the second preceding fiscal year.

In determining an LEA's compliance with the maintenance of effort requirement, the State Educational Agency (SEA) will consider the LEA's expenditures from state and local funds for free public education. These include expenditures for administration, instruction, attendance, health services, student transportation services, plant operation and maintenance, fixed charges, and net expenditures to cover deficits for food services and student body activities.

The SEA will not consider the following expenditures in determining an LEA's compliance with the maintenance of effort requirements:

a) Any expenditures for community services, capital outlay, and debt service;

b) Any expenditures made from funds provided by the federal government for which the LEA is required to account to the federal government directly or through the SEA.

The Board assigns the School Business Official the responsibility of reviewing, as part of the budgeting process, combined fiscal effort so that expenditures of state and local funds with respect to the provision of free public education per student and in the aggregate for any fiscal year are not budgeted at less than ninety percent (90%) of the combined fiscal effort per student or the aggregate of expenditures for the preceding fiscal year.

Title I of the Elementary and Secondary Education Act of 1965, as amended by the No Child Left Behind Act of 2001
34 Code of Federal Regulations (CFR) Part 200

Adopted: 4/14/09
SUBJECT: ALLOCATION OF TITLE I, PART A FUNDS IN THE DISTRICT

Allocation of Funds

The District allocates the Title I, Part A funds it receives to District school buildings on the basis of the total number of students from low-income families in each eligible school attendance area or eligible school, as defined in law. Unless the District school building is participating in a school wide program, the District school building will only use Title I, Part A funds for programs that provide services to eligible children, as defined in law, identified as having the greatest need for special assistance.

The District will reserve from its allocation of Title I, Part A funds, such funds as are necessary to provide services comparable to those provided to students in District school buildings that receive Title I, Part A funds in order to serve:

a) Homeless children and youths, including educationally related support services to children in shelters and other locations where children may live;

b) Children in local institutions for neglected children; and

c) If appropriate, children in local institutions for delinquent children, and neglected or delinquent children in community day programs.

Funds Will Supplement Not Supplant

The District will ensure that Title I, Part A funds only supplement, not supplant, the funds that would, in the absence of such federal funds, be made available from state and local sources for the education of students participating in programs assisted by Title I, Part A funds.

Allocation Methodology

The District has developed an allocation methodology that is consistent with Title I guidelines.

20 USC §§ 6312-6315 and 6321

NOTE: Refer also to Policies # 5110 -- Budget Planning and Development
# 5550 -- Maintenance of Fiscal Effort (Title I Programs)
# 8260 -- Title I Parent and Family Engagement

Adoption Date: 3/12/19
SUBJECT: USE OF FEDERAL FUNDS FOR POLITICAL EXPENDITURES

The Board prohibits the use of any federal funds for partisan political purposes or expenditures of any kind by any person or organization involved in the administration of federally-assisted programs.

This policy refers generally, but is not limited to, lobbying activities, publications, or other materials intended for influencing legislation or other partisan political activities.

In recognition of this stricture, the Board assigns the Purchasing Agent the responsibility of monitoring expenditures of federal funds so that said funds are not used for partisan political purposes by any person or organization involved in the administration of any federally-assisted programs.

NOTE: Refer also to Policy #6430 -- Employee Activities

Adopted: 4/14/09
SUBJECT:  FINANCIAL ACCOUNTABILITY

The District has internal controls in place to ensure that:

a) The goals and objectives of the District are accomplished;
b) Laws, regulations, policies, and good business practices are complied with;
c) Audit recommendations are considered and implemented;
d) Operations are efficient and effective;
e) Assets are safeguarded; and
f) Accurate, timely, and reliable data are maintained.

The District's governance and control environment will include the following:

a) The District's code of ethics addresses conflict of interest transactions with Board members and employees. Transactions that are less-than-arm's length are prohibited. Less-than-arm's length is a relationship between the District and employees or vendors who are related to District officials or Board members.
b) The Board requires corrective action for issues reported in the CPA's management letter, audit reports, the Single Audit, and consultant reports.
c) The Board has established the required policies and procedures concerning District operations.
d) The Board routinely receives and discusses the necessary fiscal reports including the:
   1. Treasurer's cash reports,
   2. Budget status reports,
   3. Revenue status reports,
   4. Monthly extra-classroom activity fund reports, and
   5. Fund balance projections (usually starting in January).
e) The District has a long-term (three (3) to five (5) years) financial plan for both capital projects and operating expenses.
f) The District requires attendance at training programs for Board members, business officials, treasurers, claims auditors, and others to ensure they understand their duties and responsibilities and the data provided to them.
SUBJECT:  FINANCIAL ACCOUNTABILITY

  g)  The Board has an audit committee to assist in carrying out its fiscal oversight responsibilities.
  h)  The District’s information systems are economical, efficient, current, and up-to-date.
  i)  All computer files are secured with passwords or other controls, backed up on a regular basis, and stored at an off-site or in a secure fireproof location.
  j)  The District periodically verifies that its controls are working efficiently.
  f)  The District requires all staff to take leave time during which time another staff member performs the duties of the staff on leave time.

Audit Response

Periodically, the District receives audit reports and from the External (Independent) Auditor, and/or the Office of the New York State Comptroller. The Board will review all audit recommendations in consultation with the Audit Committee and respond appropriately. Independent and Comptroller audit reports and the accompanying management letters will be made available for public inspection. Notice of the availability of independent and Comptroller audit reports will be published in the District’s official newspaper or one having general circulation in the District. If there is no newspaper, notice must be placed in ten public places within the District. Additionally, final audit reports from the Office of the New York State Comptroller should be posted on the District website, if one is available, for a period of five years.

8 NYCRR § 170.12
General Municipal Law § 33(2)(e) and 35(1)(2)
NY Education Law Section 2116-a

Adopted: 4/14/09
Revised and Re-Adopted: 11/14/16
SUBJECT: ALLEGATIONS OF FRAUD

Reporting and Investigations of Allegations of Fraud

All Board members and officers, District employees and third party consultants are required to abide by the District's policies, administrative regulations and procedures in the conduct of their duties. Further, all applicable federal and/or state laws and regulations must be adhered to in the course of District operations and practices. Any individual who has reason to believe that financial improprieties or wrongful conduct is occurring within the School System is to disclose such information according to the reporting procedures established by the District. The reporting procedures will follow the chain of command as established within the department or school building or as enumerated in the District's Organizational Chart. In the event that the allegations of financial improprieties/fraud and/or wrongful conduct concern the investigating official, the report will be made to the next level of supervisory authority. If the chain of supervisory command is not sufficient to ensure impartial, independent investigation, allegations of financial improprieties/fraud and/or wrongful conduct will be reported as applicable, to the Internal Auditor (if available), or the Independent (External) Auditor, or the School Attorney, or the Board. The District's prohibition of wrongful conduct, including fraud, will be publicized within the District as deemed appropriate; and written notification will be provided to all employees with fiscal accounting/oversight and/or financial duties including the handling of money.

Upon receipt of an allegation of financial improprieties/fraud and/or wrongful conduct, the Board or designated employee(s) will conduct a thorough investigation of the charges. However, even in the absence of a report of suspected wrongful conduct, if the District has knowledge of, or reason to know of, any occurrence of financial improprieties/fraud and/or wrongful conduct, the District will investigate such conduct promptly and thoroughly. To the extent possible, within legal constraints, all reports will be treated as confidentially and privately as possible. However, disclosure may be necessary to complete a thorough investigation of the charges and/or to notify law enforcement officials as warranted, and any disclosure will be provided on a "need to know" basis. Written records of the allegation, and resulting investigation and outcome will be maintained in accordance with law.

Based upon the results of this investigation, if the District determines that a school official has engaged in financial improprieties/fraudulent and/or wrongful actions, appropriate disciplinary measures will be applied, up to and including termination of employment, in accordance with legal guidelines, District policy and regulation, and any applicable collective bargaining agreement. Third parties who are found to have engaged in financial improprieties/fraud and/or wrongful conduct will be subject to appropriate sanctions as warranted and in compliance with law. The application of such disciplinary measures by the District does not preclude the filing of civil and/or criminal charges as may be warranted. Rather, when school officials receive a complaint or report of alleged financial improprieties/fraud and/or wrongful conduct that may be criminal in nature, law authorities should be immediately notified.
SUBJECT: ALLEGATIONS OF FRAUD

An appeal procedure will also be provided, as applicable, to address any unresolved complaints and/or unsatisfactory prior determinations by the applicable investigating officer(s).

Protection of School Employees who Report Information Regarding Illegal or Inappropriate Financial Practices

Any employee of the School District who has reasonable cause to believe that the fiscal practices or actions of an employee or officer of the District violates any local, state, federal law or rule and regulation relating to the financial practices of the District, and who in good faith reports such information to an official of the District, or to the Office of the State Comptroller, the Commissioner of Education, or to law enforcement authorities, will have immunity from any civil liability that may arise from the making of such report. Further, neither the School District, nor employee or officer thereof, will take, request, or cause a retaliatory action against any such employee who makes such a report.

The Board also prohibits any retaliatory behavior directed against any witnesses and/or any other individuals who participate in the investigation of an allegation of illegal or inappropriate fiscal practices or actions. Follow-up inquiries will be made to ensure that no reprisals or retaliatory behavior has occurred to those involved in the investigation. Any act of retaliation is prohibited and subject to appropriate disciplinary action by the District.

Knowingly Makes False Accusations

Any individual who knowingly makes false accusations against another individual as to allegations of financial improprieties/fraud may also face appropriate disciplinary action.

Education Law Section 3028-d

Adopted: 4/14/09
SUBJECT: AUDIT COMMITTEE

No later than January 1, 2006, an Audit Committee will be established by Board resolution. The Audit Committee may consist of:

a) The Board as a whole;

b) A subcommittee of the Board; or

c) An Advisory Committee that may include, or be composed entirely of persons other than Board members if, in the opinion of the Board, such membership is advisable to provide accounting and auditing expertise.

The Audit Committee will consist of at least three (3) members who will serve without compensation, but will be reimbursed for any actual and necessary expenditure incurred in relation to attendance at meetings. Employees of the District are prohibited from serving on the Audit Committee. Members of the Audit Committee will be deemed School District Officers, but will not be required to be residents of the School District.

The role of the Audit Committee will be advisory unless the Audit Committee consists of at least a quorum of Board members, and any recommendations it provides to the Board will not substitute for any required review and acceptance by the Board.

The responsibilities of the Audit Committee include the following:

a) Provide recommendations regarding the appointment of the External (Independent) Auditor for the District;

b) Meet with the External (Independent) Auditor prior to commencement of the audit;

c) Review and discuss with the External (Independent) Auditor any risk assessment of the District's fiscal operations developed as part of the Auditor's responsibilities under governmental auditing standards for a financial statement audit and federal single audit standards if applicable;

d) Receive and review the draft annual audit report and accompanying draft management letter and, working directly with the External (Independent) Auditor, assist the Board in interpreting such documents;

e) Make a recommendation to the Board on accepting the annual audit report; and

f) Review every corrective action plan developed by the School District and assist the Board in its implementation.
SUBJECT: AUDIT COMMITTEE

Additional responsibilities of the Audit Committee include: assisting in the oversight of the Internal Audit Function including, but not limited to, providing recommendations regarding the appointment of the Internal Auditor; reviewing significant findings and recommendations of the Internal Auditor; monitoring the School District's implementation of such recommendations; and evaluating the performance of the Internal Audit Function.

The Audit Committee may conduct an Executive Session pursuant to Public Officers Law Section 105 pertaining to the following matters:

a) To meet with the External (Independent) Auditor prior to commencement of the audit;

b) To review and discuss with the External (Independent) Auditor any risk assessment of the District's fiscal operations developed as part of the Auditor's responsibilities under governmental auditing standards for a financial statement audit and federal single audit standards if applicable; and

c) To receive and review the draft annual audit report and accompanying draft management letter and, working directly with the External (Independent) Auditor, assist the Board in interpreting such documents.

Any Board member who is not a member of the Audit Committee may be allowed to attend an Audit Committee meeting if authorized by a Board resolution. However, if such Board member's attendance results in a meeting of a quorum of the full Board, any action taken by formal vote may constitute official Board action.

Education Law Sections 2116-c, and 3811-3813
Public Officers Law Sections 105(b), 105(c) and 105(d)
8 New York Code of Rules and Regulations (NYCRR) Section 170.12(d)

Adopted: 4/14/09
SUBJECT: INTERNAL AUDIT FUNCTION

No later than July 1, 2006, the District will establish an Internal Audit Function to be in operation no later than December 31, 2006. The Internal Audit Function will include:

   a) Development of a risk assessment of District operations including, but not limited to, a review of financial policies and procedures and the testing and evaluation of District internal controls;

   b) An annual review and update of such risk assessment;

   c) Preparation of reports, at least annually or more frequently as the Board may direct, which analyze significant risk assessment findings; and

   d) Recommendation of changes for strengthening controls and reducing identified risks, and the specification of timeframes for implementation of such recommendations.

The District is permitted to utilize existing District personnel to fulfill the Internal Audit Function, but such persons will not have any responsibility for other business operations of the District while performing Internal Audit Functions. The District will also be permitted to use inter-municipal cooperative agreements, shared services to the extent authorized by Education Law Section 1950 or independent contractors to fulfill the Internal Audit Function as long as the personnel or entities performing this Function comply with any Regulations issued by the Commissioner of Education and meet professional auditing standards for independence between the auditor and the District.

Personnel or entities performing the Internal Audit Function will report directly to the Board. The Audit Committee will assist in the oversight of the Internal Audit Function on behalf of the Board.

Education Law Sections 1950, 2116-b and 2116-c
8 New York Code of Rules and Regulations (NYCRR)
Section 170.12(d)

Adopted: 4/14/09
SUBJECT: CONFIDENTIAL MEDICAID DISCLOSURE POLICY

The Board is committed to ensuring compliance with any legal, regulatory, and/or standard of conduct related to Medicaid practices, including claims for reimbursement. New York State and local school districts are required to establish a mechanism which enables employees who suspect or are aware of improper or fraudulent practices or billing procedures to anonymously report these concerns to the New York State Compliance Officer. Any disclosures made through this mechanism will be promptly and thoroughly investigated to determine if any remedial action is required.

Contact information for the appropriate agency to report instances of known or suspected Medicaid procedure abuses will be posted in all school district buildings as well as the staff handbook.

New York State Office of the Medicaid Inspector General
Social Service Law Section 363-d and
Social Services Regulations at 18 NYCRR Part 521

Adoption Date: July 6, 2010
SUBJECT: FUND BALANCE POLICY

Governmental Accounting Standards Board (GASB) has issued Statement No. 54, *Fund Balance reporting and Governmental Fund Type Definitions* (GASB 54). The objective of this Statement 54 is to enhance the usefulness of fund balance information by providing clearer fund balance classifications that can be more consistently applied.

Fund Balance Classifications (pursuant to GASB Statement 54)

Fund balance classifications will be reported by the District in accordance with accounting standards issued by the GASB.

General Policy

Fund balance measures the net financial resources available to finance expenditures within current or future periods. The District’s Unassigned General Fund Fund Balance will be maintained to provide the District with financial stability and a margin of safety to fund unanticipated contingent expenditures that may occur unexpectedly during the fiscal year. The Unassigned General Fund Fund Balance used for these purposes may only be appropriated by resolution of the Board unless voter approval is required.

Any portion of Fund Balance may be applied or transferred for a specific purpose either by voter approval if required by law or by formal action of the Board if voter approval is not required. Amendments or modification to the applied or transferred fund balance must also be approved by formal action of the Board.

The Board will delegate the authority to assign fund balance, for encumbrance purposes, to the person(s) to whom it has delegated the authority to sign purchase orders.

In circumstances where an expenditure is incurred for a purpose for which amounts are available in multiple fund balance classifications (e.g., expenditures related to reserves), the expenditure is to be spent first from the restricted fund balance to the extent appropriated by either budget vote or board approved budget revision and then from the unrestricted fund balance. Expenditures incurred in the unrestricted fund balances will be applied first to the assigned fund balance to the extent that there is an assignment and then to the unassigned fund balance.

Adopted: June 7, 2011
SUBJECT: MAINTENANCE OF FUND BALANCE

General Provisions

The Board recognizes that the maintenance of a fund balance is essential to the financial integrity of the District insofar as it helps mitigate current and future risks and assists in ensuring stable tax rates. Consistent with this understanding, the Board adopts the following standards and practices.

Classification of Funds

The District will ensure that funds are classified consistent with Governmental Accounting Standards Board (GASB) Statement Number 54, Fund Balance Reporting and Governmental Fund Type Definitions.

Unassigned Fund Balance

Minimum Unassigned Fund Balance

In order to maintain financial stability and protect against cash flow shortfalls, the Board will strive to maintain an unassigned fund balance of at least *2% of the current year's budgeted expenses. In the event such balance falls below the *2% floor, the District will seek to replenish deficiencies through reducing expenses and/or increasing revenue.

Maximum Unassigned Fund Balance

In order to support normal operating costs and provide fiscal stability for the District, the Board will also strive to ensure that the unassigned fund balance does not exceed 4% of the ensuing year's budgeted expenditures. If it is anticipated that such balance will exceed the 4% ceiling, the Board will evaluate current commitments and assignments in order to determine the final distribution of fund balance in any fiscal year.

Fund Balance and Budget Development

The District's ability to maintain its unassigned fund balance within the limits articulated above is contingent upon the development of a reasonable budget. Consequently, the District will develop and adopt budgets that, to the extent possible, reflect the anticipated revenues and expenditures.

Likewise, the District will ensure that appropriate reserve funds are established and utilized, consistent with applicable law and District policy, to ensure the fund balance is sufficient to meet the future needs of the District.

Compliance

The District will adhere to the reporting requirements of Article 3 of the General Municipal Law of the State of New York, and the practices set forth in GASB Statement Number 54.

NOTE: Refer also to Policies #5110 -- Budget Planning and Development

Adoption Date: 4/21/15
SUBJECT: INSURANCE

The objective of the Board is to obtain the best possible insurance at the lowest possible cost, and to seek advice from an Insurance Appraisal Service to determine that adequate coverage is being provided regarding fire, boiler, general liability, bus and student accident insurance.

The Board will carry insurance to protect the District's real and personal property against loss or damage. This property will include school buildings, the contents of such buildings, school grounds and vehicles.

The Board may also purchase liability insurance to pay damages assessed against Board members and District employees acting in the discharge of their respective duties, within the scope of their employment and/or under the direction of the Board.

All insurance policies, along with an inventory of the contents of the building, should be kept in a fireproof depository or with the appropriate insurance agent for safekeeping and referral purposes. The Superintendent will review the District's insurance program annually and make recommendations to the Board if more suitable coverage is required.

Education Law Sections 1709(8), 1709(26), 1709(34-b), 2503(10), 2503(10-a), 2503(10-b), 3023, 3028 and 3811
General Municipal Law Sections 6-n and 52
Public Officers Law Section 18

Adopted: 4/14/09
SUBJECT: INVENTORIES

The Superintendent or his/her designee will be responsible for maintaining a continuous and accurate inventory of equipment owned by the District in accordance with "The Uniform System of Accounts for School Districts."

All supplies and equipment purchased and received by the School District will be checked, logged, and stored through an established procedure.

Uniform System of Accounts for School Districts
(Fiscal Section)

Adopted: 4/14/09
SUBJECT: ACCOUNTING OF FIXED ASSETS

The School Business Official will be responsible for accounting for general fixed assets according to the procedures outlined by the Uniform System of Accounts for School Districts and GASB Statement 34 Regulations.

These accounts will serve to:

a) Maintain a physical inventory of assets;
b) Establish accountability;
c) Determine replacement costs; and
d) Provide appropriate insurance coverage.

Fixed assets with a minimum value established by the Board that have a useful life of one (1) year or more and physical characteristics not appreciably affected by use or consumption will be inventoried and recorded on an annual basis. Fixed assets will include land, buildings, equipment and materials.

The Board will establish a dollar threshold as a basis for considering which fixed assets are to be depreciated. This dollar threshold will apply to a group of items whose aggregate cost exceeds the threshold and which have all other characteristics of a capital asset. Such threshold will ensure that at least eighty percent (80%) of the value of all assets is reported. However, it is recommended that such threshold will not be greater than five thousand dollars ($5,000). A standardized depreciation method and averaging convention will also be established for depreciation calculations.

Fixed assets acquired having a value equal to or greater than the established threshold are considered depreciable assets and will be inventoried for the purposes of GASB 34 accounting practices and placed on a depreciation schedule according to its asset class and estimated useful life as stipulated by the NY State Comptroller's Office or the IRS.

Assets will be recorded at initial cost or, if not available, at estimated initial cost; gifts of fixed assets will be recorded at estimated fair value at the time of the gift. A property record will be maintained for each asset and will contain, where possible, the following information:

a) Date of acquisition;
b) Description;
c) Cost or value;
d) Location;
SUBJECT: ACCOUNTING OF FIXED ASSETS

   e) Asset type;
   f) Estimated useful life;
   g) Replacement cost;
   h) Current value;
   i) Salvage value;
   j) Date and method of disposition; and
   k) Responsible official.

The Business Official will arrange for no less than an annual inspection of fixed assets on a sample basis as determined by the Superintendent and/or Business Official. Any discrepancies between an inventory and the District's property records on file should be traced and explained.

Adopted: June 22, 2010
SUBJECT: FACILITIES: INSPECTION, OPERATION AND MAINTENANCE

Operation and Maintenance

The Board, through the Superintendent and his/her staff, has the responsibility of protecting the District's facilities through a systematic maintenance program. The program will include periodic preventive maintenance activities, long-range maintenance schedules, and emergency repair procedures. The District will make reasonable attempts to ensure that all maintenance work will be carried out in the least intrusive manner.

Construction and Remodeling of School Facilities

The District will ensure all capital projects and maintenance comply with the requirements of the New York State Uniform Fire Prevention and Building Code, the Manual of Planning Standards, and the Commissioner’s regulations. Relevant documentation regarding all new buildings must be formally submitted to the State Education Department no matter the size or cost. The New York State Education Department Office of Facilities Planning has provided an Instruction Guide on their official website.

Plans and specifications for the erection, enlargement, repair, or remodeling of facilities of the District will be submitted to the Commissioner consistent with applicable law.

Plans and specifications submitted to the Commissioner will bear the signature and seal of an architect or engineer licensed to practice in the State of New York. The architect or engineer who sealed the plans and specifications will also certify that the plans and specifications conform to the standards set forth in the State Uniform Fire Prevention and Building Code and the State Energy Conservation Construction Code.

For remodeling or construction projects, the District will ensure compliance with the requirements of the State Uniform Fire Prevention and Building Code and Commissioner's regulations. The District will also retain the services of an architect or engineer licensed to practice in New York State as required by law or regulation, or as necessary given the scope and cost of the project.

Carbon Monoxide Detection Requirements

All new and existing District buildings that have appliances, devices, or systems that may emit carbon monoxide, and all attached garages, must have a means to detect carbon monoxide. Buildings include school buildings, administrative buildings, bus maintenance facilities, concession stands, and field houses. Carbon monoxide may be produced by fuel-fired heating systems (boilers, HVAC units, and makeup air units), emergency or standby electric generation within a building, fuel-fired kitchen equipment (ranges, ovens, steamers, dishwashers, and makeup air units serving hoods), fuel-fired domestic hot water heaters, laboratory/shop equipment (gas outlets, torches, gas-fired kilns, and stationary or portable engines), maintenance and storage areas with fuel-fired equipment, and in garages.
SUBJECT: FACILITIES: INSPECTION, OPERATION AND MAINTENANCE

The District may use a self-contained carbon monoxide alarm, a carbon monoxide detection system, or both. The District will comply with all laws and regulations regarding alarms/detectors, including where they must be located, their power sources, and labeling requirements. The District should develop written standard operating procedures to follow when a carbon monoxide detector is activated.

Inspections

The District is mindful of the health and safety of its students, staff, and visitors and, as such, the District administration will cooperate with appropriate officials conducting health, fire, asbestos, bus, and boiler inspections. In addition, the administration will keep the Board informed of the results of such inspections in a timely fashion.

In accordance with the Asbestos Hazard Emergency Response Act (AHERA), the District will inform all employees and building occupants (or their legal guardians) at least once each school year about all asbestos inspections, response actions, post-response action activities, as well as triennial re-inspection activities and surveillance activities that are either planned or in progress. The District will provide yearly notification to parents/persons in parental relation to the student(s), teacher, and employee organizations on the availability of the District's asbestos management plan and any asbestos-related actions taken or planned in the school.

The District will test potable water for lead contamination from all outlets as required by law. If an outlet exceeds the action level for lead content, the District will prohibit use of the outlet for drinking and cooking purposes, and it will remediate the outlet before allowing these uses. The District will make all required notifications and issue all mandated reports to the public, local health department, or the SED. For ten years following creation, the District will retain all records of test results, lead remediation plans, lead-free building determinations, and waiver requests. The District may seek a waiver from testing requirements from the local health department by demonstrating prior substantial compliance with testing requirements.

Comprehensive Public School Building Safety Program (RESCUE)

To ensure that all District facilities are properly maintained and preserved and provide suitable educational settings, the Board requires that all occupied school facilities which are owned, operated or leased by the District comply with the provisions of the Comprehensive Public School Building Safety Program, the Uniform Code of Public School Building Inspections, and the Safety Rating and Monitoring as prescribed in Commissioner's regulations. For this reason, the District will develop a Comprehensive Public School Building Safety Program in accordance with Commissioner's regulations.

The program will be reevaluated and made current at least annually, and will include, at a minimum, the following:

a) A five (5) year capital facilities plan which will include an appraisal of the following: the educational philosophy of the District, with resulting administrative organization and program requirements; present and projected student enrollments; space use and State-rated
SUBJECT: FACILITIES: INSPECTION, OPERATION AND MAINTENANCE

student capacity of existing facilities; the allocation of instructional space to meet the current and future education program and service needs, and to serve students with disabilities in settings with nondisabled peers; priority of need of maintenance, repair or modernization of existing facilities, including consideration of the obsolescence and retirement of certain facilities; and the provision of additional facilities.

b) A District-wide building inventory, which will include information pertaining to each building including, but not limited to:

1. Type of building, age of building, size of building;
2. Rated capacity, current enrollment;
3. List of energy sources and major systems (lighting, plumbing, electrical, heating); and
4. Summary of triennial Asbestos Inspection reports.

c) A building condition survey will be conducted for all occupied school buildings once every five (5) years by a team that includes at least one (1) licensed architect or engineer.

d) A District-wide monitoring system which includes:

1. Establishing a Health and Safety Committee;
2. Development of detailed plans and a review process of all inspections;
3. Procedures for a response in writing to all inquiries about building health and safety concerns, a copy of which will be sent to the District's Health and Safety Committee for oversight, and a copy kept on permanent file.

e) Procedures to ensure the safety of the building occupants while a construction/renovation project is taking place. These procedures will include:

1. Notification to parents/persons in parental relation to the student(s), staff and the community at least two (2) months in advance of a construction project of ten thousand dollars ($10,000) or more to be conducted in a school building while the building is occupied; provided, however, that in the case of emergency construction projects, such notice will be provided as far in advance of the start of construction as is practicable;
2. A plan to ensure that all contractors comply with all health and safety issues and regulations, and wear photo identification badges;
SUBJECT: FACILITIES: INSPECTION, OPERATION AND MAINTENANCE

3. An opportunity for the District's Health and Safety Committee to conduct a walkthrough inspection of newly renovated or constructed areas to confirm that the area is ready to be reopened for use; and

4. An emergency plan which will address potential concerns with the capital project including, but not limited to, evacuation procedures, fire drills, and structural failures.

Asbestos Inspection: 40 CFR Part 763, Subpart E
15 USC §§ 2641-2656
Carbon Monoxide Detection: 19 NYCRR § 1228.4
Fire Inspection: Education Law § 807-a
8 NYCRR § 155.4
Health and Safety Committee: 8 NYCRR § 155.4(d)(1)
Legionella Protection: 10 NYCRR § 4.1, et seq.
Plans and Specifications: Education Law §§ 408, 408-a and 409
8 NYCRR §§ 155.1 and 155.2
19 NYCRR §§ 1221-1240
Structural Safety Inspections: Education Law §§ 409-d, 409-e, 3602 and 3641(4)
8 NYCRR §§ 155.1, 155.3, and 155.4(b)(1)

Adopted: 4/14/09
Revised and Re-Adopted: January 10, 2012
Revised and Re-Adopted: July 28, 2015
Revised and Re-Adopted: December 20, 2016
SUBJECT: HAZARDOUS WASTE AND HANDLING OF TOXIC SUBSTANCES BY EMPLOYEES

The Board recognizes the need to protect human health and the environment from damage resulting from the improper handling of hazardous wastes.

The management of hazardous waste from its point of generation to the ultimate disposal is regulated through specific Federal and State laws.

The Board directs the Superintendent to adopt rules to ensure District implementation of applicable Federal and State laws pertaining to the identification, transportation, treatment, storage, and disposal of hazardous wastes.

Environmental Protection Agency
40 Code of Federal Regulations (CFR) Parts 261 and 262
6 New York Code of Rules and Regulations (NYCRR) Part 371

Adopted: 4/14/09
SUBJECT: STANDARD OPERATING PROCEDURE FOR TWO-WAY RADIOS

The radio is the most important piece of communications equipment of an organization’s field operation. It ensures personnel safety, permits immediate acknowledgement of assignments, and enables the prompt exchange of information necessary for efficient and effective operations.

In recognizing the essential function of the radio, it is imperative that the dependability and availability of this equipment be ensured. The proper storing, handling, safeguarding and operation of the radio cannot be overly stressed.

All transmissions will be of a professional nature. Transmissions will be of short duration and pertain to official business only. There will be no personal conversations and no transmission will be of an obscene or profane nature.

Adopted: 5/22/12
SUBJECT: ALL GENDER RESTROOMS

This policy has been replaced by Policy #0101: Gender Neutral Single-Occupancy Restrooms, which can be found in Board Docs ➔ Policies
SUBJECT: SMOKING/TOBACCO/ELECTRONIC CIGARETTES/USE

This policy has been replaced by Policy #1530: Smoking, Vaping, and other Tobacco Use on School Premises, which can be found in Board Docs ➔ Policies
SUBJECT:  ENERGY/WATER CONSERVATION AND RECYCLING OF SOLID WASTE

The Board recognizes the importance of energy and water conservation and is committed to the analysis, development, and initiation of conservation measures throughout the District for the purpose of reducing energy consumption.

Recycling

The Superintendent will develop a program for the source separation and segregation of recyclable or reusable materials in the District. This District-wide recycling plan will include:

a) A conservation education program to teach students about their social responsibility for preserving our resources, and involvement of all students and personnel in a comprehensive effort to reduce, reuse and recycle waste materials;

b) A concerted effort to purchase recycled items and biodegradable rather than non-biodegradable products;

c) Separation of waste into appropriate categories for the purpose of recycling;

d) A cooperative effort with community recycling programs.

General Municipal Law Section 120-aa

Adopted: 4/14/09
SUBJECT: SPECIAL MILK PROGRAM

The Shoreham-Wading River Central School District has entered into agreement with the New York State Education Department to participate in the Special Milk Program. It will be the policy of this School Food Authority to provide milk to its entire enrollment without physical segregation of, or other discrimination against, any child in the course of the milk service. It is understood that no public announcement of this standard is required. Reimbursement for milk served under the provisions of this Alternate Policy is limited to the standard rate.

This Alternate Policy statement supersedes the standard policy and will be valid until the School Food Authority discontinues its policy on the provision of milk to its entire enrollment on a non-policy basis.

Adopted: 4/14/09
SUBJECT: RECORDS MANAGEMENT

A Records Management Officer will be designated by the Superintendent, subject to the approval of and appointment by the Board. The Records Management Officer will coordinate the development of and oversee a program for the orderly and efficient management of records, including the legal disposition or destruction of obsolete records, and will be given the authority and responsibility to work with other local officials at all levels in the development and maintenance of the records management program.

Retention and Disposition of Records

The Superintendent will retain records for such a period and dispose of them in the manner described in Records Retention and Disposition Schedule ED-1, established pursuant to Part 185, Title VIII of the Official Compilation of Codes, Rules and Regulations of the State of New York and Article 57-A of the Arts and Cultural Affairs Law.

Special Approvals for Disposition of Records Not Included in Schedule/Records Damaged by Natural or Manmade Disasters

Records not listed on a records retention and disposition schedule will not be disposed of without the approval of the Commissioner of Education.

Records that have been damaged by natural or manmade disaster and constitute a human health or safety risk also require the Commissioner's prior approval before disposition.

Replacing Original Records with Microforms or Electronic Images

Digital images of public records may be stored on electronic media, and such electronic records may replace paper originals or micrographic copies of these records. To ensure accessibility and intelligibility for the life of these records, the School District will follow the procedures prescribed by the Commissioner of Education.

Retention and Preservation of Electronic Records

The District will ensure that records retention requirements are incorporated into any plan and process for design, redesign, or substantial enhancement of an information system that stores electronic records.

Adopted: 4/14/09
SUBJECT: INFORMATION SECURITY BREACH AND NOTIFICATION

The School District values the protection of private information of individuals in accordance with applicable law and regulations. Further, the District is required to notify affected individuals when there has been or is reasonably believed to have been a compromise of the individual's private information in compliance with the Information Security Breach and Notification Act and Board policy.

a) "Private information" will mean **personal information** in combination with any one (1) or more of the following data elements, when either the personal information or the data element is not encrypted or encrypted with an encryption key that has also been acquired:

1. Social security number;
2. Driver's license number or non-driver identification card number; or
3. Account number, credit or debit card number, in combination with any required security code, access code, or password which would permit access to an individual's financial account.

"Private information" does not include publicly available information that is lawfully made available to the general public from federal, state or local government records.

***"Personal information" will mean any information concerning a person which, because of name, number, symbol, mark or other identifier, can be used to identify that person.

b) "Breach of the security of the system," will mean unauthorized acquisition or acquisition without valid authorization of computerized data which compromises the security, confidentiality, or integrity of personal information maintained by the District. Good faith acquisition of personal information by an employee or agent of the District for the purposes of the District is not a breach of the security of the system, provided that private information is not used or subject to unauthorized disclosure.

Determining if a Breach Has Occurred

In determining whether information has been acquired, or is reasonably believed to have been acquired, by an unauthorized person or person without valid authorization, the District may consider the following factors, among others:

a) Indications that the information is in the physical possession and control of an unauthorized person, such as a lost or stolen computer or other device containing information; or
b) Indications that the information has been downloaded or copied; or

c) Indications that the information was used by an unauthorized person, such as fraudulent accounts opened or instances of identity theft reported.

d) System failures.
SUBJECT: INFORMATION SECURITY BREACH AND NOTIFICATION

Notification Requirements

a) For any computerized data owned or licensed by the School District that includes private information, the District will disclose any breach of the security of the system following discovery or notification of the breach to any New York State resident whose private information was, or is reasonably believed to have been, acquired by a person without valid authorization. The disclosure to affected individuals will be made in the most expedient time possible and without unreasonable delay, consistent with the legitimate needs of law enforcement, or any measures necessary to determine the scope of the breach and restore the reasonable integrity of the data system. The District will consult with the State Office of Information Technology Services to determine the scope of the breach and restoration measures.

b) For any computerized data maintained by the District that includes private information which the District does not own, the District will notify the owner or licensee of the information of any breach of the security of the system immediately following discovery, if the private information was, or is reasonably believed to have been, acquired by a person without valid authorization. The notification requirement may be delayed if a law enforcement agency determines that such notification impedes a criminal investigation. The required notification will be made after the law enforcement agency determines that such notification does not compromise the investigation.

Methods of Notification

The required notice will be directly provided to the affected persons by one (1) of the following methods:

a) Written notice;

b) Electronic notice, provided that the person to whom notice is required has expressly consented to receiving the notice in electronic form; and a log of each such notification is kept by the District when notifying affected persons in electronic form. However, in no case will the District require a person to consent to accepting such notice in electronic form as a condition of establishing any business relationship or engaging in any transaction;

c) Telephone notification, provided that a log of each such notification is kept by the District when notifying affected persons by phone; or

d) Substitute notice, if the District demonstrates to the State Attorney General that the cost of providing notice would exceed two hundred fifty thousand dollars ($250,000), or that the affected class of subject persons to be notified exceeds five hundred thousand (500,000), or that the District does not have sufficient contact information. Substitute notice will consist of all of the following:

1. E-mail notice when the District has an e-mail address for the subject persons;
SUBJECT: INFORMATION SECURITY BREACH AND NOTIFICATION

2. Conspicuous posting of the notice on the District's website page, if the District maintains one; and

3. Notification to major statewide media.

Regardless of the method by which notice is provided, the notice will include contact information for the notifying District and a description of the categories of information that were, or are reasonably believed to have been, acquired by a person without valid authorization, including specification of which of the elements of personal information and private information were, or are reasonably believed to have been, so acquired.

In the event that any New York State residents are to be notified, the District will notify the New York State Attorney General (AG), the New York State Department of Department of State, and the New York State Office of Information Technology Services as to the timing, content and distribution of the notices and approximate number of affected persons. In the event that more than 5,000 New York State residents are to be notified at one time, the District will also notify consumer reporting agencies, as defined pursuant to State Technology Law Section 208, as to the timing, content and distribution of the notices and approximate number of affected persons. Such notice will be made without delaying notice to affected New York State residents. A list of consumer reporting agencies will be compiled by the State Attorney General and furnished upon request to school districts required to make a notification in accordance with Section 208(2) of the State Technology Law, regarding notification of breach of security of the system for any computerized data owned or licensed by the District that includes private information.

State Technology Law Sections 202 and 208

Adopted: 4/14/09
Revised and Re-Adopted: 9/26/17
SUBJECT: STUDENT GRADING INFORMATION SYSTEMS

Student performance is assessed in many ways, but primarily through assigned grades. The District will help ensure the integrity of student grades by controlling access to its grading information system and by approving modifications to grades where warranted.

The System

The District utilizes an electronic software system that contains a record of student performance, credit accumulation, report cards, and a transcript. More specifically, the system includes class rosters where teachers enter student grades and track their students' academic progress. The system is used to generate student report cards and transcripts, and to maintain all student grading records.

To protect student data in the system, the District will first establish who has the authority to grant, change, or terminate user access. The personnel with this authority will be very limited. Further, if the grading system has a feature that allows one user or account to assume the identity of another user or account, the District will restrict that feature. These types of features could allow a user greater access than intended, including inheriting permissions of another user that are greater than the user's.

System Access

The District will create categories of system users and assign appropriate system permissions to each. Users' permissions will be compatible with and restricted by their roles and job duties; their access will be as restrictive as possible. Typically, teachers will have the ability to enter, update, and modify grades each marking period before a pre-determined lockout date. The lockout function will be consistently used throughout the school year to help prevent grade modifications without authorization after a marking period closes. Through increased system permissions, other individuals—such as non-classroom teachers, guidance counselors, information technology (IT) staff, clerical staff, and support staff—will be able to view or modify grades.

The District will work with its IT, human resources, and other appropriate departments to determine how best to timely establish access rights, add users, deactivate or modify user accounts, and monitor user accounts. The District will develop further IT controls to protect against improper access, if needed.

Grade Changes

Once the lockout period begins, only the building principal will have the authority to change grades, and only under certain circumstances. The system will recognize when grades change, and a log of modified grades will be maintained. Any grade mismatches will be reconciled before the next marking period closes or before the end of the school year, whichever is earlier.
SUBJECT: STUDENT GRADING INFORMATION SYSTEMS (Continued)

The staff member seeking to change a grade will submit a grade-change form signed by the requesting party, the teacher who assigned the original grade, and the appropriate administrator. This form and all other documents supporting a grade modification will be electronically filed in the grading system or filed in a non-electronic system—if electronic filing is impossible or impractical—and maintained for six years. The personnel seeking the modification should specify one or more reasonable grounds for the grade change on the form. There must be reasonable grounds to alter a grade. The reasons may include:

a) Data entry error;

b) Computational error;

c) A modification based on work submitted or considered after the lockout date;

d) Changing an incomplete grade to a regular grade because a student completed course requirements;

e) Credit recovery coursework;

f) Administrative change; or

g) Other acceptable justifications.

Audit Log and Monitoring

The District's grading system will have an audit log or grade-change report function that records certain system activities, including modifications to grades. The District will periodically monitor audit logs or grade-change reports to confirm the integrity of the system, to ensure proper access by personnel, and to confirm that modifications within the system are appropriate and completed in a timely manner. The District will also periodically monitor user accounts and rights so that the permissions granted are proper and the minimum necessary for each user or user group. To the extent feasible, the District will make sure that user accounts are current and updated regularly. The District will be able to print user information, logs, reports, and other documents from the student grading information system, as needed.

Student Transcripts

Student transcripts may show all credit-bearing classes; final grades; test scores; grade-point average; class rank; diploma type; SAT, ACT, and other standardized test scores; and graduation date. The same controls, protections, and monitoring applicable to student grading information apply equally to student transcripts.

Adoption Date: June 21, 2016
SUBJECT: DATA NETWORKS AND SECURITY ACCESS

The District values the protection of private information of individuals in accordance with applicable law, regulations, and best practice. Accordingly, District officials and Information Technology (IT) staff will plan, implement, and monitor IT security mechanisms, procedures, and technologies necessary to prevent improper or illegal disclosure, modification, or denial of sensitive information in the District Computer System (DCS). Similarly, such IT mechanisms and procedures will also be implemented in order to safeguard District technology resources, including computer hardware and software. District network administrators may review District computers to maintain system integrity and to ensure that individuals are using the system responsibly. Users should not expect that anything stored on school computers or networks will be private.

In order to achieve the objectives of this policy, the Board entrusts the Superintendent, or his/her designee, to:

a) Inventory and classify personal, private, and sensitive Information on the DCS to protect the confidentiality, integrity, and availability of information;

b) Develop password standards for all users including, but not limited to, how to create passwords and how often such passwords should be changed by users to ensure security of the DCS;

c) Ensure that the "audit trail" function is enabled within appropriate software, which will allow the District to determine on a constant basis who is accessing the programs, and establish procedures for periodically reviewing such audit trails;

d) Develop procedures to control physical access to computer facilities, data rooms, systems, networks, and data to only authorized individuals; such procedures may include ensuring that server rooms remain locked at all times and the recording of arrival and departure dates and times of employees and visitors to and from the server room;

e) Establish procedures for tagging new purchases as they occur, relocating assets, updating the inventory list, performing periodic physical inventories, and investigating any differences in an effort to prevent unauthorized and/or malicious access to these assets;

f) Periodically grant, change, and terminate user access rights to the overall networked computer system and to specific software applications and ensure that users are given access based on, and necessary for, their job duties;

g) Limit user access to the vendor master file, which contains a list of vendors from which District employees are permitted to purchase goods and services, to only the individual who is responsible for making changes to such list, and ensure that all former employees' access rights to the vendor master list are promptly removed;
SUBJECT: DATA NETWORKS AND SECURITY ACCESS

h) Determine how, and to whom, remote access should be granted, obtain written agreements with remote access users to establish the District's needs and expectations, as appropriate, and monitor and control such remote access;

i) Deploy software to servers and workstations to identify and eradicate malicious software attacks such as viruses and malware;

j) Develop a disaster recovery plan appropriate for the size and complexity of District IT operations to ensure continuous critical IT services in the event of any sudden, catastrophic event, including, but not limited to fire, computer virus or deliberate or inadvertent employee action.

Adoption Date: March 21, 2017
SUBJECT: SAFETY AND SECURITY

The Board of the Shoreham-Wading River Central School District hereby declares that it is the policy of this School District to provide a safe and secure environment to all those persons, students, staff and visitors, who lawfully enter upon District property or who travel in District vehicles for the purposes of the District.

It will be the responsibility of the Superintendent to:

a) Identify those staff members who will be responsible for the effective administration of the safety plans;

b) Provide staff time and other necessary resources for the effective administration of the safety plans;

c) Establish periodic written review of the activities of the staff to ensure compliance with applicable laws and safety plans;

d) Provide an on-going mechanism for the effective review of safety and security concerns of the staff, students and affected public;

e) Provide for semi-annual reports to the Board regarding the significant aspects of safety and security of the District.

Student Safety

All staff who are made aware of physical and/or verbal threats to students must immediately report these threats against students to the next level of supervisory authority for prompt action. The immediate supervisor must then inform the Superintendent/designee, including any action taken, after learning of such threats to students.

The District will disseminate this policy to all employees in order to ensure staff awareness.

Hazard Communication Standard

All personnel will be provided with applicable training to comply with the New York State "Right-to-Know" Law and the Hazard Communication Standard.

The Superintendent/designee will maintain a current record of the name, address and social security number of every employee who handles or uses toxic substances and which substance(s) were handled or used by the employee.
SUBJECT: SAFETY AND SECURITY

The District will ensure implementation of this policy which will include awareness information, employee training and record keeping.

   Occupational Safety and Health Administration (OSHA)
   Labor Law Sections 27-a and 879
   12 New York Code of Rules and Regulations (NYCRR)
   Part 820, Article 28

NOTE: Refer also to Policy #5681 -- School Safety Plans

Adopted: 4/14/09
Revised and Re-Adopted: 10/29/19
SUBJECT: SCHOOL SAFETY PLANS

The District considers the safety of its students and staff to be of the utmost importance and is keenly aware of the evolving nature of threats to schools. As such, it will address those threats accordingly through appropriate emergency response planning. The District-wide school safety plan and the building-level emergency response plan will be designed to prevent or minimize the effects of serious violent incidents and emergencies and to facilitate the coordination of schools and the District with local and county resources in the event of these incidents or emergencies.

These plans will be reviewed by the appropriate team on at least an annual basis and updated as needed by September 1. Specifically, the Board will make the District-wide school safety plan available for public comment at least 30 days prior to its adoption. The District-wide school safety plans may only be adopted by the Board after at least one public hearing that provides for the participation of school personnel, parents, students, and any other interested parties. Additionally, the District-wide school safety plan will designate the Superintendent or designee as the chief emergency officer responsible for coordinating communication between school staff and law enforcement and first responders, and for ensuring staff understanding of this plan. Similarly, the Superintendent will be responsible for ensuring the completion and yearly updating of building-level emergency response plans.

District-Wide School Safety Plan

District-wide school safety plan means a comprehensive, multi-hazard school safety plan that covers all school buildings of the District, addresses crisis intervention, emergency response and management at the District level, and has the contents as prescribed in Education Law and Commissioner's regulations.

The District-wide school safety plan will be developed by the District-wide school safety team appointed by the Board. The District-wide team will include, but not be limited to, representatives of the Board, teacher, administrator, and parent organizations, school safety personnel, and other school personnel.

The plan will further address, among other items as set forth in Education Law and Commissioner's regulations, how the District will respond to implied or direct threats of violence by students, teachers, other school personnel as well as visitors to the school, including threats by students against themselves (e.g., suicide).

Building-Level Emergency Response Plan

Building-level emergency response plan means a plan that addresses crisis intervention, emergency response and management at the building level and has the contents as prescribed in Education Law and Commissioner's regulations. As part of this plan, the District will define the chain of command in a manner consistent with the National Incident Management System (NIMS)/Incident Command System (ICS).
SUBJECT: SCHOOL SAFETY PLANS

The building-level emergency response plan will be developed by the building-level emergency response team. The building-level emergency response team is a building-specific team appointed by the building principal, in accordance with regulations or guidelines prescribed by the Board. The building-level team will include, but not be limited to, representatives of teacher, administrator, and parent organizations, school safety personnel and other school personnel, community members, law enforcement officials, fire officials, or other emergency response agencies, and any other representatives the Board deems appropriate.

Classroom door vision panels will not be covered except as outlined in the building-level emergency response plan.

Doors will not be temporary blocked except as outlined in the building-level emergency response plan.

Training Requirement

The District will submit certification to the New York State Education Department that all District and school staff have received annual training on the emergency response plan, and that this training included components on violence prevention and mental health. New employees hired after the start of the school year will receive training within 30 days of hire, or as part of the District's existing new hire training program, whichever is sooner.

Filing/Disclosure Requirements

The District will file a copy of its District-wide school safety plan and any amendments with the Commissioner of Education no later than 30 days after its adoption. A copy of each building-level emergency response plan and any amendments will be filed with the appropriate local law enforcement agency and with the state police within 30 days of its adoption. Building-level emergency response plans will be kept confidential and are not subject to disclosure under the Freedom of Information Law (FOIL) or any other provision of law.

Homeland Security Presidential Directives - HSPD-5, HSPD-8
Homeland Security Act of 2002, 6 USC § 101
Education Law §§ 807, 2801-a
Public Officers Law Article 6
8 NYCRR § 155.17

NYSED memo: School Security and Door Hardening, dated March 5, 2019

Adoption Date: 4/14/09
Revised and Re-Adopted: 10/29/19
SUBJECT: CARDIAC AUTOMATED EXTERNAL DEFIBRILLATORS (AEDs) IN PUBLIC SCHOOL FACILITIES

The School District will provide and maintain on-site in each instructional school facility functional cardiac automated external defibrillator (AED) equipment as defined in Public Health Law Section 3000-b for use during emergencies. Each such facility will have sufficient automated external defibrillator equipment available to ensure ready and appropriate access for use during emergencies in quantities and types as deemed by the Commissioner of Education, in consultation with the Commissioner of Health. Determination of the quantity and placement of AEDs must be made with consideration of at least the factors enumerated in Commissioner's Regulations. An instructional school facility means a building or other facility maintained by the School District where instruction is provided to students pursuant to its curriculum.

Whenever an instructional School District facility is used for a school-sponsored or school-approved curricular or extracurricular event or activity and whenever a school-sponsored athletic contest is held at any location, the public school officials and administrators responsible for such school facility or athletic contest will ensure that AED equipment is provided on-site and that there is present during such event, activity or contest at least one (1) staff person who is trained in accordance with Public Health Law in the operation and use of an AED. School-sponsored or school-approved curricular or extracurricular events or activities mean events or activities of the School District that are, respectively, associated with its instructional curriculum or otherwise offered to its students. A school-sponsored athletic contest means an extra class intramural athletic activity of instruction, practice and competition for students in grades 4 through 12 consistent with Commissioner's Regulations Section 135.4.

Where a school-sponsored competitive athletic event is held at a site other than a School District facility, School District officials will assure that AED equipment is provided on-site by the sponsoring or host district and that at least one (1) staff person who is trained, in accordance with Public Health Law, in the operation and use of the AED is present during such athletic event. A school-sponsored competitive athletic event means an extra class interscholastic athletic activity of instruction, practice and competition for students in grades 7 through 12 consistent with Commissioner's Regulations Section 135.4.

School District facilities and District staff responsible for carrying out the duties enumerated in Education Law Section 917 are deemed a "public access defibrillation provider" as defined pursuant to Public Health Law Section 3000-b and subject to the Public Health Law requirements and limitations.

Therefore, it is the policy of our School District to provide proper training requirements for District AED users, to ensure the immediate calling of 911 and/or the community equivalent ambulance dispatch entity whenever the AED is used, to ensure ready identification of the location of the AED units as enumerated in the District's Public Access Defibrillation Collaborative Agreement.
SUBJECT: CARDIAC AUTOMATED EXTERNAL DEFIBRILLATORS (AEDs) IN PUBLIC SCHOOL FACILITIES

The District will provide for regular maintenance and checkout procedures of the AED unit(s) which meet or exceed manufacturer's recommendations. Appropriate documentation will be maintained in accordance with law and/or regulation. Further, the District will participate in the required Quality Improvement Program as determined by the Regional Emergency Medical Services Council.

The District will post a sign or notice at the main entrance to the facility or building in which the AED unit(s) is stored, indicating the exact location where the unit(s) is stored or maintained on a regular basis.

Pursuant to Public Health Law Sections 3000-a and 3000-b, the School District (as a public access defibrillation provider), or any employee or other agent of the School District who, in accordance with the provisions of law, voluntarily and without expectation of monetary compensation renders emergency medical or first aid treatment using an AED to a person who is unconscious, ill or injured, will not be liable for damages for injury or death unless caused by gross negligence.

Education Law Section 917
Public Health Law Sections 3000-a and 3000-b
8 New York Code of Rules and Regulations (NYCRR)
Sections 135.4 and 136.4

Adopted: 4/14/09
SUBJECT: FIRE DRILLS, BOMB THREATS AND BUS EMERGENCY DRILLS

Fire Drills

The administration of each school building will instruct and train students on appropriate emergency responses, through fire and emergency drills, in the event of a sudden emergency.

Fire and emergency drills will be held at least twelve (12) times in each school year; eight (8) of these will be completed by December 31. Eight of all drills will be evacuation drills, four will be through use of the fire escapes on buildings where fire escapes are provided or identified secondary exits. The other four drills will be lock-down drills. Drills will be conducted at different times of the school day. Students will also be instructed in the procedures to be followed in the event that a fire occurs during the regular school lunch period or assembly, however, this additional instruction may be waived if a drill is held during the regular lunch period or assembly.

Summer School

At least two (2) additional drills will be held during summer school in buildings where summer school is conducted and one (1) of these drills will be held during the first week of summer school.

After-School Programs, Events or Performances

The building principal or his/her designee will require those in charge of after-school programs, events, or performances attended by any individuals unfamiliar with the school building, to announce at the beginning of such programs the procedures to be followed in the event of an emergency.

Bomb Threats

School Bomb Threats

A bomb threat, even if later determined to be a hoax, is a criminal act. No bomb threat should be treated as a hoax when it is first received. Upon receiving any bomb threat, the school has an obligation and responsibility to ensure the safety and protection of the students and other occupants of the school. This obligation takes precedence over a search for a suspect object. Prudent action is dependent upon known information about the bomb threat - location, if any; time of detonation; etc.

Specific procedures as to appropriate responses as a result of a bomb threat can be located in the building-level emergency response plan, as required by relevant law and regulation.

Police Notification and Investigation

Appropriate law enforcement agencies must be notified by the building administrator or designee of any bomb threat as soon as possible after receiving the threat. Law enforcement officials will contact, as the situation requires, fire and/or county emergency coordinators according to the county emergency plan.
SUBJECT: FIRE DRILLS, BOMB THREATS AND BUS EMERGENCY DRILLS

Implementation

The Superintendent or designee will develop written procedures to implement the terms of this policy. Additionally, such regulations are to be incorporated in the District-wide School Safety Plan and the building level school safety plan, with provisions to provide written information to all staff and students regarding emergency procedures by October 1 of each school year, an annual drill to test the emergency response procedures under each of its building level school safety plans; and the annual review of the District-wide and building level school safety plans, along with updates as necessary, by September 1, as mandated by law or regulation.

Bus Emergency Drills

The administration will conduct a minimum of three (3) emergency drills to be held on each school bus during the school year. The first drill is to be conducted during the first seven (7) days of school, the second drill between November 1 and December 31, and the third drill between March 1 and April 30. No drills will be conducted when buses are on routes.

Students who ordinarily walk to school will also be included in the drills. Students attending public and non-public schools who do not participate in regularly scheduled drills will also be provided drills on school buses, or as an alternative, will be provided classroom instruction covering the content of such drills.

Each drill will include instruction in the location, use, and operation of the emergency door, fire extinguishers, first-aid equipment, and windows as a means of escape in the event of fire or accident. Similarly, students will be instructed on all topics mandated by relevant sections of the Education Law and the Commissioner's Regulations and will include, but will not be limited to, the following:

a) Safe boarding and exiting procedures with specific emphasis on when and how to approach, board, disembark, and move away from the bus after disembarking;

b) Advancing at least ten feet in front of the bus before crossing the highway after disembarking; and

c) Orderly conduct as bus passengers.

Instruction on Use of Seat Belts

When a school bus is equipped with seat safety belts, the District will ensure that all students who are transported on such school bus owned, leased or contracted for by the District will receive instruction on the use of seat safety belts. This instruction will be provided at least three times each year to both public and non-public school students who are so transported and will include, but not be limited to:

a) Proper fastening and release of seat safety belts;

b) Acceptable placement of seat safety belts on students;
SUBJECT: FIRE DRILLS, BOMB THREATS AND BUS EMERGENCY DRILLS

c) Times at which the seat safety belts should be fastened and released; and

d) Acceptable placement of the seat safety belts when not in use.

Education Law Sections 807, 2801-a and 3623
Penal Law Sections 240.55, 240.60 and 240.62
8 NYCRR Sections 155.17, 156.3(f), 156.3(g) and 156.3(h)(2)
SUBJECT: COMPUTER CONTROL FOR FINANCIAL NETWORK AND DISTRICT COMPUTER SYSTEMS

The goal of the Shoreham-Wading River Central School District will ensure that the financial networks and systems are adequately secured. Accordingly our policies to achieve that objective are outlined below.

Network Facilities

The financial systems of the School District will be installed on a secure server on the school District’s local area network. This server will be secured from the internet by a firewall and on a separate administrative Virtual Local Area Network (VLAN) from the academic side of the District’s data network. Access to the financial system is denied to all users except those given specific rights to access the Finance Manager server.

All user computer security definitions and rights, with some special exceptions, will disallow the installing or downloading of any software. Software will be installed on local computers by IT staff or the Network Administrator with prior approval from the Superintendent or his/her designee.

Where appropriate the District’s network appliances, servers and computers will be loaded with up-to-date anti-hacking and anti-virus software to protect the network from inappropriate access, viruses, worms and other malware. Network equipment access and system logs will be monitored on a regular basis by the Network Administrator.

The IT Department and the building custodial staff will monitor the environmental protections including air conditioning, heat, ventilation, battery back up functions. Warning notifications will be reported to the Network Administrator and Plant Facilities Administrator, and corrective action will be taken by the Plant Facilities Administrator as soon as possible.

Automated and manual software update procedures must be in place and monitored. The Main Server Room located at the High School will be secured at all times and access to these areas will be given only to the IT staff and Network Administrator and those highest level District administrators who have full District building access.

The IT Staff and building administrator will monitor theft and vandalism, and report losses immediately to the Business Office.

Requests for network access and e-mail accounts by staff will be processed through the District’s approval procedure. Requests for student access to the network will require the completion of a signed Network and Internet User Agreement by both the student and his/her parents/persons in parental relations to the student(s).
SUBJECT: COMPUTER CONTROL FOR FINANCIAL NETWORK AND SYSTEMS

Students, teachers, and non-administrative staff will not have network browsing rights, or “right click” capability.

Passwords

Employees of the District will change their network passwords every 30 days. Each password will be secured by the individual users. The password will be at least six (6) characters and the previous five (5) passwords cannot be reused.

Passwords to the financial systems will be changed every 90 days. Passwords will be at least 6 characters and will contain at least one letter and one number.

All system level passwords will be changed whenever a member of the senior IT staff changes.

All user level passwords for network access will be changed when a compromise is suspected.

Passwords will not to be shared under any circumstances.

Backup and Disaster Recovery

A differential tape backup of the District’s system data, including but not limited to, financial and student management systems data, will be performed daily and a full tape backup will occur on Friday night. Electronic off-site back up of the student management system and financial system will be conducted on a daily basis. The District will maintain a disaster recovery plan in the event of a catastrophic loss of the District’s processing capabilities.

System Administrator

The Administrator for IT Services (or Superintendent’s designee) will ensure that the operations of IT services are in full compliance with the District’s policies, New York State Education Law and Regulations, privacy laws and practices, disclosures, regulations, etc.

The Administrator for IT Services (or Superintendent’s designee) or his/her designee will maintain and manage e-mail policies, spam and agreements.

The Administrator for IT Services (or Superintendent’s designee) or his/her designee will manage third-party contracts and agreements.

Financial Manager Permissions

Permissions for individuals in the financial system will be approved by the Administrator for IT Services (or Superintendent’s designee) and managed by the Business Manager. These permissions will be based on the organizational chart and list of duties and designated job responsibilities outlined in the organizational chart. These permissions will be reviewed once per fiscal year in the second quarter by the Business Official.
SUBJECT: COMPUTER CONTROL FOR FINANCIAL NETWORK AND SYSTEMS

Segregation of Duties

All duties related to the administration of the financial system will be based on the roles and responsibilities of the specific job function within the administrative offices of the District. A review of these duties will be done by the Business Official each year to maintain a strict policy of segregation of duties and assignment of rights and permissions necessary for each job function. The administration will implement appropriate compensating controls when adequate segregation of duties is not practical or possible.

Remote Access and Security

Remote access will be granted to the finance manager vendor for purposes of updating the system or software by the Network Administrator. The time of this access will be limited and require IT staff approval each time access is granted. Access logs will be reviewed on a regular schedule by the Network Administrator assigned to manage the system firewall. Any abnormal access will be reported immediately by the System Administrator and all remote access will be terminated until permission to resume is granted. Reports requested from or programmed by IT Services will be for appropriate personnel only, and if questionable, the need will be confirmed by the appropriate Administrator for IT Services (or Superintendent’s designee).

Adopted: January 18, 2011
SUBJECT: USE OF SURVEILLANCE CAMERAS IN THE SCHOOL DISTRICT AND ON SCHOOL BUSES

It is the Board's responsibility to ensure the safety of the District's students, staff, facilities, and property. While the Board recognizes the importance of privacy, it has authorized the use of surveillance cameras on District property including in school buildings, school facilities, as well as on school buses, when necessary. These surveillance cameras will help to assist the Board in maintaining the overall safety and welfare of the District's students, staff, property, and visitors, as well as to deter theft, violence, and other criminal activities.

Further, surveillance cameras will only be placed in public or common areas, such as stairwells, hallways, cafeterias, parking lots, or playgrounds, and not in private areas such as locker rooms, bathrooms, or other areas in which individuals have a reasonable expectation of privacy. Audio recordings will not be utilized by the District officials, however, this prohibition may not preclude the use of audio recordings by law enforcement officials in accordance with their official duties or as otherwise authorized by law.

Disciplinary Proceedings

Video recordings or footage from District surveillance cameras may be used in student or employee disciplinary proceedings, as appropriate.

Signage/Notification

The District will place signage at entrances to the school campus or at major entrances into school buildings notifying students, staff, as well as any visitors of the District's use of surveillance cameras. Students and staff will also receive additional notification, as deemed appropriate by the Superintendent, regarding the use of its surveillance cameras through means such as publication in the, employee handbook, and/or the student handbook.

Maintenance of Video Recordings

Any video surveillance recording in the schools, on school buses, or on school property, on tape, CD, or digitally, will be the sole property of the District and stored in its original form and in a secure location to avoid tampering and also to ensure its confidentiality in accordance with relevant law and regulations.

In addition, to the extent that any video images create student or personnel records, the District will comply with all applicable state and federal laws related to record retention, record maintenance, and record disclosure, including the Family Educational Rights and Privacy Act ("FERPA").

Adoption Date: December 20, 2016
SUBJECT:  EXPOSURE CONTROL PROGRAM

This policy has been replaced by Policy #0152: Exposure Control Program, which can be found in Board Docs ➔ Policies
SUBJECT: COMMUNICABLE DISEASES

This policy has been replaced by Policy #0151: Communicable Diseases, which can be found in Board Docs ➔ Policies
SUBJECT:  HUMAN IMMUNODEFICIENCY VIRUS (HIV) RELATED ILLNESSES

This policy has been replaced by Policy #0150: HIV/AIDS, which can be found in
Board Docs → Policies
SUBJECT: FOOD DISTRIBUTION

All students will be provided with the opportunity to eat lunch during the school day. High School students wishing to schedule an additional class in place of having a lunch period may do so with the consent of their parents.

Parents are responsible for providing lunch for their children. Parents may choose to provide lunch for their children through the following methods:

a) Parents may pack their child a bag lunch.

b) Parents of Miller Avenue Elementary School students may provide money for their child to buy food from the building PTO/PTA, on days when it is available for sale and/or parents may select the District’s five day a week brown bag lunch program via pre-payment.

c) In the Wading River Elementary School, Prodell Middle School, and the SWR High School, students can make purchases from the daily menu from the cafeteria.

d) Parents may choose to personally deliver their child’s lunch to the school building during their child’s designated lunch time.

e) For parents who meet eligibility requirements, free and reduced price lunches are available from the District. Information and applications for Free and Reduced Priced Meals are available at all the District’s building offices, nurses’ offices as well as the Business Office.

The District will not accept deliveries of parentally ordered lunches for students from commercial food establishments (i.e. restaurants and delicatessens). All deliveries of lunches from commercial food establishments will be turned away at the door and the District will not be responsible for the cost of these undeliverable meals. Parents may still choose to provide these types of lunches for their children, but must deliver them themselves.

In case of emergency, if a child does not have lunch and a parent cannot deliver lunch to their child, the parent may arrange to have lunch delivered by another adult who is listed as an emergency contact on the student’s emergency contact card. If there is no one available to deliver lunch for the child, the parent is encouraged to speak with the school building’s main office about acquiring a school prepared bag lunch, which can be paid for the next day. Under no circumstances will a student be denied lunch.

Adopted: August 21, 2012
Revised and Re-Adopted: October 2, 2012
Revised and Re-Adopted: 6/25/19
SUBJECT: TRANSPORTATION PROGRAM

It is the intent of the Board to comply with the letter and spirit of the New York State Education Law; with the regulations of the Department of Motor Vehicles and of the Department of Transportation and with the Commissioner of Education's regulations and decisions pertinent to student transportation, and these will govern any questions not covered by specific declaration of policy herein.

The purposes of the transportation program are to transport students to and from school, to transport them for extracurricular activities, to transport them on field trips, and to transport those requiring special services.

Education Law Sections 3602(7) and 3635 et seq.

NOTE: Refer also to Policy #7131 -- Education of Students in Temporary Housing

Adopted: 4/14/09
SUBJECT: SCHEDULING AND ROUTING

Transportation services will be provided to meet the needs of the students of the District within specified limits and areas established by the Board.

In order to insure the safety of the children:

   a) No bus stops are to be scheduled where it is necessary for the bus to back up.
   b) A special bus stop schedule has been established when there are adverse road conditions.
   c) A note signed by the parent or guardian must be presented to the bus driver for all students in grades K through 5 who are to get off the bus at other than their designated bus stop.
   d) Pointed or sharp objects, unless encased, animals and glass objects will not be allowed on the bus, except on field trips where special permission will be required.
   e) Students are not permitted to be in possession of any tobacco products, alcohol, illegal drugs or weapons on a bus.

While it is the District's responsibility for children being transported to and from school, it is the parent's responsibility for the safety and conduct of their children prior to boarding the bus in the morning and after leaving the bus in the afternoon. Parents are also responsible for the safety and conduct of their children who either walk or ride to school on vehicles other than the school bus.

Kindergarteners must be met by a parent or guardian at the bus stop. The child will be taken back to the school if there is no one at the stop. Bus Company requires notification from the school if the child is to be met by a person other than the parent or guardian.

Requests for changes and additions in the bus routes will not be considered until October 1. (This will allow time for the early and late buses to begin and also give the bus company time to analyze how the routes are working.)

Transportation Eligibility

Transportation will be granted to all resident students attending District Schools with no mileage limit from the place of residence to the school.

Posting of School Bus Schedules

The District will either mail schedules directly to parents or have parents pick up schedules at school. Should the District wish to post school bus schedules online, access to the schedules will be password protected.

Education Law Sections 3620-3628, 3635 and 3636

Adopted: 4/14/09
SUBJECT: TRANSPORTATION OF STUDENTS

Requests for Transportation to and from Non-public Schools

The parent or person in parental relation of a parochial or private school child residing in the District who desires his or her child to be transported to a parochial, private, or charter school outside of the District during the next school year, must submit a written request to the Board no later than April 1 of the preceding year, or within 30 days of moving into the District. The District will include the April 1 date in its school calendar. Late requests will not be denied where a reasonable explanation is provided for the delay.

Transportation to Non-public Schools on Holidays

The District will share its calendar and start and dismissal times with nonpublic schools before the start of the school year. The District is not required to provide transportation to nonpublic schools on days on which the District's schools are not in session.

Transportation for Non-public School Students with Disabilities who are Parentally Placed

For students with disabilities, ages 5 through 21, who are parentally placed in nonpublic schools outside their district of residency, if special education services are to be provided to a student at a site other than the non-public school, the school district of location is responsible for providing the special education services, including, as applicable, arranging and providing transportation necessary for the student to receive special education services.

The district of residence remains responsible to provide transportation to parentally placed nonpublic school students from the student's home to the non-public school.

Transportation of Students with Disabilities

Transportation of students with disabilities in the District may not exceed 50 miles one way from the student's home to the appropriate special service or program, unless the Commissioner certifies that no appropriate non-residential special service or program is available within 50 miles. In that event, the Commissioner may then establish transportation arrangements.

Student Information

Upon written consent of the parent or person in parental relation, every school bus which is used to regularly transport students with disabilities will the following information about each student with a disability being transported:

a) Student's name;

b) Nature of the student's disability;

c) Name of the student's parent, guardian, or person in parental relation and one or more telephone numbers where that person can be reached in an emergency; and/or
SUBJECT: TRANSPORTATION OF STUDENTS

d) Name and telephone number of any other person designated by such parent, guardian, or person in parental relation who can be contacted in an emergency.

This information will be used solely for the purpose of contacting the student's parent, guardian, person in parental relation, or designee in the event of an emergency involving the student, will be kept in a manner which retains the privacy of the student, and will not be accessible to any person other than the driver or a teacher acting in a supervisory capacity. In the event that the driver or teacher is incapacitated, this information may be accessed by any emergency service provider.

This information will be updated as needed, but at least once each school year and will be destroyed if parental consent is revoked, the student no longer attends the school, or the disability no longer exists.

Fire Extinguishers

School buses manufactured on or after January 1, 1990 fueled with other than diesel fuel and used to transport three or more students who use wheelchairs or other assistive mobility devices or with a total capacity of more than eight passengers and used to transport these students will be equipped with an engine fire suppression system.

School buses manufactured on or after September 1, 2007 fueled with diesel fuel and used to transport three or more students who use wheelchairs or other assistive mobility devices or with a total capacity of more than eight passengers and used to transport these students will be equipped with an engine fire suppression system.

School buses will also be equipped with at least one hand fire extinguisher in the event of an emergency.

Transportation of Non-Resident Students

Non-resident families must provide their own transportation.

Transportation to School Sponsored Events

Where the District has provided transportation to students enrolled in the District to a school sponsored field trip, extracurricular activity, or any other similar event, it will also provide transportation back to either the point of departure or to the appropriate school in the District unless a student's parent or legal guardian has provided the District with written notice, consistent with District policy, authorizing an alternative form of return transportation for the student. In cases where intervening circumstances make transportation of a student back to the point of departure or to the appropriate school in the District impractical, and the parent has not authorized alternative return transportation, a representative of the District will remain with the student until the student's parent or legal guardian has been contacted and informed of the intervening circumstances and the student has been delivered to his or her parent.
SUBJECT: TRANSPORTATION OF STUDENTS

Transportation in Personal Vehicles

Personal cars of teachers and staff will not be used to transport students except in the event of extenuating circumstances and authorized by the administration.

Education Law §§ 1604, 1709, 1804, 1903, 1950, 2503, 2554, 2590-e, 3242, 3602-c, 3621(15), 3623-a(2c), 3635, 4401-a, 4401(4), 4402, 4404, 4405, and 4410-6
Vehicle and Traffic Law § 375(20)(1) and 375(21-i)

NOTE: Refer also to Policy #7131 -- Education of Students in Temporary Housing

Adoption Date: 4/14/09
Revised and Re-Adopted: 12/20/16
SUBJECT: IDLING SCHOOL BUSES ON SCHOOL GROUNDS

The Board recognizes the need to promote the health and safety of District students and staff and to protect the environment from harmful emissions found in bus and vehicle exhaust. In accordance with Education Law and Commissioner's Regulations, the District will minimize, to the extent practicable, the idling of all school buses and other vehicles owned or leased by the District while such bus or vehicle is parked or standing on school grounds or in the front of any school. This policy also applies to contractor owned and operated school buses under contract with the District.

The District will ensure that each driver of a school bus or other vehicle owned, leased or contracted for by the District turn off the engine of the bus or vehicle while waiting for passengers to load or off load on school grounds, or while such vehicle is parked or standing on school grounds or in front of or adjacent to any school.

Exceptions

Unless otherwise required by State or local law, the idling of a school bus or vehicle engine may be permitted to the extent necessary to achieve the following purposes:

a) For mechanical work; or

b) To maintain an appropriate temperature for passenger comfort; or

c) In emergency evacuations where necessary to operate wheelchair lifts.

Private Vendor Transportation Contracts

All contracts for pupil transportation services between the School District and a private vendor that are entered into on or after August 21, 2008, will include a provision requiring such vendor's compliance with the provisions of reducing idling in accordance with Commissioner's Regulations Section 156.3(h).

Education Law Section 3637
Vehicle and Traffic Law Section 142
8 New York Code of Rules and Regulations (NYCRR) Section 156.3(h)

Adoption Date: November 8, 2012
SUBJECT: SCHOOL BUS SAFETY PROGRAM

The safe transportation of students to and from school is of primary concern in the administration of the school bus program. All state laws and regulations pertaining to the safe use of school buses will be observed by drivers, students and school personnel.

To assure the safety and security of students boarding or exiting school buses on school property, it will be unlawful for a driver of a vehicle to pass a stopped school bus when the red bus signal is in operation.

Use of Cell Phones and Portable Electronic Devices Prohibited

Use of portable electronic devices by a school bus driver at times the vehicle is in operation on the roadway poses a potential safety risk. All school bus drivers are prohibited from using portable electronic devices while the bus is in operation and students are on the bus.

The following terms are defined as:

a) "Portable electronic device" will mean any mobile telephone (hand held or "hands free"), personal digital assistant (PDA), portable device with mobile data access, laptop computer, pager, broadband personal communication device, two-way messaging device, electronic game, or portable computing device.

b) "Using" will mean holding a portable electronic device while viewing, taking or transmitting images, playing games, or composing, sending, reading, viewing, accessing, browsing, transmitting, saving or retrieving e-mail, text messages, or other electronic data.

c) "In operation" will mean that the bus engine is running, whether in motion or not.

The Transportation Supervisor, in cooperation with the Principals, has the responsibility of developing and publishing safety rules to be followed by drivers and passengers, including rules of student conduct. In order to ensure maximum safety to those riding school buses, it is necessary that students and drivers cooperate in this effort. There is no substitute for training to develop safe habits in pedestrian and vehicular traffic.

All buses and other vehicles owned by vendors/contract bus companies with whom the District contracts will have frequent safety inspections and be serviced regularly. The Transportation Supervisor will maintain a comprehensive record of all maintenance performed on each vehicle.

Every bus driver is required to report promptly any school bus accident involving death, injury, or property damage. All accidents, regardless of damage involved, must be reported at once to the Transportation Supervisor by the vendors/contract bus companies.
SUBJECT: SCHOOL BUS SAFETY PROGRAM

Education Law Section 3623
Vehicle and Traffic Law Sections 509-a(7), 509-1(1-b), 1174(a) and 1174(b)
8 New York Code of Rules and Regulations (NYCRR) Section 156.3

NOTE: Refer also to Policies #5683 -- Fire Drills, Bomb Threats and Bus Emergency Drills
#5761 -- Drug and Alcohol Testing for School Bus Drivers and Other Safety-Sensitive Employees

Adopted: 4/14/09
Revised and Re-Adopted: 12/20/16
SUBJECT: DRUG AND ALCOHOL TESTING FOR SCHOOL BUS DRIVERS AND OTHER SAFETY-SENSITIVE EMPLOYEES

In accordance with federal regulations, employees in safety-sensitive positions as defined in regulations who are required to have and use a commercial driver’s license (CDL), are subject to random testing for alcohol, marijuana, cocaine, amphetamines, opioids, and phencyclidine (PCP). The District will adhere to federal law and regulations requiring the implementation of a drug and alcohol testing program for such employees in safety-sensitive positions.

The District will ensure that vendors/contract bus companies either establish and manage their own program, by contract, or through a consortium for the provision of alcohol and drug testing of employees in safety-sensitive positions. Safety-sensitive employees (SSE), including school bus drivers and other employees, who drive a vehicle which is designed to transport 16 or more passengers (including the driver), will be subject to this requirement.

Federal regulations require that the District test school bus drivers and other SSEs for alcohol and drugs at the following times:

a) Drug testing will be conducted after an offer to hire, but before actually performing safety-sensitive functions for the first time. This pre-employment testing will also be required when employees transfer to a safety-sensitive position.

b) Safety-sensitive employees are also subject to a random drug and/or alcohol test on an unannounced basis just before, during or just after performance of safety-sensitive functions.

c) In addition, testing will be ordered if a trained supervisor has a "reasonable suspicion" that an employee has engaged in prohibited use of drugs and/or alcohol.

d) There will also be post-accident testing conducted after accidents on employees whose performance could have contributed to the accidents.

e) Finally, return-to-duty and follow-up testing will be conducted when an individual who has violated the prohibited alcohol and/or drug conduct standards returns to performing safety-sensitive duties. Follow-up tests are unannounced and at least six (6) tests must be conducted in the first twelve (12) months after an employee returns to duty. Follow-up testing may be extended for up to 60 months following return-to-duty.

All employee drug and alcohol testing will be kept confidential and will only be revealed without the driver's consent to the employer, the School District, a substance abuse professional, drug testing laboratory, medical review officer and any other individual designated by law.
SUBJECT: DRUG AND ALCOHOL TESTING FOR SCHOOL BUS DRIVERS AND OTHER SAFETY-SENSITIVE EMPLOYEES

The following alcohol and controlled substance-related activities are prohibited by the Federal Highway Administration's drug use and alcohol misuse rules for drivers of commercial motor vehicles (CMV) and other SSEs:

a) Reporting for duty or remaining on duty to perform safety-sensitive functions while having an alcohol concentration at or above federal limits. If testing shows an alcohol concentration at or above federal limits, the employee must be removed from performing safety-sensitive activities for 24 hours.

b) Being on duty or operating a CMV while the driver possesses alcohol, unless the alcohol is manifested and transported as part of a shipment. This includes the possession of medicines containing alcohol (prescription or over-the-counter), unless the packaging seal is unbroken.

c) Using alcohol while performing safety-sensitive functions.

d) New York State law prohibits using alcohol eight (8) hours or less before duty.

e) When required to take a post-accident alcohol test, using alcohol within eight (8) hours following the accident or prior to undergoing a post-accident alcohol test, whichever comes first.

f) Refusing to submit to an alcohol or controlled substance test required by post-accident, random, reasonable suspicion or follow-up testing requirements.

g) Reporting for duty or remaining on duty, requiring the performance of safety-sensitive functions, when the SSE uses any controlled substance. This prohibition does not apply when instructed by a physician who has advised the SSE that the substance does not adversely affect the SSE's ability to safely operate a CMV.

h) Reporting for duty, remaining on duty or performing a safety-sensitive function, if the SSE tests positive for controlled substances.

Drivers and other SSEs who are known to have engaged in prohibited behavior with regard to alcohol misuse or use of controlled substances are subject to disciplinary action and penalties in accordance with vendors'/contract bus companies' policies and collective bargaining agreements, as well as the sanctions provided for in federal law. SSEs who have engaged in such prohibited behavior will not be allowed to perform safety-sensitive functions until they are:
SUBJECT: DRUG AND ALCOHOL TESTING FOR SCHOOL BUS DRIVERS AND OTHER SAFETY-SENSITIVE EMPLOYEES

a) Evaluated by a substance abuse professional (SAP).

b) Complete any requirements for rehabilitation as set by the District and the SAP.

c) Pass a return-to-duty test with the result below 0.02 if the conduct involved alcohol, or a controlled substance test with a verified negative result if the conduct involved controlled substance use.

d) The SSE will also be subject to unannounced follow-up alcohol and controlled substance testing. The number and frequency of such follow-up testing will be as directed by the SAP, and consist of at least six (6) tests in the first 12 months.

The Superintendent will ensure that each vendor or contract bus company receives a copy of District policy, educational materials that explain the requirements of the alcohol and drug testing regulations, and any regulations and/or procedures developed by the District with respect to meeting those requirements. The Superintendent or designee will ensure that a copy of these materials is distributed to each vendor/contract bus company, and the vendor or bus company will sign for receipt of all of the above documents, as well as other appropriate personnel, prior to the start of alcohol and controlled substance testing as well as at the beginning of each school year or at the time of hire for any SSEs.

The Superintendent or designee can assist vendors or contract bus companies with arrangements for training of all supervisors who may be utilized to determine whether "reasonable suspicion" exists to test a driver for prohibited conduct involving alcohol or controlled substance use/abuse.

Any significant violation of this policy and/or District procedures, and applicable federal and state laws by vendors/contract bus companies and other employees will result in revocation of their contract for the transportation of students.

Omnibus Transportation Employee Testing Act of 1991 (Public Law 102-143)
49 United States Code (USC) Sections 31136 and 31306

Adopted: 4/14/09
Revised and Re-Adopted: 3/12/19
Shoreham-Wading River Central School District

PERSONNEL

1.1 Code of Ethics for All District Personnel ................................................................. 6110
1.1.1 Testing Misconduct and Mandatory Reporting Requirements .................... 6111
1.2 Equal Employment Opportunity ........................................................................... 6120
1.2.1 Sexual Harassment ......................................................................................... 6121
1.2.2 Employee Grievances ................................................................................... 6122
1.2.3 Employee Grievances RESCINDED 5/1/18 .................................................. 6123
1.3 Evaluation of Personnel: Purposes ....................................................................... 6130
1.4 Health Examinations ............................................................................................. 6140
1.5 Alcohol, Drugs and Other Substances (School Personnel) ................................. 6150
1.5.1 Drug-Free Workplace ..................................................................................... 6151
1.6 Professional Growth/Staff Development .............................................................. 6160
1.6.1 Conference/Travel Expense Reimbursement ............................................... 6161
1.7 Safety of Students (Fingerprinting Clearance of New Hires) ............................. 6170
1.8 Employee-Student Relations (Fraternalization) ................................................... 6180
1.8.1 Sexual Misconduct ....................................................................................... 6181
1.9 Employee Personal Identifying Information .......................................................... 6190
1.10 Identification Badges for Employees .................................................................. 6191

CERTIFIED PERSONNEL

2.1 Certified Personnel ................................................................................................. 6210
2.1.1 Recruitment ..................................................................................................... 6211
2.1.2 Certification and Qualifications ........................................................................ 6212
2.1.3 Incidental Teaching .......................................................................................... 6213
2.1.4 Probation and Tenure ...................................................................................... 6214
2.1.5 Disciplining of a Tenured Teacher or Certified Personnel ......................... 6215
2.1.6 Professional Staff: Separation ......................................................................... 6216
2.1.7 Employment of Relatives of Board Members ................................................. 6217
2.1.8 Registration and Professional Development ................................................. 6218
2.2 Temporary Personnel ............................................................................................ 6220

SUPPORT STAFF

3.1 Appointment - Support Staff .................................................................................. 6310
3.2 Supplementary School Personnel ........................................................................... 6320

ACTIVITIES

4.1 Maintaining Discipline and Conduct ..................................................................... 6410
4.1.1 Use of E-mail in the School District ................................................................ 6411
4.2 Employee Personnel Records and Release of Information .................................. 6420
4.3 Employee Activities .............................................................................................. 6430
4.4 Negotiations .......................................................................................................... 6440
COMPENSATION AND RELATED BENEFITS

5.1 Health Insurance ........................................................................................................ 6510
5.2 Workers' Compensation ............................................................................................. 6520
5.4 Defense and Indemnification of Board Members and Employees ............................ 6540
5.5 Leaves of Absence ..................................................................................................... 6550
  5.5.1 Family and Medical Leave Act...................................................................... 6551
  5.5.2 Uniformed Services Employment and Re-employment Rights Act
     (USERRA) Military Leaves of Absence ....................................................... 6552
5.6 Employee Assistance Program (EAP) ....................................................................... 6560
5.7 Employment of Retired Persons ................................................................................. 6561

LOCATION

6.1 Remote Working............................................................................................................. 6570
SUBJECT: CODE OF ETHICS FOR ALL DISTRICT PERSONNEL

This policy has been replaced by Policy #2160: School District Officer and Employee Code of Ethics, which can be found in Board Docs ➔ Policies
SUBJECT: TESTING MISCONDUCT AND MANDATORY REPORTING REQUIREMENTS

School District employees are expressly prohibited from: engaging in testing misconduct, as that term is described in the Regulations of the Commissioner of Education; assisting in the engagement of, or soliciting another to engage in testing misconduct; and/or the knowing failure to report testing misconduct. When committed by an employee of the School District in a position for which a teaching or school leader certificate is required, such actions or inactions will be deemed to raise a reasonable question of moral character under Part 83 of the Commissioner's Regulations and will be subject to disciplinary action by the Board in a manner consistent with New York State law and regulation. A School District employee in a position for which a teaching or school leader certificate is not required who commits an unlawful act in respect to examination and records will be subject to disciplinary action by the Board in a manner consistent with New York State law and regulation.

School District employees will report to the State Education Department any known incident of testing misconduct by a certified educator or any known conduct by a non-certified individual involved in the handling, administration or scoring of state assessments in violation of New York State law. Such report will be made in accordance with directions and procedures established by the Commissioner for the purpose of maintaining the security and confidential integrity of State assessments.

The School District will not dismiss or take other disciplinary or adverse action against an employee because he/she submitted a report regarding testing misconduct to the State Education Department. Any such adverse action by an individual holding a teaching or school leader certificate will be deemed to raise a reasonable question of moral character under Part 83 of the Commissioner's Regulations and may be referred to the Office of School Personnel Review and Accountability at the State Education Department.

8 NYCRR Section 102.4

Adoption Date: November 1, 2016
SUBJECT: EQUAL EMPLOYMENT OPPORTUNITY

This policy has been replaced by Policy #0100: Non-Discrimination, Anti-Harassment, and Equal Opportunity, which can be found in Board Docs ➔ Policies
SUBJECT: SEXUAL HARASSMENT

This policy has been replaced by Policy #0110.2: Sexual Harassment of Employees, which can be found in Board Docs → Policies.
SUBJECT: EMPLOYEE GRIEVANCES

In accordance with the provisions of General Municipal Law and the collective bargaining agreements, all District personnel shall have the opportunity to present their complaints or grievances free from interference, coercion, restraint, discrimination or reprisal. The District shall provide at least two (2) procedural stages and an appellate stage for the settlement of any grievance.

Complaints or grievances not covered under employee contracts shall be handled and resolved, whenever possible, as close to their origin as possible. The Superintendent is responsible for implementing regulations for the redress of complaints or grievances through proper administrative channels.

Prohibition of Retaliatory Behavior

The Board prohibits any retaliatory behavior directed against complainants, victims, witnesses, and/or any other individuals who participated in the investigation of a complaint of discrimination. Follow-up inquiries shall be made to ensure that discrimination has not resumed and that all those involved in the investigation of the discrimination complaint have not suffered retaliation.

Complaints and Grievances Coordinator

Additionally, the Board shall ensure compliance with the Civil Rights Compliance Officer, Title IX of the Educational Amendments of 1972, Section 504 of the Rehabilitation Act of 1973 and the Americans With Disabilities Act (ADA). The Superintendent shall designate a District employee as the Title IX/Section 504/ADA Coordinator; and regulations and procedures shall be implemented to resolve complaints of discrimination based on sex or disability.

Prior to the beginning of each school year, the District shall issue an appropriate public notice which advises students, parents/guardian, employees and the general public of the District's established grievance procedures for resolving complaints of discrimination based on sex or disability. Included in such notice will be the name, address and telephone number of the Civil Rights Compliance Officer, Title IX/Section 504/ADA Coordinator.

The Civil Rights Compliance Officer, Title IX/Section 504/ADA Coordinator shall also be responsible for handling complaints and grievances regarding discrimination based on race, color, creed, religion, national origin, political affiliation, sexual orientation, age, military status, veteran status, marital status, predisposing genetic characteristics, or use of recognized guide dog, hearing dog or service dog.
SUBJECT: EMPLOYEE GRIEVANCES

Age Discrimination in Employment Act, 29 United States Code (USC) Section 621
Americans With Disabilities Act, 42 United States Code (USC) Section 12101 et seq.
Prohibits discrimination on the basis of disability.
Section 504 of the Rehabilitation Act of 1973, 29 United States Code (USC) Section 794 et seq.
Title VI of the Civil Rights Act of 1964, 42 United States Code (USC) Section 2000d et seq.
Prohibits discrimination on the basis of race, color or national origin.
Title VII of the Civil Rights Act of 1964, 42 United States Code (USC) Section 2000e et seq.
Prohibits discrimination on the basis of race, color, religion, sex or national origin.
Title IX of the Education Amendments of 1972, 20 United States Code (USC) Section 1681 et seq.
Prohibits discrimination on the basis of sex.
Civil Rights Law Section 40-c
Prohibits discrimination on the basis of race, creed, color, national origin, sex, marital status, sexual orientation or disability.
Executive Law Section 290 et seq.
Prohibits discrimination on the basis of age, race, creed, color, national origin, sex, sexual orientation, disability, military status, predisposing genetic characteristics, marital status, or use of a recognized guide dog, hearing dog or service dog.
Military Law Sections 242 and 243

NOTE: Refer also to Policy #3420 -- Anti-Harassment in the School District
Adopted: 4/14/09
Revised and Re-Adopted: 1/23/18
SUBJECT: EVALUATION OF PERSONNEL

All Staff Members

The administration will undertake a continuous program of supervision and evaluation of all personnel, including support staff, in the District.

The primary purposes of the evaluations will be to encourage and promote improved performance and to make decisions about the occupancy of positions.

Teachers and Administrators

The District is committed to supporting the development of effective teachers and administrators. To this end, the District will provide procedures for the evaluation of all professional staff. District plans for Annual Professional Performance Review (APPR) of teachers and principals will be developed in accordance with applicable laws, Commissioner’s Regulations, and Rules of the Board of Regents.

The primary purposes of this evaluation are:

a) To encourage and promote self-evaluation by personnel;

b) To provide a basis for evaluative judgments by applicable school officials; and

c) To guide professional development efforts.

Disclosure of APPR

The Commissioner is required to disclose professional performance review data for teachers and building principals on the New York State Education website and in any other manner to make this data widely available to the public. The District will provide notice to parents or legal guardians of their right to obtain this information and the methods by which the data may be obtained.

8 NYCRR Sections 80-1.1 and 100.2(o)(2)
Education Law 3012-c

Revised and Re-Adopted: March 12, 2013
Revised and Re-Adopted: December 20, 2016
SUBJECT: HEALTH EXAMINATIONS

The Board reserves the right to request a health examination at any time during employment, at School District expense, in order to determine whether the employee has the physical and mental capacity of an employee to perform the essential functions of the position with or without reasonable accommodation.

Annual or more frequent examinations of any employee may be required, when, in the judgment of the school physician and the Superintendent, such procedure is deemed necessary.

Each vendor/contract bus company will ensure that its bus drivers and substitute bus drivers will have yearly physical examinations. Each bus driver initially employed by the vendor/contract bus company will have a physical examination within the four (4) weeks prior to the beginning of service. In no case will the interval between physical examinations exceed a thirteen-month period.

The final acceptance or rejection of a medical report with reference to the health of an employee lies within the discretion of the Board. The decision of the physician designated by the Board as the determining physician will take precedence over all other medical advice.

All medical and health related information will be kept in accordance with the Health Insurance Portability and Accountability Act of 1996 (HIPAA).

Health Insurance Portability and Accountability Act of 1996 (HIPAA), Public Law 104-191
45 Code of Federal Regulations (CFR) Parts 160 and 164
Education Law Sections 913 and 3624
8 New York Code of Rules and Regulations (NYCRR)
Section 156.3(2)
10 New York Code of Rules and Regulations (NYCRR)
Part 14
15 New York Code of Rules and Regulations (NYCRR)
Part 6

Adopted: 4/14/09
SUBJECT: ALCOHOL, DRUGS AND OTHER SUBSTANCES (SCHOOL PERSONNEL)

The Board, recognizing that students are often influenced by teachers and other members of a school's staff, impresses upon staff members the importance of maintaining a high level of professionalism appropriate to their position, which, in turn, will set a positive example for students.

The Board, therefore, prohibits the consumption, sharing and/or selling, use and/or possession of illegal drugs, counterfeit and designer drugs or alcoholic beverages in the workplace, or when the effects of such drugs and/or alcohol use may impair an employee's job performance.

Information about any drug and alcohol counseling and/or rehabilitation programs will be made available to employees. Data will also include the range of penalties (consistent with local, state and federal law) up to and including termination of employment and referral for prosecution that will be imposed on employees who have transgressed the terms of this policy.

Additionally, confidentiality will be ensured as required by state and federal law.

The Superintendent/designee will periodically review the drug and alcohol abuse prevention program to determine its effectiveness and support appropriate modifications, as needed.

Safe and Drug-Free Schools and Communities Act, as reauthorized by the No Child Left Behind Act of 2001
20 United States Code (USC) Section 7101 et seq,
Civil Service Law Section 75
Education Law Sections 913, 1711(2)(e), 2508(5) and 3020-a

NOTE: Refer also to Policies #3410 -- Code of Conduct on School Property
#6560 -- Employee Assistance Program
#7320 -- Alcohol, Tobacco, Drugs and Other Substances (Students)
District Code of Conduct on School Property

Adopted: 4/14/09
SUBJECT: DRUG-FREE WORKPLACE

It will be the general policy of the Board to affirm that all programs in the District that receive Federal funds will guarantee that their workplaces are free of controlled substances. "Controlled substance" means a controlled substance in schedules I through V of Section 202 of the Controlled Substances Act (21 USC 812) and as further defined in regulation at 21 Code of Federal Regulations (CFR) 1308.11-1308.15. An acknowledgment form will be signed by the Superintendent indicating that the District is in full compliance with the Drug-Free Workplace Act. This policy will guarantee that not only federally funded programs, but the entire District is free of controlled substances.

"Workplace" is defined as a school building or other school premises; any school-owned vehicle or any other school-approved vehicle used to transport students to and from school or school activities; off school property during any school-sponsored or school-approved activity, event or function, such as a field trip or athletic event, where students are under the jurisdiction of the School District.

The Board directs the administration to develop regulations to comply with this policy, and further supports such actions and activities of the administration as will be required to maintain a drug-free workplace.

Drug-Free Workplace Act
20 United States Code (USC) Section 7101 et seq.
21 United States Code (USC) Section 812
21 Code of Federal Regulations (CFR) 1308.11-1308.15
34 Code of Federal Regulations (CFR) Part 85

NOTE: Refer also to Policies #3410 -- Code of Conduct on School Property
#6150 -- Alcohol, Drugs and Other Substances (School Personnel)
#6560 -- Employee Assistance Program (EAP)
#7320 -- Alcohol, Tobacco, Drugs and Other Substances (Students)
District Code of Conduct on School Property

Adopted: 4/14/09
SUBJECT: PROFESSIONAL GROWTH/STAFF DEVELOPMENT

It is the policy of the District that attention be given to in-service, pre-service, and other staff development programs which are believed to be of benefit to the School District and its students. The Superintendent, in consultation with the appropriate administrative staff and/or teacher committees, is directed to arrange in-service programs and other staff development opportunities which will provide for the selection of subjects pertinent to the curriculum in the schools, to build from these subjects those topics or courses for in-service or staff development which will help employees acquire new methods of performing their job responsibilities or help staff improve on those techniques which are already being used in the schools, with the objective of improving professional competencies.

It is recommended that administration develop meaningful in-service and/or staff development programs which will achieve the following:

a) Contribute to the instructional program of the schools;

b) Contribute to improved education for students;

c) Achieve state mandates;

d) Enhance the professional competencies and/or instructional abilities of staff members.

The Board, therefore, encourages all employees to improve their competencies beyond that which they may obtain through the regular performance of their assigned duties.

Members of the staff are also encouraged to continue their formal education as well as to attend their respective work-related workshops, conferences and meetings.

Funds for participating at such conferences, conventions, and other similar professional development programs will be budgeted for by the Board on an annual basis. Reimbursement to District staff for all actual and necessary registration fees, expenses of travel, meals and lodging, and all necessary tuition fees incurred in connection with attendance at conferences and the like will be in accordance with established regulations for conference attendance and expense reimbursement.

The Superintendent or his/her designee has authority to approve release time and expenses for staff members' attendance at professional training conferences, study councils, in-service courses, workshops, summer study grants, school visitations, professional organizations and the like within budgetary constraints.

A conference request form/course approval form must be submitted by the employee and approved by the designated administrator prior to the employee's attendance at such conference or other professional development program.
SUBJECT: PROFESSIONAL GROWTH/STAFF DEVELOPMENT

Mentoring Programs for First Year Teachers

Effective February 2, 2004, first year teachers must participate in a mentoring program as a component of the School District's Professional Development Plan. The purpose of the mentoring program is to increase the retention of new teachers and improve their ability to assist students in attaining State learning standards. The mentor's role is to provide guidance and support to a new teacher. However, additional mentor responsibilities may be negotiated and reflected in a collective bargaining agreement.

Education Law Sections 1604(27), 3004 and 3006
General Municipal Law Sections 77-b and 77-c
8 New York Code of Rules and Regulations (NYCRR)
Sections 52.21(b)(3)(xvi), 52.21(b)(3)(xvii), 80-3.4(b)(2),
80-5.13, 80-5.14 and 100.2(dd)

Adopted: 4/14/09
SUBJECT: CONFERENCE/TRAVEL EXPENSE REIMBURSEMENT

Conference travel will be for official business and will be made utilizing a cost-effective and reasonable method of travel.

All conference travel must have a completed Travel Conference Request Form on file which has been approved by the appropriate supervisor. The Superintendent/designee approves those Travel Conference Requests which have reimbursable employee expenses greater than $250.00. Travel Conference Request Forms are only to be used by District employees.

All conference reimbursement requests must be submitted using a Travel Conference Reimbursement Form.

Expenses for overnight-approved travel will be reimbursed when accompanied by original receipts for lodging and other reimbursable expenses. Meal expenses for overnight travel will only be reimbursed based on the Board approved per diem rates which are modeled after the United States General Services Administration per diem rates.

New York State sales tax cannot generally be reimbursed. Sales tax may, however, be reimbursed when such costs constitute an actual and necessary expense. A Sales Tax-Exempt Form can be obtained prior to travel for hotel accommodations.

Original receipts are required when submitting for parking and tolls, however "EZ Pass" statements may be substituted with the appropriate charges highlighted.

General Municipal Law § 77-b(2)

NOTE: Refer also to Policy #5323 -- Reimbursement For Meals/Refreshments

Adopted: June 22, 2010
Revised and Re-Adopted: January 26, 2016
SUBJECT: SAFETY OF STUDENTS (FINGERPRINTING CLEARANCE OF NEW HIRES)

Unless otherwise authorized, the District will not employ or utilize a prospective school employee, unless the prospective school employee has been granted "full" clearance for employment by the State Education Department (SED). The District will require a prospective school employee who is not in the SED criminal history file database to undergo a fingerprint supported criminal history record background check. "Criminal history record" means a record of all criminal convictions and any pending criminal charges maintained on an individual by the Division of Criminal Justice Services (DCJS) and the Federal Bureau of Investigation (FBI). The District will obtain the applicant's consent to the criminal history records search.

The SED joined the Statewide Vendor Management System (SVMS) operated by MorphoTrust in conjunction with DCJS for the capture and transmission of the fingerprint application, fee, and digital fingerprint images. The District will use the SVMS as directed by SED. The District will still request clearance for employment, view information regarding an applicant's status, and enter hire/termination dates through SED's Web-based application known as TEACH.
SUBJECT: STAFF-STUDENT RELATIONS (FRATERNIZATION)

The Board requires that all School District employees, including all staff and Board approved volunteers, maintain a professional, ethical relationship with District students that is conducive to an effective, safe learning environment; and that District employees act as role models for students at all times, whether on or off school property and both during and outside school hours. Employees must establish appropriate personal boundaries with students and not engage in any behavior that could reasonably lead to even the appearance of impropriety.

District employees are prohibited, under any circumstances, to date or engage in any improper fraternization or undue familiarity with students, regardless of the student's age and/or regardless of whether the student may have "consented" to such conduct. There is no such thing as consensual sex between a District employee and a student. Further, employees will not entertain students or socialize with students in such a manner as to create the perception that a dating relationship exists.

Similarly, any action or comment by an employee which invites romantic or sexual involvement with a student, or former student under the age of 18 is considered highly unethical, in violation of District policy, and may result in the notification of law enforcement officials and the filing of criminal charges and/or disciplinary action by the District up to and including termination of employment.

Inappropriate employee behavior includes, but is not limited to, grooming, flirting, making suggestive comments, dating, social invitations, requests for sexual activity, physical displays of affection, giving inappropriate personal gifts, personal communication with a student (via phone, e-mail, social media, letters, notes, etc.) unrelated to course work or official school matters, providing alcohol or drugs to students, inappropriate touching, personal transportation, and engaging in sexual contact and/or sexual relations. (Reference Policy #6480)

Even if the student participated "willingly" in the activity (regardless of the student's age), inappropriate fraternization of employees with students is against District policy and may be in violation of professional standards of conduct and New York State Law. However, inappropriate employee conduct does not need to rise to the level of criminal activity for such conduct to be in violation of District rules and subject to appropriate disciplinary sanctions.

Any student who believes that he/she has been subjected to inappropriate employee behavior as enumerated in this policy, as well as students, school employees or third parties who have knowledge of or witness any possible occurrence of inappropriate employee-student relations, will report the incident to any employee or either the employee's supervisor, the student's Principal or the District's designated Complaint Officer, Assistant Superintendent for Human Resources. In all events such reports will be forwarded to the designated Complaint Officer for further investigation. Anonymous complaints of inappropriate fraternization of District employees with students will also be investigated by the District. Investigations of allegations of inappropriate employee-student relations will follow the procedures utilized for complaints of harassment within the School District. Allegations of inappropriate employee-student behavior will be promptly investigated and will be treated as confidential and private to the extent possible within legal constraints.
SUBJECT: STAFF-STUDENT RELATIONS (FRATERNIZATION)

Any employee having knowledge of, or reasonable suspicion that another employee may have engaged in inappropriate behavior/conduct with a student that may constitute child abuse (specifically, child abuse in an educational setting) must also follow the District's reporting procedures for such allegations, and such information will be reported by the designated administrator, as required by state law, to law enforcement officials, the State Education Department and/or Child Protective Services as may be applicable. Mandated reporters, which include any employee required to hold a license or certificate for employment, are required to report suspected child abuse or maltreatment in accordance with NYS Law when, in their professional capacity, they are presented with reasonable cause to suspect child abuse, which includes sexual abuse or maltreatment.

If a student initiates inappropriate behavior toward an employee, that employee will document the incident and report it to his/her Building Principal or supervisor. The District will promptly investigate all complaints of inappropriate employee-student relations, and take prompt corrective action to stop such conduct if it occurs.

Prohibition of Retaliation
The Board prohibits any retaliatory behavior directed against complainants, victims, witnesses, and/or any other individuals who participate in the investigation of allegations of inappropriate employee-student relations. Follow-up inquiries and/or appropriate monitoring will be made to ensure that the alleged conduct has not resumed and that all those involved in the investigation have not suffered retaliation. Any act of retaliation is subject to appropriate disciplinary action by the District.

District Responsibility/Training
The principal of each school and/or program supervisor will be responsible for informing students, employees, and Board approved volunteers of the requirements of this policy, including the duty to report and the procedures established for investigation and resolution of complaints. Further, employee training will be provided annually to facilitate employee identification of possible behavior that may constitute inappropriate employee-student relationships, and practices will be developed at each building in support of this policy. Students will be provided such training in an age appropriate manner. The District's policy (or a summary thereof) will be disseminated as appropriate to employees, Board approved volunteers, students and parents. Further, this topic will be addressed in the District Code of Conduct.

Disciplinary Sanctions
Any employee who engages in inappropriate conduct with a student, prohibited by the terms of this policy, will be subject to appropriate disciplinary measures up to and including termination of employment in accordance with legal guidelines, District policy and regulation, and the applicable collective bargaining agreement. A violation of this policy may also subject the employee to criminal and/or civil sanctions as well as disciplinary action by the State

Education Department,
Title IX of the Education Amendments of 1972,
20 United States Code (USC) Section 1681 et seq.
Education Law Article 23-B
Social Services Law Sections 411-428
8 New York Code of Rules and Regulations (NYCRR)
Part 83

Adopted: 4/14/09
Revised: 06/21
SUBJECT: SEXUAL MISCONDUCT

The Board of Education requires that the relationship between employees, volunteers and students to be based upon mutual respect and professionalism. All employees and volunteers are expected to exercise good judgment and maintain professional boundaries when interacting with students, in all curricular and extra-curricular activities, both on and off school property.

Any behavior of a sexual nature which may constitute professional misconduct and is a violation of criminal or civil statutes, professional codes of ethics, or board policy is strictly prohibited. Such behavior includes, but is not limited to, the following:

1. Any conduct that would amount to sexual harassment, discrimination, or retaliation under Title IX of the Education Amendments of 1972. [See policy 0110 for guidance on sexual harassment complaints.]
2. Any conduct that would constitute sexual abuse of a minor under the New York State Penal Law (e.g., rape, forcible touching, sexual intercourse, aggravated sexual conduct, etc.). [See policy 9620 for guidance on reporting child abuse in the educational setting.]
3. Any sexual relationship by an employee or volunteer with (1) any K-12 student in the district, regardless of the student’s age, or (2) a former student under age 18.
4. Any activity directed toward establishing a sexual relationship such as dating, sending intimate communications; and/or engaging in sexualized dialogue whether in person, by phone, via the Internet, or in writing.

Individuals who are aware of any sexual misconduct by an administrator, employee or volunteer of the district shall report such action to the Title IX Officer, the Building Principal, or the Superintendent of Schools.

After a thorough investigation and depending on the nature of charges, the district will take appropriate disciplinary action in accordance with district policy, collective bargaining agreements and appropriate criminal and civil statutes. Where appropriate, such disciplinary penalties might involve seeking revocation of certification and/or reporting such activity to appropriate law enforcement officials.

Ref:

Education Amendments of 1972, Title IX, 20 U.S.C. §§1681 et seq.
Education Law §§1125-1133
Penal Law §§130; 235; 263

Adopted: 06/8/2021
SUBJECT: EMPLOYEE PERSONAL IDENTIFYING INFORMATION

This policy has been replaced by Policy #1120: School District Records, which can be found in Board Docs ➔ Policies
SUBJECT: IDENTIFICATION BADGES

The District is committed to providing a safe and secure environment for our students and employees. The District will issue Identification (ID) Badges to all full-time and part-time employees. The identification badge serves the purpose of identifying District employees and other authorized personnel.

Employees and Temporary Staff

Identification Badges will be issued by the Facilities Office to all existing and new employees. The badges will include the employee's name and photo, together with building and/or District information. Badges shall be worn during the school day, when on District property, and when advising or chaperoning school-sponsored activities.

Long-term substitute teachers and student teachers, who are assigned to District buildings for an extended period of time, may be issued a regular ID badge by the Facilities Office. Short-term substitute teachers, other temporary employees and contract staff will be required to sign in each time they enter a District building. A non-picture ID badge (visitor or other temporary badge) will be issued to staff members in this category and it will be their responsibility to return the badge upon leaving the building each day.

The ID badge is the property of the District and may only be used by the individual to whom it was issued. Employees may not loan their ID badge to anyone for any reason. Upon separation from employment, employees are required to return the ID badge.

Visitors

Visitors, including approved volunteers and vendors, will wear a "Visitor" identification pass after signing in and gaining permission to be on the premises during school hours. The pass must be worn in a highly visible manner while in District buildings and shall be surrendered when exiting the building.

NOTE: Refer also to Policy #3210 -- Visitors to the School

Adoption Date: December 20, 2016
SUBJECT: CERTIFIED PERSONNEL

The Board will, upon the recommendation of the Superintendent, create, abolish, maintain and/or consolidate positions involving certified persons as necessary for the proper and efficient achievement of its goals.

All assignments and transfers will be made in accordance with the provisions of law, Board policies, and the employee's negotiated agreement.

Education Law Sections 2510 and 3013
8 New York Code of Rules and Regulations (NYCRR)
Part 30

Adopted: 4/14/09
SUBJECT: RECRUITMENT

The District will attempt to employ the best qualified personnel for any position.

Professional personnel will be recruited and selected by, or at the direction of, the Superintendent, who will recommend appointment to the Board.

The District will provide equal opportunity in employment for all qualified persons in accordance with Federal and State legislation.

Age Discrimination in Employment Act, 29 United States Code (USC) Section 621
Americans With Disabilities Act, 42 United States Code (USC) Section 12101 et seq.
Section 504 of the Rehabilitation Act of 1973, 29 United States Code (USC) Section 794 et seq.
Title VI of the Civil Rights Act of 1964, 42 United States Code (USC) Section 2000-d et seq.
Title VII of the Civil Rights Act of 1964, 42 United States Code (USC) Section 2000-e et seq.
Title IX of the Education Amendments of 1972, 20 United States Code (USC) Section 1681 et seq.
Civil Rights Law Section 40-c
Education Law Section 3012
Executive Law Section 290 et seq.
Military Law Sections 242 and 243

Adopted: 4/14/09
SUBJECT: CERTIFICATION AND QUALIFICATIONS

The following provisions will govern certification and qualifications of District personnel:

a) In accordance with applicable statutes, Rules of the Board of Regents, and Commissioner's regulations, each employee whose employment requires certification or other licensure must inform the Superintendent immediately of any change in his or her certification or licensure status. The changes may include the granting, revocation, upgrading, expiration, conversion, and/or extension of documents as to their periods of validity or their titles.

b) Commissioner's regulations extend the expiration dates for various certificate holders engaged in active military service for the period of active service and an additional 12 months from the end of the service. The regulations also reduce the professional development requirements for certification holders called to active duty for the time of active service.

c) Online verification of an employment applicant's certification status will be used in lieu of printed certificates for current and potential employees. The District will also check the TEACH database to ensure that any Permanent or Professional certificates for new hires remain valid.

d) It is the responsibility of the employee to ensure that he or she maintains the appropriate certification and/or licensure required for his or her assignment.

Parent Notification

The District is required to provide parents, upon request, with specific information about the professional qualifications of their children's classroom teachers. The following will be provided by the District upon request:

a) If the teacher has met New York State qualifications and licensing criteria for the grade levels and subject areas he or she teaches;

b) Whether the teacher is teaching under emergency or other provisional status through which the state qualification or licensing criteria have been waived;

c) The teacher's college major; whether the teacher has any advanced degrees and, if so, the subject of the degrees; and

d) If the child is provided services by any instructional aides or similar paraprofessionals and, if so, their qualifications.

20 USC § 7801(23)
34 CFR §§ 200.55 and 200.56
Education Law §§ 210, 305, 3001, 3001-a, 3004, 3006 and 3008
8 NYCRR Subparts 57-3, 80-1, 80-2, 80-3, 80-4, and 80.5
8 NYCRR §§ 100.2(dd) and 100.2(o)

Adoption Date: 4/14/09
Revised and Re-Adopted: 12/18/18
SUBJECT: INCIDENTAL TEACHING

The Superintendent may assign a teacher to teach a subject not covered by such teacher's certificate or license for a period not to exceed five (5) classroom hours a week, when no certified or qualified teacher is available after extensive and documented recruitment efforts, and provided that approval of the Commissioner of Education is obtained in accordance with the requirements as enumerated in Commissioner's Regulations.

Not later than twenty (20) business days after such an assignment, the Superintendent will submit for approval an application, in a form satisfactory to the Commissioner, containing the following information:

a) Evidence of extensive recruitment of a teacher certified in the appropriate area;
b) The name and certification status of the teacher given such assignment;
c) The subject which the teacher is being assigned to teach on an incidental basis and the total number of classes in the subject being taught on an incidental basis;
d) The qualifications of the teacher to teach such subject on an incidental basis;
e) The specific reasons why an incidental assignment is necessary;
f) The anticipated duration of the incidental teaching assignment; and
g) The number of applications, approved or pending, for authorization to make incidental teaching assignments in the same certification area for which the current authorization is being sought.

To be approved, the application will demonstrate to the satisfaction of the Commissioner that an incidental teaching assignment is necessary, that the teacher assigned is the best qualified to teach the subject on an incidental basis, and that the requirements of Commissioner's Regulations have been met.

The Commissioner will issue a determination within twenty (20) business days of receipt of the District's application.

In the event that the application is disapproved, the Superintendent, within seven (7) business days of receipt of the notice of disapproval, will terminate the incidental assignment. In the event that the application is approved, such approval will be deemed to have commenced on the date of the incidental teaching assignment and will terminate on the last day of the school year for which it is granted.
SUBJECT: INCIDENTAL TEACHING

The Superintendent may renew an incidental teaching assignment, in accordance with the requirements of Commissioner's Regulations, for any subsequent school year. In addition to submitting to the Commissioner the information noted above for initial approval of an incidental teaching assignment, a renewal application must provide a number of assurances, including that the teacher assigned a course on an incidental basis has completed, or has agreed to complete, within the prescribed time period, at least three (3) semester hours of credit or the equivalent leading to certification in the subject area of the incidental assignment.

8 New York Code of Rules and Regulations (NYCRR)
Section 80-5.3

Adopted: 4/14/09
SUBJECT: PROBATION AND TENURE

Probation

Certified staff members will be appointed to a probationary period by a majority vote of the Board upon recommendation of the Superintendent.

Teachers, all other members of the teaching staff, administrators, directors, supervisors, principals, and all other members of the supervisory staff, except associate, assistant, and other superintendents, will be appointed to a probationary period of four (4) years. The probationary period will not exceed three (3) years for teachers previously appointed to tenure in this or another school district or BOCES within the state, provided that the teacher was not dismissed from the prior district or BOCES and met the required annual professional performance review (APPR) rating in his/her final year of service there. Additionally, up to two (2) years of service as a regular substitute teacher may be applied towards probationary service. (This is sometimes referred to as Jarema Credit.)

During the probationary period, a staff member will be given assistance in adjusting to the new position, but the essential qualifications for acceptable performance will be assumed because the staff member attained the required certification or license.

A staff member's appointment may be discontinued at any time during his/her probationary period upon the recommendation of the Superintendent and by majority vote of the Board. Any person not recommended for tenure appointment will be notified in writing by the Superintendent no later than 60 days before his/her probationary period expires.

Tenure

The Board will follow all applicable laws and regulations regarding tenure.

At the expiration of the probationary period or within six months prior, the Superintendent will make a written report to the Board recommending for appointment to tenure 1) those non-teaching certified staff members who successfully completed their probationary period in the District, and 2) teachers and principals who have been found competent, efficient, and satisfactory, and who have received the APPR rating of effective or highly effective in at least three of the preceding four years. If a teacher or principal receive an APPR rating of ineffective in their final probationary year, the Board may not award tenure, but may extend that teacher's or principal's probationary time by an additional year. The teacher or principal may be eligible for immediate tenure if he/she successfully wins an appeal which changes the ineffective rating. The Board may then—by a majority vote—appoint to tenure any or all of the persons recommended by the Superintendent.

When the initial probationary period expires, a teacher or principal will remain on probationary status until the end of the school year in which he/she received APPR ratings of effective or highly effective.
SUBJECT: PROBATION AND TENURE

The Board may also grant tenure contingent upon a teacher's or principal's receipt of a minimum APPR rating in the final year of the probationary period.

Resolutions Making Appointments

Each Board resolution making a probationary appointment or an appointment on tenure will specify:

a) The name of the appointee;

b) The tenure area or areas in which the professional will devote a substantial portion of his/her time;

c) The date probationary service or service on tenure commences in each area;

d) The expiration date of the appointment, if made on a probationary basis; and

e) The expiration date of the appointment, if made on a probationary basis. For appointments of classroom teachers and principals, the resolution must state that:

1. To receive tenure, the individual must receive composite or overall APPR ratings of effective or highly effective in at least three of four preceding years; and

2. If the teacher or principal receive an ineffective composite or overall APPR rating in their final year of probation, they will not be eligible for tenure at that time; and

f) The certification status of the appointee in reference to the position to which the individual is appointed.

Education Law §§ 2509, 2573, 3012, 3012-c, 3012-d, 3014, and 3031
8 NYCRR §§ 30-1.3, 80-3.6, 80-3.9, and 80-3.10

Adoption Date: April 14, 2009
Revised and Re-Adopted: February 23, 2016
SUBJECT: DISCIPLINING OF A TENURED TEACHER OR CERTIFIED PERSONNEL

The District may discipline tenured teachers and certain certified personnel in accordance with applicable law, including, without limitation, Education Law Sections 3012, 3020-a, and 3020-b; Commissioner's regulations; or applicable contract provisions.

Ineffective Personnel

The District or Board may bring incompetence charges against a teacher or building principal who receives two or more consecutive ineffective ratings under the APPR; the District or Board must bring incompetence charges against anyone who receives three consecutive ineffective APPR ratings. A single hearing officer from the American Arbitration Association's labor arbitration panel will govern the competency hearing. The hearing may be public or private, at the employee's discretion. The employee will have a reasonable opportunity to defend himself/herself, but will not be required to testify. Each party has the right to be represented by counsel, to subpoena witnesses, to cross-examine witnesses, and to make motions or applications. There will be a full and fair disclosure of witnesses and evidence to be offered by both the District and the employee. A record of the proceeding will be kept.

Allegations of Abuse

The Board may suspend, without pay, an employee charged with physically or sexually abusing a student pending an expedited probable-cause hearing. A single hearing officer will conduct the probable-cause hearing.

Child Witnesses

A child under 14 may be allowed to testify through live, two-way, closed-circuit television if the hearing officer determines by clear and convincing evidence that the child would suffer serious mental or emotional harm that would substantially impair his/her ability to communicate if required to testify live, and that using closed-circuit television would diminish the likelihood or extent of the child suffering serious mental or emotional harm. In making this decision, the hearing officer will consider applicable factors listed in Criminal Procedure Law Section 65.20, including: whether the offense was particularly heinous, the child's age and vulnerability, the child's susceptibility to psychological harm due to an underlying physical or mental condition, whether the accused occupied a position of authority over the child, if the offense charged was part of an ongoing course of conduct committed by the accused against the child over an extended period of time, use of a dangerous or deadly weapon, whether the child suffered serious physical injury, threats made against the child, the accused's access to the child, and expert testimony that the child would be particularly susceptible to psychological harm if required to testify in open court or to be in the physical presence of the accused.

Automatic Revocation of Teacher and Administrative Certificates by the Commissioner of Education

The Commissioner will revoke and annul the certificate of a teacher, teaching assistant, pupil personnel services professional, school administrator or supervisor, or superintendent convicted of:

a) A sex offense for which registration as a sex offender is required under the Sex Offender Registration Act; or
SUBJECT: DISCIPLINING OF A TENURED TEACHER OR CERTIFIED PERSONNEL

b) Any other violent felony offense committed against a child when the child was the intended victim of the offense.

These offenses include, but are not limited to, sexual misconduct, sexual abuse, rape, statutory rape, assault, various other criminal sexual acts, and certain kidnapping offenses. Annulment and revocation will be conducted in accordance with Education Law Section 305(7-a).

In addition, the Commissioner will revoke and annul the certificate of a school district administrator, school administrator or supervisor, or school business administrator convicted of fraud under Penal Law Section 195.20 which makes it a Class E felony to obtain governmental property, services, or other resources in excess of $1,000:

a) Through a systemic ongoing course of conduct with the intent to defraud; or

b) By false or fraudulent pretenses, representations, or promises; or

c) To make use of the property, services, or other resources for private business or other compensable nongovernment purposes.

Annulment and revocation will be conducted in accordance with Education Law Section 305(7-b).

Criminal Procedure Law §§ 65.00, 65.20, 65.30, and 380.95
Education Law §§ 305(7-a), 305(7-b), 2573(8), 2590-j(7), 3012 3020-a, and 3020-b
Penal Law § 195.20
8 NYCRR Subpart 82-3
Correction Law Article 6-C

Adoption Date: April 14, 2009
Revised and Re-Adopted: January 26, 2016
SUBJECT: PROFESSIONAL STAFF: SEPARATION

A probationary professional staff member may be discontinued at any time during his/her probationary period on the recommendation of the Superintendent and by a majority vote of the Board.

If the Superintendent will be submitting to the Board a negative recommendation for tenure or a recommendation to discontinue the services of a probationary professional staff member, the Superintendent must give the probationary employee written notice thirty (30) days prior to the Board meeting at which such recommendation will be considered. If a majority of the Board accepts the recommendation and votes to dismiss, the professional staff member must then be given a written notice at least thirty (30) days prior to the effective date of termination of services. The District will adhere to all other statutory timeframes.

The Board will expect any professional staff member desiring to terminate his/her services to provide the Board with a minimum of thirty (30) days notice before the effective termination date.

When possible, a professional staff member will make every effort to terminate employment at the end of the school year. Resignations must be in writing and include the effective date.

Education Law Sections 2509, 3012, 3019-a and 3031

Adopted: 4/14/09
SUBJECT: EMPLOYMENT OF RELATIVES OF BOARD MEMBERS

The appointment of a teacher who is related by bloodline or legal process (including marriage) to any member of the Board will be subject to the consent of two-thirds (2/3) of the members of the Board to be determined at a Board meeting and to be entered upon the proceedings of the Board.

The Board will take the same stance in the hiring of professional staff other than teachers.

Education Law Section 3016
General Municipal Law Sections 800-809

Adopted: 4/14/09
SUBJECT: REGISTRATION AND PROFESSIONAL DEVELOPMENT

Registration

All employees holding a lifetime certificate in classroom teaching, teaching assistant, or educational leadership service (school building leader, school district leader, or school district business leader) must register with the State Education Department (SED) every five years through the TEACH system. Only registered employees may teach or supervise in the District.

Teachers and administrators with a permanent, professional, or a Level III teaching assistant certificate issued before July 1, 2016 must apply for initial registration during the 2016-2017 school year during their birth month. These certificate holders must thereafter renew their registration every five years during their birth month.

Teachers and administrators with a professional or a Level III teaching assistant certificate issued on or after July 1, 2016 will be automatically registered. These certificate holders must thereafter renew their registration every five years during their birth month.

Certificate holders who do not timely register may not be employed and may be subject to monthly late fees after the first, transitional five-year registration period. Employees who change their name or address must also update SED within 180 days through the TEACH system.

Continuing Teacher and Leader Education (CTLE) Credit Hours

All District teachers and educational leaders with a professional or Level III teaching assistant certificate must complete 100 hours of acceptable CTLE during each five-year registration period to maintain a valid certificate. This requirement may be completed at any time over the course of a five-year period. Credit hours cannot carry over, however, to subsequent registration periods.

SED sets high standards for courses, programs, and activities that qualify for CTLE credit, and it must approve all CTLE sponsors. Generally, acceptable CTLE will be in the content area of any certificate title held by an individual or in pedagogy. Further, the CTLE will be aligned with professional development standards created by the New York Professional Standards and Practices Board for Teaching.

The District will describe opportunities for teachers and administrators to engage in CTLE in its Professional Development Plan. The District will provide CTLE opportunities that improve student performance and the teacher's or administrator's pedagogical or leadership skills, and that promote professionalism. A peer-review teacher or principal acting as an independent trained evaluator who conducts a classroom observation as part of a teacher evaluation under relevant sections of the Education Law may apply the observation time to fulfilling CTLE requirements. Time spent mentoring may also be counted toward required CTLE credit hours.
SUBJECT: REGISTRATION AND PROFESSIONAL DEVELOPMENT

Language Acquisition CTLE and Exemption

Employees holding an English to speakers of other languages certificate or bilingual extension annotations are required to complete 50 CTLE hours in language acquisition aligned with the core content area of instruction taught, including a focus on best practices for co-teaching strategies, and integrating language and content instruction for English Language Learner (ELL) students. All other certificate holders must complete at least 15 CTLE hours dedicated to language acquisition addressing the needs of ELLs, including a focus on best practices for co-teaching strategies and integrating language and content instruction for ELLs. Employees holding a Level III teaching assistant certificate must complete at least 15 CTLE hours in language acquisition addressing the needs of ELLs and integrating language and content instruction for ELLs.

Employees may be eligible for a waiver of language acquisition CTLE requirements. Each school year when there are fewer than 30 ELL students enrolled in the District or ELLs make up less than 5% of the total student population, the District may obtain an exemption. If the District obtains this exemption, employees would be exempt from the language acquisition CTLE requirement for each year that they are employed in the District.

CTLE Adjustments

The Commissioner may adjust an employee's number of CTLE hours or time to complete them due to poor health, as certified by a health-care provider; extended active duty in the Armed Forces; or other acceptable good cause.

Any employee who obtains certification from the National Board for Professional Teaching Standards will be considered CTLE-compliant for the registration period in which he or she obtains this certification. The employee must still meet any language acquisition requirements, however.

Recordkeeping and Reporting Requirements

Employees must maintain a record of completed CTLE for at least three years from the end of the applicable registration period. The District will maintain a record of any professional development it conducts or provides for at least seven years from the date of completion. The District will also submit all required reports to SED each year.

Education Law §§ 3006, 3006-a, 3012-d
8 NYCRR §§ 80-6, 100.2(dd)

NOTE: Refer also to Policy #6160 -- Professional Growth/Staff Development

Adoption Date: 9/26/17
SUBJECT: TEMPORARY PERSONNEL

District's needs may sometimes require temporary appointments. The terms of these appointments shall be defined by the Board of Education on a case-by-case basis.

Student Teachers
The District will cooperate with teacher training institutions in the placement of student teachers in order to provide beginning teachers with the best possible student teaching experience.

Schools are required to allow student teachers to videotape themselves providing instruction in a classroom to meet their instruction component for their teaching certification. The video must remain confidential, is a confidential record of the New York State Education Department (SED), and is not subject to viewing or disclosure to an individual or entity other than the student teacher applicant and relevant SED personnel.

Substitute Teachers
A substitute teacher qualified to teach in the Shoreham-Wading River Central School District shall be employed, whenever possible, by the Superintendent of Schools in the absence of a regular teacher. It is recognized that fully certified persons will not always be available for employment as substitute teachers and therefore, individuals with appropriate credentials or in the process of obtaining certification, may be employed to substitute teach within the District in accordance with New York State Education Department Commissioner’s Regulations.

A substitute teacher is employed in the place of a regularly appointed teacher who is absent, but is expected to return.

The Board of Education will annually establish the rate for per diem substitute teachers.

Teacher-substitutes, who are expected to hold the same position for more than two months, shall be compensated at a daily rate determined by BA Step 1 of the salary schedule agreed upon by the Board of Education and the Shoreham-Wading River Teachers Association. This payment will commence upon the completion of 40 work days in a 42 consecutive work day period on the 41st day and will be retroactive to the 20th day. If it is determined to be in the best interest of the students to hire a long term substitute at a rate of pay higher than BA Step 1, the Superintendent shall make a recommendation to the Board of Education for their approval. Payment shall be made on a biweekly basis for each full two-week period of employment completed and shall be pro-rated for periods of employment less than two week duration. Long-term teacher substitutes that hold the same position for more than 90 calendar days may be eligible to enroll in health insurance coverage upon the completion of the 90 calendar day waiting period. The Board of Education, in its sole discretion, will determine: (i) whether health insurance coverage will be offered to these employees; (ii) the type of coverage offered to these employees; and (iii) the amount of any District premium contribution.

Non-Instructional Personnel
Non-instructional personnel that are employed on a full-time basis for more than 90 calendar days may be eligible to enroll in health insurance coverage upon the completion of the 90 calendar day waiting period. The Board of Education, in its sole discretion, will determine: (i) whether health insurance coverage will be offered to these employees; (ii) the type of coverage offered to these employees; and (iii) the amount of any District premium contribution.
SUBJECT: TEMPORARY PERSONNEL

Employment of Temporary Summer Personnel
Temporary school jobs shall be open to residents of the District who are between sixteen and twenty-three years of age.

Assignments shall be in accordance with the applicant's abilities and the needs of the School District.

Education Law Section 3023
8 New York Code of Rules and Regulations (NYCRR)
Section 80-1.5 and 80-5.4

Adopted: 4/14/09
Revised and Re-Adopted: 10/22/13
Revised and Re-Adopted: 3/24/15
Revised and Re-Adopted: 3/26/19
Revised and Re-Adopted: 11/10/20
SUBJECT:  APPOINTMENT - SUPPORT STAFF

The probationary period for all new civil service employees will be for the maximum period established by the local Civil Service Commission.

The time, place, conditions of employment, and transfer of support staff will be vested in the Superintendent who will conduct such actions in compliance with all applicable contract provisions. The duties for each Civil Service employee will be clearly defined.

Civil Service Law Section 63

Adopted:  4/14/09
SUBJECT: SUPPLEMENTARY SCHOOL PERSONNEL

Teacher Aides

In accordance with the Regulations of the Commissioner, the Board may employ teacher aides to assist in the daily operation of the school through non-teaching duties.

The duties and responsibilities to be assumed by teacher aides will be outlined by the Superintendent in accordance with Civil Service guidelines. Teacher aides will be responsible to the Building Principal/designee.

A teacher aide may be assigned to assist teachers in such non-teaching duties as:

a) Managing records, materials and equipment;

b) Attending to the physical needs of children; and

c) Supervising students and performing such other services as support teaching duties when such services are determined and supervised by a teacher.

Teaching Assistants

In accordance with the Regulations of the Commissioner, the Board may employ teaching assistants to provide, under the general supervision of a licensed or certified teacher, direct instructional service to students.

Teaching assistants assist teachers by performing duties such as:

a) Working with individual students or groups of students on special instructional projects;

b) Providing the teacher with information about students that will assist the teacher in the development of appropriate learning aspects;

c) Assisting students in the use of available instructional resources and assisting in the development of instructional materials;

d) Utilizing their own special skills and abilities by assisting in instructional programs in such areas as foreign language, arts, crafts, music, and similar subjects; and

e) Assisting in related instructional work as required.

Teaching assistants who hold a pre-professional teaching assistant certificate will have the same scope of duties as enumerated above for other teaching assistants. Within that scope of duties, teaching assistants holding a pre-professional teaching assistant certificate may, at the discretion of the District, and while under the general supervision of a teacher, perform such duties as:

a) Working with small groups of students so that the teacher can work with a large group or individual students;
SUBJECT:  SUPPLEMENTARY SCHOOL PERSONNEL

b) Helping a teacher to construct a lesson plan;

c) Presenting segments of lesson plans, as directed by the teacher;

d) Communicating with parents of students at a school site or as otherwise directed by a teacher; and

e) Helping a teacher to train other teaching assistants.

Licensure and certification requirements will be as mandated pursuant to Commissioner's Regulations.

8 New York Code of Rules and Regulations (NYCRR)
Section 80-5.6

Adopted: 4/14/09
SUBJECT: MAINTAINING DISCIPLINE AND CONDUCT

All personnel employed by the District are responsible for maintaining student discipline and appropriate conduct during school hours and at extracurricular events on and off school property.

School property will mean 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 in or on a school bus as defined in Vehicle and Traffic Law Section 142. A school function will mean a school-sponsored or school-authorized extracurricular event or activity regardless of where such event or activity takes place, including any event or activity that may take place in another state.

Education Law Section 2801(1)

Adopted: 4/14/09
SUBJECT: USE OF EMAIL IN THE DISTRICT

Email is a valuable business communication tool, however, users must use this tool in a responsible and lawful manner. Every employee and authorized user has a responsibility to be knowledgeable about the inherent risks associated with email usage and to avoid placing the District at risk. The same laws and business records requirements apply to email as to other forms of written communication. District employees and authorized users will use the District's designated email system for all business-related email, including emails in which students or student issues are involved. Personal accounts and instant messaging will not be used to conduct official business.

Employee Acknowledgement

All employees and authorized users will be required to review a copy of the District's policies on staff use of computerized information resources and any regulations established in connection with those policies. Each user must annually acknowledge this employee and authorized user agreement before establishing an account or continuing in his or her use of email.

Classified and Confidential

District employees and authorized users may not:

a) Provide lists or information about District employees or students to others and/or classified information without approval. Questions regarding usage and requests for these lists or information should be directed to a principal or supervisor;

b) Forward emails with confidential, sensitive, or secure information without principal or supervisor authorization. Additional precautions, such as encryption, should be taken when sending documents of a confidential nature;

c) Use file names that may disclose confidential information. Confidential files should be password protected and encrypted. File protection passwords will not be transmitted via email correspondence;

d) Use email to transmit any individual's personal, private, and sensitive information (PPSI). PPSI includes social security number, driver's license number or non-driver ID number, account number, credit or debit card number and security code, or any access code or password that permits access to financial accounts or protected student records;

e) Send or forward emails with comments or statements about the District that may negatively impact it; or

f) Send or forward email that contains confidential information subject to Health Insurance Portability and Accountability Act (HIPAA), Family Educational Rights and Privacy Act (FERPA), and other applicable laws.
SUBJECT: USE OF EMAIL IN THE DISTRICT

Personal Use

Employees and authorized users may use the District's email system for limited personal use. However, employees and authorized users have no expectation of privacy in this email use. Personal use does not include chain letters, junk mail, and jokes. Employees and authorized users will not access any other email account or system (Yahoo, Hotmail, AOL, etc.) via the District's network or use the District's email programs to conduct job searches, post personal information to bulletin boards, blogs, chat groups, and list services, etc. without specific permission from the principal or supervisor. The District's email system also will not be used for personal gain or profit.

Receiving Unacceptable Mail

Employees and authorized users who receive offensive, unpleasant, harassing, or intimidating messages via District email or instant messaging should inform their principal or supervisor immediately.

Records Management and Retention

Email will be maintained and archived in accordance with the NYS Records Retention and Disposition Schedule ED-1 and as outlined in the Records Management Policy. Email records may consequently be deleted, purged, or destroyed after they have been retained for the requisite time period established in the ED-1 schedule.

Reminders

Employees or authorized users should receive regular reminders on the following topics:

a) The appropriate use of email with students, parents and other staff to avoid issues regarding harassment and/or charges of fraternization;

b) Confidentiality of emails;

c) Permanence of email: email is never truly deleted, as the data can reside in many different places and in many different forms; and

d) No expectation of privacy: email use on District property is not to be construed as private.

Sanctions

The Director of Technology may report inappropriate use of email by an employee or authorized user to the employee or authorized user's principal or supervisor who may take appropriate disciplinary action. Violations may result in a loss of email use, access to the technology network, and/or other disciplinary action. When applicable, law enforcement agencies may be contacted.
SUBJECT: USE OF EMAIL IN THE DISTRICT

Confidentiality Notice

A standard confidentiality notice will automatically be added to each email as determined by the District.

NOTE: Refer also to Policies #3320 -- Confidentiality of Computerized Information
#3420 -- Non-Discrimination and Anti-Harassment in the District
#5670 -- Records Management
#6470 -- Staff Acceptable Use Policy
#8271 -- Internet Safety/Internet Content Filtering

Adoption Date: November 1, 2016
SUBJECT: EMPLOYEE PERSONNEL RECORDS AND RELEASE OF INFORMATION

This policy has been replaced by Policy #1120: School District Records, which can be found in Board Docs ➔ Policies
SUBJECT: EMPLOYEE ACTIVITIES

This policy has been replaced by Policy #1300: Employee Activities, which can be found in Board Docs → Policies

Adopted: 4/14/09
SUBJECT: NEGOTIATIONS

Legal Status

The legal status for negotiations is the Public Employees' Fair Employment Law (Taylor Law), Article 14 of the Civil Service Law.

Organizations recognized for the purposes of collective bargaining include:

a) Shoreham-Wading River Teachers' Association;

b) Shoreham-Wading River Unit of Civil Service Employees’ Association, Inc., Local 1000 AFSCME, AFL-CIO;

c) Shoreham-Wading River Administrators' Association.

Adopted: 4/14/09
SUBJECT: THEFT OF SERVICES OR PROPERTY

The theft of services or property from the District by an employee will result in immediate disciplinary action that can lead to dismissal or other penalty, and will not preclude the filing of criminal or civil charges by the District.

Adopted: 4/14/09
SUBJECT: JURY DUTY

As provided by law, any employee who is summoned to serve as a juror and who notifies the District to that effect prior to his/her term of service will not, on account of absence by reason of jury service, be subject to discharge or penalty. The District will ensure that all such absences are granted in accordance with law and the terms of any applicable collective bargaining agreement.

Judiciary Law Sections 519 and 521

Adoption Date: 4/14/09
Revised and Re-Adopted: 11/18/14
SUBJECT: STAFF ACCEPTABLE USE POLICY

The Board of Education will provide staff with access to various computerized information resources through the District's computer system (DCS hereafter) consisting of software, hardware, computer networks and electronic communication systems. This may include access to electronic mail, so-called "on-line services" and the "Internet." It may also include the opportunity for some staff to have independent access to the DCS from their home or other remote locations. All use of the DCS, including independent use off school premises, shall be subject to this policy and accompanying regulations.

The Board encourages staff to make use of the DCS to explore educational topics, conduct research and contact others in the educational world. The Board anticipates that staff access to various computerized information resources will both expedite and enhance the performance of tasks associated with their positions and assignments. Toward that end, the Board directs the Superintendent or his/her designee(s) to provide staff with training in the proper and effective use of the DCS.

Staff use of the DCS is conditioned upon written agreement by the staff member that use of the DCS will conform to the requirements of this policy and any regulations adopted to ensure acceptable use of the DCS. All such agreements shall be kept on file in the District Office.

Generally, the same standards of acceptable staff conduct which apply to any aspect of job performance shall apply to use of the DCS. Employees are expected to communicate in a professional manner consistent with applicable District policies and regulations governing the behavior of school staff. Electronic mail and telecommunications will not be utilized to share confidential information about students or other employees.

Access to confidential data is a privilege afforded to District employees in the performance of their duties. Safeguarding this data is a District responsibility that the Board takes very seriously. Consequently, District employment does not automatically guarantee the initial or ongoing ability to use mobile or personal devices to access the DCS and the information it may contain.

This policy does not attempt to articulate all required and/or acceptable uses of the DCS; nor is it the intention of this policy to define all inappropriate usage. Administrative regulations will further define general guidelines of appropriate staff conduct and use as well as proscribed behavior.

District staff shall also adhere to the laws, policies and rules governing computers including, but not limited to, copyright laws, rights of software publishers, license agreements, and rights of privacy created by federal and state law.

Staff members who engage in unacceptable use may lose access to the DCS and may be subject to further discipline under the law and in accordance with applicable collective bargaining agreements. Legal action may be initiated against a staff member who willfully, maliciously or unlawfully damages or destroys property of the District.
SUBJECT: STAFF ACCEPTABLE USE POLICY

The District recognizes the value of teacher and professional staff inquiry, investigation and communication using new technology tools to enhance student learning experiences. The District also realizes its obligations to teach and ensure responsible and safe use of these new technologies. Social media, including social networking sites (SNS), have great potential to connect people around the globe and enhance communication. Therefore, the Board encourages the use of District approved social media tools and the exploration of new and emerging technologies to supplement the range of communication and educational services.

For purposes of this Policy, the definition of public social media networks or SNS are defined to include: websites, Web logs (blogs), wikis, social networks, online forums, virtual worlds, video sites and any other social media generally available to the District community which do not fall within the District's electronic technology network. The definition of District approved password-protected social media tools are those that fall within the District's electronic technology network or which the District has approved for educational use. Within these internal forums, the District has greater authority and ability to protect minors from inappropriate content and can limit public access.

The use of social media (whether public or internal) can generally be defined as Official District Use, Professional/Instructional Use and Personal Use. Personal use of social media or SNS by employees on District-owned equipment is prohibited. In addition, employees are encouraged to maintain the highest levels of professionalism when communicating, whether using District devices or their own personal devices, in their professional capacity as educators. They have a responsibility to address inappropriate behavior or activity on these networks, including requirements for mandated reporting and compliance with all applicable District policies and regulations.

Confidentiality, Private Information and Privacy Rights

Confidential or private data, including, but not limited to, protected student records, employee and student personal identifying information, will only be loaded, stored, or transferred to District-owned devices which have encryption and/or password protection. This restriction, designed to ensure data security, encompasses all computers and devices within the DCS, any mobile devices, including flash or key drives, and any devices that access the DCS from remote locations. Staff will not use email to transmit confidential files in order to work at home or another location. Staff will not use cloud-based storage services for confidential files.

In addition, staff will not leave any devices unattended with confidential information visible or accessible. All devices must be locked down, and settings enabled to freeze and lock after a set period of inactivity.

Staff data files and electronic storage areas shall remain District property, subject to District control and inspection. The Superintendent’s designee responsible for the administration of the District’s technology may access all such files and communications to ensure system integrity and that users are complying with requirements of this policy and accompanying regulations. Staff should NOT expect that information stored on the DCS will be private.
SUBJECT: STAFF ACCEPTABLE USE POLICY

NOTE: Refer also to Policies #5672 -- Information Security Breach and Notification
#6411 -- Use of Email in the District
#7243 -- Military Recruiters' Access to Secondary School
#7316 -- Student Use of Personal Technology
#8271 -- Internet Safety/Internet Content Filtering Policy

Adopted: June 22, 2010
Revised and Re-Adopted: June 12, 2018
SUBJECT: USE OF ELECTRONIC COMMUNICATION WHEN CORRESPONDING WITH STUDENTS

To the greatest degree practicable, communications with students should occur during the regular school day when teachers and students are in attendance at school. During such times, communication should occur person to person.

Students should only be provided with employee’s District issued e-mail account, District approved communication application, or digital classroom. Employees and Board approved volunteers are prohibited from providing any student any method for electronic communication that is not provided by the District.

If an employee needs to communicate with a student after school hours, such communication should be made via the District approved communication application or digital classroom. Parent(s) and guardian(s) must have the ability to view all electronic communication sent to their students.

Communication must be limited to the scope of activities appropriate to the student-teacher relationship. (Reference Policy #6180) Some examples include, communication when teachers and students are participating in District sanctioned field trips, extracurricular activities, or field trips.

Teachers (or other employees as appropriate) are responsible for establishing expectations so that all staff-student communication is appropriate, demonstrates a teacher (or other employee as appropriate) as loco parentis to student relationship, and school related. Electronic messages should never give the appearance of a peer-to-peer exchange or other inappropriate relationship.

Adopted: 4/27/10
Revised: 06/8/21
SUBJECT: HEALTH INSURANCE

Health insurance for certified and support staffs will be in accordance with their respective negotiated agreements and applicable law.

Continuation of Medical Insurance Coverage at Termination of Employment

Under the provisions of the federal Consolidated Omnibus Budget Reconciliation Act of 1985 (COBRA), employees and their dependents are eligible to continue their insurance coverage when termination of their insurance is due to a reduction in their hours worked, or upon termination of their employment.

Under COBRA, employees generally may continue their group health insurance coverage for up to eighteen (18) months. In addition, with the exception of those in self-funded or self-insured plans, employees who have exhausted their federal COBRA coverage may extend their coverage for up to an additional eighteen (18) months, for a total period of thirty-six (36) months, under New York Insurance law.

Dependents of employees are eligible to continue their insurance for up to thirty-six (36) months upon occurrence of one (1) of the following events:

a) Death of the covered employee; or
b) Divorce or legal separation from the covered employee; or
c) An employee becomes eligible for Medicare and ceases to participate in the employer-sponsored plan; or
d) The dependents of a covered employee reach the maximum age for dependent coverage.

Those who are eligible to continue coverage have up to sixty (60) days to complete the Continuation of Coverage Election Form. Premiums and administrative costs will be paid in accordance with law.
SUBJECT: WORKERS' COMPENSATION

Employees injured in the performance of their duties are covered by Workers' Compensation Insurance. Employees will report work-related injuries immediately to their immediate supervisor. Delay in reporting, if necessary, must be justified to the satisfaction of the Board and/or the insurance agency. An accident report must be filed with the Shoreham-Wading River School District within 24 hours of the incident.

Reimbursement for Workers' Compensation Insurance benefits will be in accordance with their respective negotiated agreements.

Education Law Sections 1604(31), 1709(34) and 2503(10)

Adopted: 4/14/09
SUBJECT: DEFENSE AND INDEMNIFICATION OF BOARD MEMBERS AND EMPLOYEES

This policy has been replaced by Policy #2175: Defense and Indemnification of Board Members and Employees, which can be found in Board Docs ➔ Policies
SUBJECT: LEAVES OF ABSENCE

In general, leaves of absence will be administered by the Superintendent. The Board reserves the right to grant leaves of absence for purposes or under conditions not contemplated or considered in the policy statement. Where a leave of absence is falsely requested or improperly used, the Board may undertake appropriate disciplinary action. The purpose or conditions of a leave of absence may not be altered except by permission of the Superintendent, as expressed in writing.

Leaves of absence, contractual, et al.

a) Employees who are members of a negotiating unit:

Authorization is granted to approve requests for leaves of absence submitted in accordance with provisions of contracts in effect between the District and each bargaining unit.

b) Employees who are not members of a negotiating unit:

Authorization is granted to approve requests for leaves of absence submitted by these employees where the requests are consistent with provisions of contracts in effect between the District and the bargaining unit most compatible with the employment status of the employee.

c) Employees who are under contract to the District:

Authorization is granted to implement provisions for leaves of absence contained in each contract.

Other leaves of absence

a) Emergency Service Volunteer Leave

Upon presentation of a written request from the American Red Cross and with the approval of the Superintendent, employees certified by the American Red Cross as disaster volunteers will be granted leave from work with pay for up to 20 days in any calendar year to participate in specialized disaster relief operations. This leave will be provided without loss of seniority, compensation, sick leave, vacation leave, or other overtime compensation to which the volunteer is otherwise entitled.

b) Screenings for Cancer

Employees will be granted up to four hours of paid leave on an annual basis to undertake a screening for cancer. This leave will be excused leave and will not be charged against any other leave to which the employee is entitled.

c) Blood Donation

The District must either, at its option:
SUBJECT: LEAVES OF ABSENCE

1. Grant three hours of unpaid leave of absence in any 12-month period to an employee who seeks to donate blood off-premises. The leave may not exceed three hours unless agreed to by the Superintendent or designee; or

2. Allow its employees without use of accumulated leave time to donate blood during work hours at least two times per year at a convenient time and place set by the Superintendent or designee, including allowing an employee to participate in a blood drive at the District.

Leave taken by employees at a District-designated donation alternative (such as a District-sponsored blood drive at the workplace) must be paid leave that is provided without requiring the employee to use accumulated vacation, personal, sick, or other leave time.

The District will not retaliate against an employee for requesting or obtaining a leave of absence under this section. Additional leaves for the purpose of blood donation under any other provision of law will not be prevented.

d) Bone Marrow Donation

Employees seeking to undergo a medical procedure to donate bone marrow will be granted leaves to do so, the combined length of the leaves to be determined by the physician, but may not exceed 24 work hours unless agreed to by the Superintendent or designee. The District will require verification for the purpose and length of each leave requested by the employee for this purpose.

e) Nursing Mothers

The District will provide reasonable unpaid break time or permit the use of paid break time or meal time each day to allow an employee to express breast milk for her nursing child for up to three years following child birth. The District will make reasonable efforts to provide a room or other location in close proximity to the work area where the nursing mother can express milk in privacy. The District will not discriminate against an employee who chooses to express breast milk in the workplace.

Reasonable unpaid break time is generally no less than 20 minutes and no more than 30 minutes dependent upon the proximity of the designated location for expressing breast milk. In most situations, the District is required to provide unpaid break time at least once every three hours if requested by the employee. At the employee's option, the District will allow the employee to work before or after her normal shift to make up the amount of time used during the unpaid break time(s) so long as the additional time requested falls within the District's normal work hours.

The District will provide written notice to employees who are returning to work following the birth of a child of their right to take unpaid leave for the purpose of expressing breast milk. This notice may either be provided individually to affected employees or to all employees generally through publication of the notice in the employee handbook or posting of the notice in a central location.
SUBJECT: LEAVES OF ABSENCE

Any employee wishing to avail herself of this benefit is required to give the District advance notice, preferably prior to her return to work, to allow the District an opportunity to establish a location and schedule leave time to accommodate employees as needed.

f) Victims of Domestic Abuse

Employers are required to provide employees with an unpaid leave to appear as a witness, consult with the district attorney, or exercise the employee's statutory rights as the victim of, or witness to a crime of domestic violence. A victim of domestic violence may need one or more of these types of leave.

To use this leave, the employee must provide notice of the need for leave at any time prior to the actual day of leave. Employers are permitted to ask the employee who sought the attendance or testimony of the employee to provide verification of the employee's service. Employees will not be penalized or discharged for absences by reason of a required appearance as a witness in a criminal proceeding, or consultation with the district attorney, or exercising his or her rights as provided under the law.

g) Military Leave

The District will comply with state and federal laws regarding military leave and re-employment.

h) Jury Duty

As provided by law, any employee who is summoned to serve as a juror and who notifies the District to that effect prior to his or her term of service will not, on account of absence by reason of jury service, be subject to discharge or penalty. The District will ensure that all absences for this purpose are granted in accordance with law and the terms of any applicable collective bargaining agreement.

Emergency Absence

The Shoreham-Wading River School District will permit employees who are members of either the Rocky Point or Wading River Volunteer Fire Department who are called upon by their department dispatchers to respond to alarms at no loss in pay. The following procedure is to be used for releasing employees for this purpose:

a) They will be permitted to leave only when the fire dispatcher notified the Central Office.
b) The only types of alarms in which they will be allowed to answer will be structural, brush, or mutual aids to neighboring districts.
c) Only under unusual circumstances will they be allowed to leave for ambulance calls or vehicular fires.
d) No employee will be permitted to leave if his/her duties are absolutely essential to the health and safety of the children, or if he/she is the only employee on duty in the building.
SUBJECT:  LEAVES OF ABSENCE

e) Upon completion of their emergency responsibilities, employees are expected to return directly to their school responsibilities.

Uniformed Services Employment and Reemployment Rights Act of 1994 (USERRA), 38 USC §§ 4301-4333
Civil Service Law §§ 71-73 and 159-b
Education Law §§ 1709(16), 3005, 3005-a and 3005-b
General Municipal Law § 92-c
Judiciary Law §§ 519 and 521
Labor Law §§ 202-a, 202-c, 202-I, 202-j and 206-c
Military Law §§ 242 and 243
Penal Law § 215.14

Adoption Date: 4/14/09
Revised and Re-Adopted: 3/26/19
SUBJECT: FAMILY AND MEDICAL LEAVE ACT

The Board, in accordance with the Family and Medical Leave Act of 1993 (as amended) (FMLA), gives "eligible" employees of the District the right to take unpaid leave for a period of up to 12 work weeks in a 12-month period as determined by the District.

The District must compute the time frame of the 12-month period for which FMLA leave is being requested: A "rolling" 12-month period measured backward from the date of any FMLA leave usage.

In certain cases, FMLA leave may be taken on an intermittent basis rather than all at once.

The entitlement to leave for the birth or placement of a child will expire at the end of the 12-month period beginning on the date of the birth or placement.

Employees are "eligible" if they have been employed by the District for at least 12-months and for at least 1,250 hours of service during the previous 12-month period. Full-time teachers are deemed to meet the 1,250-hour test. However, a break in employment for military service (i.e., call to active duty) should not interrupt the 12-month/1,250 hours of employment requirement and should be counted toward fulfilling this prerequisite. The law covers both full-time and part-time employees.

Qualified employees may be granted leave for one or more of the following reasons:

a) The birth of a child and care for the child;
b) Adoption of a child and care for the child;
c) The placement of a child with the employee from foster care;
d) To care for a spouse, minor child or parent who has a "serious health condition" as defined by the FMLA;
e) To care for an adult child who is also incapable of self-care due to a disability (regardless of date of the onset of disability) and has a "serious health condition" as defined by the FMLA; and/or
f) A "serious health condition" of the employee, as defined by the FMLA, that prevents the employee from performing his or her job.

A "serious health condition" is defined as an illness, injury, impairment, or physical or mental condition that involves inpatient care or continuing treatment by a health care provider that renders the person incapacitated for more than three consecutive calendar days. Furthermore, the first visit to a health care provider for an employee claiming a "serious health condition" under FMLA must occur within seven days of the aforementioned incapacity with the second required visit occurring within 30 days of the incapacitating event. In order for an employee to claim the need for continuous treatment under FMLA for a chronic serious health condition, the condition must require a minimum of two
SUBJECT:  FAMILY AND MEDICAL LEAVE ACT

visits per year to a healthcare provider, continue over an extended period of time, and may cause episodic rather than a continuing period of incapacity. A "serious health condition" is also defined as any period of incapacity related to pregnancy or for prenatal care.

Military Family Leave Entitlements

Military Caregiver Leave

An eligible employee who is the spouse, son, daughter, parent, or next of kin (defined as the nearest blood relative) is entitled to up to 26 weeks of leave in a single 12-month period to care for a "military member" who is:

a) Recovering from a service-connected serious illness or injury sustained while on active duty; or

b) Recovering from a serious illness or injury that existed prior to the service member's active duty and was aggravated while on active duty; or

c) A veteran who has a qualifying injury or illness from service within the last five years and aggravates that illness or injury.

This military caregiver leave is available during a single 12-month period during which an eligible employee is entitled to a combined total of 26 weeks of all types of FMLA leave. Military Caregiver Leave may be combined with other forms of FMLA-related leave providing a combined total of 26 weeks of possible leave for any single 12-month period; however, the other form of FMLA leave when combined cannot exceed 12 of the 26 weeks of combined leave. Military Caregiver Leave has a set "clock" for calculating the 12-month period for when FMLA leave begins and tolling starts at the first day of leave taken.

The term "military member" means:

a) A member of the Regular Armed Forces (including a member of the National Guard or Reserves) who is undergoing medical treatment, recuperation, or therapy, is otherwise in outpatient status, or is otherwise on the temporary disability retired list, for a serious injury or illness; or

b) A veteran (discharged or released under any condition other than dishonorable) who is undergoing medical treatment, recuperation, or therapy, for a serious injury or illness and who was a member of the Armed Forces (including a member of the National Guard or Reserves) at any time during the period of five years preceding the date on which the veteran undergoes that medical treatment, recuperation, or therapy.
SUBJECT: FAMILY AND MEDICAL LEAVE ACT

"Qualifying Exigency" Leave/Call to Active Duty

An "eligible" employee is entitled to FMLA leave because of "a qualifying exigency" arising out of circumstances where the spouse, son, daughter, or parent of the employee is serving in the regular Armed Forces or either the National Guard or the Reserves and is on active duty during a war or national emergency called for by the President of the United States or Congress, or has been notified of an impending call to active duty status, in support of a contingency operation. There is no "qualifying exigency" unless the military member is or is about to be deployed to a foreign country.

A "qualifying exigency" related to families of the Army National Guard of the United States, Army Reserve, Navy Reserve, Marine Corps Reserve, Air National Guard of the United States, Air Force Reserve and Coast Guard Reserve personnel on (or called to) active duty to take FMLA protected leave to manage their affairs is defined as any one of the following reasons:

a) Short-notice deployment;
b) Military events and related activities;
c) Childcare and school activities;
d) Parental care leave;
e) Financial and legal arrangements;
f) Counseling;
g) Rest and recuperation (for up to 15 calendar days);
h) Post-deployment activities; and
i) Any additional activities where the employer and employee agree to the leave.

In any case in which the necessity for leave due to a qualifying exigency is foreseeable, the employee will provide such notice to the employer as is reasonable and practicable. This military-related leave is for up to 12 weeks during a single 12-month period. Leave may be taken intermittently or on a reduced leave schedule.

Concurrent (Substitute) Leave

Employees must use paid leave concurrently with periods of FMLA leave.
SUBJECT: FAMILY AND MEDICAL LEAVE ACT

Implementation/Benefits/Medical Certification

At the Board's or employee's option, certain types of paid leave may be substituted for unpaid leave.

An employee on FMLA leave is also entitled to have health benefits maintained while on leave. If an employee was paying all or part of the premium payments prior to leave, the employee will continue to pay his or her share during the leave period.

In most instances, an employee has a right to return to the same position or an equivalent position with equivalent pay, benefits, and working conditions at the conclusion of the leave.

The Board has a right to 30 days' advance notice from the employee where practicable. In addition, the Board may require an employee to submit certification from a health care provider to substantiate that the leave is due to the "serious health condition" of the employee or the employee's immediate family member. Under no circumstance should the employee's direct supervisor contact any health care provider regarding the employee's condition; all contact in this manner must be made by a health care provider (employed by the employer), a human resource professional, a leave administrator or a management official. If the medical certification requested by the employer is found to be deficient, the employer must indicate where the errors are, in writing, and give the employee seven days to provide corrected materials to cure any deficiency prior to any action being taken.

Special Provisions for District Employees

An instructional employee is an employee whose principal function is to teach and instruct students in a class, a small group, or an individual setting (e.g., teachers, coaches, driving instructors, special education assistants, etc.). Teaching assistants and aides who do not have instruction as the principal function of their job are not considered an "instructional employee."

Intermittent Leave Taken by Instructional Employees

FMLA leave that is taken at the end of the school year and resumes at the beginning of the next school year is not regarded as intermittent leave but rather continuous leave. The period in the interim (i.e., summer vacation) is not counted against an employee and the employee must continue to receive any benefits that are customarily given over the summer break.

Intermittent leave may be taken but must meet certain criteria. If the instructional employee requesting intermittent leave will be on that leave for more than 20% of the number of working days during the period for which the leave would extend, the following criteria may be required by the employer:

a) Take leave for a period or periods of a particular duration, not greater than the duration of the planned treatment; or

b) Transfer temporarily to an available alternative position for which the employee is qualified, which has equivalent pay and benefits and which better accommodates recurring periods of leave than does the employee's regular position.
SUBJECT: FAMILY AND MEDICAL LEAVE ACT

Appropriate notice for foreseeable FMLA leave still applies and all employees must be returned to an equivalent position within the school district. Additional work-related certifications, requirements and/or training may not be required of the employee as a contingent of their return to work.

Leave Taken by Instructional Employees Near the End of the Instructional Year

There are also special requirements for instructional employees taking leave and the leave's relation to the end of the term. If the instructional employee is taking leave more than five weeks prior to the end of the term, the District may require that the employee take the leave until the end of the term if the leave lasts more than three weeks and the employee was scheduled to return prior to three weeks before the end of the term.

If the instructional employee is taking leave less than five weeks prior to the end of the term for any of the previous FMLA-related reasons except qualifying exigency, the District may require that the employee remain out for the rest of the term if the leave lasts more than two weeks and the employee would return to work during that two-week period at the end of the instructional term.

If the instructional employee begins taking leave during the three weeks prior to the end of the term for any reason except qualifying exigency, the District may require that the employee continue leave until the end of the term if the leave is scheduled to last more than five working days.

Any additional time that is required by the District due to the timing of the end of the school year, will not be charged against the employee as FMLA leave because it was the District who requested that the leave extend until the end of the term.

FMLA Notice

A notice which explains the FMLA's provisions and provides information concerning the procedures for filing complaints of violations of the FMLA will be posted in each school building and a notice of an employee's FMLA rights and responsibilities will be either placed in the employee handbook of the employer or furnished to each new employee upon hire. The District has five days to supply this notice from the date of hire.

Family and Medical Leave Act of 1993 (as amended), Public Law 103-3
10 USC 101(a) (13)
29 USC 1630.1 and 2611-2654
29 CFR Part 825 and Part 1630
42 USC 12102
Health Insurance Portability and Accountability Act of 1996 (HIPAA), Public Law 104-191
45 CFR Parts 160 and 164

NOTE: Refer also to Policy #6552 -- Military Leaves of Absence

Adoption Date: April 14, 2009
Revised and Re-Adopted: June 11, 2013
Revised and Re-Adopted: December 20, 2016
SUBJECT: UNIFORMED SERVICES EMPLOYMENT AND REEMPLOYMENT RIGHTS ACT (USERRA)/MILITARY LEAVES OF ABSENCE

In accordance with the Uniformed Services Employment and Reemployment Rights Act of 1994 (USERRA) and State Law, the School District, upon advance notice by the employee, will grant leaves of absence for service in the uniformed services and/or military duty (hereinafter referred to as "military service" or "military duty") to its employees who are ordered to duty or volunteer for qualifying military service. The employee's notice may be either verbal or written. No advance notice is required if military necessity prevents the giving of notice, or the giving of notice is otherwise impossible or unreasonable under all the circumstances.

However, the law does not require or authorize the granting of military leaves of absence by employers for temporary employees.

Employment Rights

Time during which an employee is absent pursuant to military leave will not constitute an interruption of continuous employment in the School District and no such employee will be subjected, directly or indirectly, to any loss or diminution of time service, increment, vacation or holiday privileges, or any other right or privilege, by reason of such absence; nor will any employee be prejudiced by reason of such absence with reference to continuance in employment, reemployment, reinstatement, transfer or promotion.

Salary/Compensation

Every employee will be paid his/her salary or other compensation for any and all periods of absence while engaged in the performance of ordered military duty, and while going to and returning from such duty. This payment of salary/compensation will not exceed a total of thirty (30) days or twenty-two (22) working days, whichever is greater, in any one (1) calendar year; and will not exceed thirty (30) days or twenty-two (22) working days, whichever is greater, in any one (1) continuous period of such absence.

The employee must be permitted, upon request, to use any accrued vacation, annual, or similar leave with pay during the period of military service in order to continue his/her civilian pay. The School District may not require the employee to use accrued leave.

The employee is not entitled to use accrued sick leave during the period of military service, unless the District allows employees to use sick leave for any reason or allows other similarly situated employees on comparable furlough or leave of absence to use accrued paid sick leave.

Employee Benefits

Health Plan Coverage

If the employee has coverage under a health plan in connection with his/her employment with the District, the employee must be permitted to elect to continue the coverage for a certain period of time as designated in law.

When the employee is performing military service, he/she is entitled to continuing coverage for
SUBJECT: UNIFORMED SERVICES EMPLOYMENT AND REEMPLOYMENT RIGHTS ACT (USERRA)/MILITARY LEAVES OF ABSENCE

himself/herself (and dependents if the plan offers dependent coverage) under a health plan in connection with the employment. The plan must allow the employee an opportunity to continue coverage for a period of time that is the lesser of:

a) The 24-month period beginning on the date on which the employee's absence for the purpose of performing military service begins; or

b) The period beginning on the date on which the employee's absence for the purpose of performing military service begins, and ending on the date on which the employee fails to return from service or apply for a position of re-employment.

Health plan administrators may develop reasonable requirements addressing how continuing coverage may be elected, consistent with the terms of the plan and USERRA's exceptions to the requirement that the employee give advance notice of military service. Further, health plan administrators may develop reasonable procedures for employee payment to continue coverage, consistent with USERRA and the terms of the plan.

Pension/Retirement Plans

While on military duty, any School District employee who is a member of any pension or retirement system may elect to contribute to such pension or retirement system the amount which he/she would have contributed had such employment been continuous. Upon making such contribution, the employee will have the same rights in respect to membership in the retirement system as he/she would have had if the employee had been present and continuously engaged in the performance of his/her position. To the extent that such contributions are paid, absence while engaged in the performance of military duty will be counted in determining the length of total service under such pension or retirement system.

Alternatively, employees will have an opportunity to make up contributions to the pension or retirement system upon return to employment in the District in accordance with law and the individual employee's pension/retirement system.

The payment of member contributions required under law to obtain military service credit is waived for members called to active military duty on or after September 11, 2001 and prior to January 1, 2006, as the result of Non-Contributory Military Service Credit legislation signed as Chapter 326 of the Laws of 2005.

Time during which an employee is absent on military duty will not constitute an interruption of continuous employment, but such time will not be counted or included in determining the length of total service in the pension or retirement system unless the employee contributes to the pension or retirement system the amount he/she would have been required to contribute if the employee had been continuously employed during the period of military duty.
SUBJECT: UNIFORMED SERVICES EMPLOYMENT AND REEMPLOYMENT RIGHTS ACT (USERRA)/MILITARY LEAVES OF ABSENCE

Leaves of Absence for Military Spouses

The spouse of a member of the armed forces of the United States, national guard or reserves who has been deployed during a period of military conflict (defined as a period of war declared by the United States Congress, or in which a member of a reserve component of the armed forces is ordered to active duty pursuant to the United States Code), to a combat theater or combat zone of operations will be allowed up to ten (10) days unpaid leave by their employer. Such leave will only be used when such person's spouse is on leave from the armed forces of the United States, National Guard or reserve while deployed during a period of military conflict to a combat theater or combat zone of operations.

In accordance with law, an employee means a person who performs services for hire for the District for an average of twenty (20) or more hours per week, and includes all individuals employed at any District site having twenty (20) or more District employees, but will not include independent contractors.

An employer will not retaliate against an employee for requesting or obtaining a leave of absence as provided above. The provisions of this section will not affect or prevent an employer from providing leave for military spouses in addition to leave allowed under any other provision of law. The provisions of this section will not affect an employee's rights with respect to any other employee benefit provided by law.

Reemployment/Restoration Rights ("Escalator Principle")

Per USERRA, as a general rule, the employee is entitled to reemployment in the job position that he/she would have attained with reasonable certainty if not for the absence due to military service. The position to which the returning service member should be restored has become known as the "escalator principle." The escalator principle requires that the employee be reemployed in a position that reflects with reasonable certainty the pay, benefits, seniority, and other job benefits that he/she would have attained if not for the period of military service.

Depending on the circumstances/intervening events, the escalator principle may cause an employee to be reemployed in a higher or lower position, transferred, laid off, or even terminated.

The employee must be qualified for the reemployment position. The District will make reasonable efforts to help the employee become qualified to perform the duties of this position. The District is not required to reemploy the employee on his/her return from military service if the employee cannot, after reasonable efforts by the District, qualify for the appropriate reemployment position.

Per State law, an employee restored to his/her position after the termination of military duty will be entitled to the rate of compensation he/she would have received had the employee remained in his/her position continuously during the period of military duty; and the employee will be deemed to have rendered satisfactory and efficient service in the job position during the period of military leave of absence. Further, the employee will not be subjected directly or indirectly to any loss of time service, increment, or any other right or privilege; nor will an employee be prejudiced in any way with reference to promotion, transfer, reinstatement or continuance in employment.
SUBJECT: UNIFORMED SERVICES EMPLOYMENT AND REEMPLOYMENT RIGHTS ACT (USERRA)/MILITARY LEAVES OF ABSENCE

All other rights, benefits, and responsibilities of a District employee serving in the military will be in accordance with law, regulations, and/or the applicable contract/collective bargaining agreement.

**Probationary Service**

**Public Employees in General**

If a public employee (with the exception of the probationary service of "teachers" as described below) enters military duty before the expiration of the probationary period in any position to which he/she may have been appointed, or to which he/she may thereafter be appointed or promoted, the time such employee is absent on military duty will be credited as satisfactory service during this probationary period.

**Teachers/Supervisory Staff**

In any case where a "teacher" (as defined in State Education Law Section 3101, the term "teacher" encompasses a broad category of full-time members of the teaching and supervisory staff of the District, and is not limited to "instructional" employees) enters military duty before the expiration of the probationary period to which he/she may have been appointed, the time the "teacher" is absent on military duty will be credited as satisfactory service during this probationary period. If the end of such probationary service occurs while the "teacher" is on military duty or within one (1) year following the termination of military duty, the period of the probationary service may be extended by the Board for a period not to exceed one (1) year from the date of termination of military duty. However, in no event will the period of probationary service in the actual performance of teaching services extend beyond that required by the School District at the time of the "teacher's" entry into military service.

**Collective Bargaining Agreements/Contracts/Plans/Practices**

In accordance with USERRA, any State or local law, contract, agreement, policy, plan, or practice that establishes an employment right or benefit that is more beneficial than, or is in addition to, a right or benefit under USERRA, such greater employment right or benefit will supersede this Federal Law.

**Notice of Rights and Duties**

The District will provide a notice of the rights, benefits and obligations of employees and the District under USERRA. The District may provide the notice by posting it where employee notices are customarily placed. The District may also provide such notice to its employees in other ways that will minimize costs while ensuring that the full text of the notice is provided (e.g., by handing or mailing out the notice, or distributing the notice via electronic mail).
SUBJECT: UNIFORMED SERVICES EMPLOYMENT AND REEMPLOYMENT RIGHTS ACT (USERRA)/MILITARY LEAVES OF ABSENCE

The Uniformed Services Employment and Reemployment Rights Act of 1994 (USERRA), Public Law 108-454
38 United States Code (USC) Sections 4301-4333
Education Law Section 3101
Military Law Sections 242 and 243

Adopted: 4/14/09
SUBJECT: EMPLOYEE ASSISTANCE PROGRAM (EAP)

The Board recognizes that the problems of alcohol and other illegal substance abuse are not limited to the student population, but affects every segment of society. As such, the Board, in collaboration with the District's employee organizations, have established an Employee Assistance Program that will provide appropriate, confidential prevention, intervention, assessment, referral, support, and follow-up services for District staff who seek assistance with tobacco, alcohol, other drugs and other illegal substance abuse related problems, emotional problems, mental illness, and other human problems. District staff will be informed about the services they can receive through the Employee Assistance Program.

The District recognizes that it may not intervene unless employees' personal problems adversely affect their job performance or an employee is in violation of the Drug Free Workplace Act. When unsatisfactory performance does occur, the District's supervisory personnel will encourage employees to manage, and move toward a resolution of their problems on their own, or with the help of the Employee Assistance Program. Disciplinary measures for District Staff are addressed in Education Law Sections 1711(5)(e); 2508(5); 3020-a and 913.

Adopted: 4/14/09
SUBJECT: EMPLOYMENT OF RETIRED PERSONS

A retired person may be employed and earn compensation in a position in the School District, without any effect on his/her status as retired and without suspension or diminution of his/her retirement allowance subject to the conditions enumerated in Retirement and Social Security Law Section 211(1). However, there will be no earning limitations on or after the calendar year in which any retired person attains age sixty-five (65).

No retired person may be employed in the District except upon approval of the Civil Service Commission or the Commissioner of Education unless otherwise authorized in accordance with law, as discussed below.

Two sections of the Retirement and Social Security Law (RSSL Section 211 and 212) affect a retiree's return to public employment in New York State. If a retiree returns to public employment, he/she may still be able to collect his/her pension depending upon:

a) How much is earned after returning to work; and

b) The retiree's age.

If a retiree is under age 65, he/she can return to public employment without approval or reduction in retirement benefits as long as his/her calendar year earnings do not exceed $30,000 (the RSSL Section 212 limit). If a retiree's earnings will be more than the Section 212 limits, the employer must request and receive prior approval from the appropriate agency to hire the retiree under Section 211. This may help avoid a reduction or suspension of the retiree's pension. (Refer to subheading below for more information regarding RSSL Section 211 and the approval process.)

Section 211 waivers are provided for "unclassified service" positions. Retired police officers employed by a school district as a School Resource Officer fall under the "classified service" but may have the earnings limitation waived at the discretion of the Commissioner of Education, as long as all of the requirements for waivers in the unclassified service are fulfilled.

There is generally no restriction on a retiree's earnings beginning in the calendar year he/she turns 65, unless returning to public office.

**RSSL Section 211 Approval Process**

Approval for post-retirement employment of a person under the age of 65 or a retired police officer employed as a School Resource Officer whose calendar year earnings exceed $30,000 may be granted only on the written request of the District giving detailed reasons related to the standards set forth in Section 211; and on a finding of satisfactory evidence by the Civil Service Commission or the Commissioner of Education that the retired person is duly qualified, competent and physically fit for the performance of the duties of the position in which he/she is to be employed and is properly certified where such certification is required.
SUBJECT: EMPLOYMENT OF RETIRED PERSONS

The District will prepare a detailed recruitment plan to fill such vacancy on a permanent basis when the need arises and will undertake extensive recruitment efforts to fill the vacancy prior to making a determination that there are no available non-retired persons qualified to perform the duties of such position.

Approvals to hire retired individuals may be granted for periods not exceeding two (2) years each, provided that a person may not return to work in the same or similar position for a period of one (1) year following retirement. However, in accordance with RSSL Section 212, a retiree may return to work in the same or similar position within the same year following retirement if his/her earnings are under $30,000 or if he/she receives a Section 212 waiver, or other conditions exist as enumerated in law.

Reporting Requirements and Disclosure

a) The School District will report all money earned by a retired person in its employ in excess of the earnings limitation outlined in Retirement and Social Security Law Section 212 to the retirement system administered by the State or any of its political subdivisions from which the retired person is collecting his/her retirement allowance.

b) The School District, when employing a retired person who is eligible to collect or is already collecting a retirement allowance from a retirement system administered by the State or any of its political subdivisions, will report on an annual basis to the retirement system paying such retirement allowance and to the State Comptroller. This report will consist of the re-employed retiree's name, date of birth, place of employment, current position, and all earnings.

Public Record

Any request for approval of the employment of a retired person, including the reasons stated, and the findings and determination of such request will be a public record open for inspection in the Office of the Civil Service Commission, the Commissioner of Education, or the Board making such findings and determination as specified in Retirement and Social Security Law Section 211.

Education Law Section 525
Retirement and Social Security Law Sections 111, 211, 212, 217, and 411
8NYCRR Section 80-5.5(b)

Adoption Date: December 3, 2013
SUBJECT: REMOTE WORKING
Generally, the District believes that its goals and objectives are best served when employees work in-person on District premises. However, the District recognizes that, in certain circumstances, remote working or telecommuting may be advantageous to both the employee and the District. It may also be necessary in the event of an extraordinary circumstance such as widespread illness, natural disaster, or other emergency situation.
When making decisions about remote working, the District will take into consideration any applicable laws, regulations, collective bargaining agreements, or existing policies and procedures. This policy will be superseded by any conflicting law, regulation, or collective bargaining agreement.

Remote Working Arrangements
Remote working is not an entitlement or a District-wide benefit. The ability to work remotely is completely at the discretion of the District. Except where specifically provided by an applicable collective bargaining agreement, employees will not be permitted to file a grievance as a result of a denial of their request to work remotely.
Upon request, an employee's supervisor, in conjunction with the Superintendent or designee, may grant an employee a full-time, part-time, or short-term remote work arrangement provided that the employee's work is able to be performed remotely and the employee has consistently demonstrated the ability to effectively work independently.

Extraordinary Circumstances
In the event of an extraordinary circumstance such as widespread illness, natural disaster, or other emergency situation, it may be necessary to establish remote working arrangements for some or all employees. In these circumstances, the District will notify employees of whether they are expected to work at home full-time, part-time, or not at all. The District retains the right to change the remote working arrangement for any employee at any time.

Continuity of Work
Unless specifically agreed upon, working remotely will not alter an employee's work schedule, job duties, compensation, benefits, or any other term and condition of employment. Further, while working remotely, employees will be required to remain available during their normal work hours via email, phone, or other means. Failure to respond in a reasonable time frame may result in discipline and/or termination of the remote work arrangement.
SUBJECT: REMOTE WORKING (Cont'd.)

Compliance with District Policies and Procedures
District employees who are working remotely are required to comply with any and all applicable District policies, procedures, and other related documents as they normally would if they were working on District premises. Examples include, but are not limited to, the District's policies and procedures on non-discrimination and anti-harassment, protecting the personal information of District employees and students, acceptable use, and copyright. Engaging in prohibited conduct may result in disciplinary action as warranted.

Adoption Date: 11/17/20
## ATTENDANCE

1.1 Comprehensive Student Attendance Policy ............................................................... 7110
   1.1.1 Released Time of Students ............................................................................ 7111
1.2 Age of Entrance ......................................................................................................... 7120
   1.2.1 Diagnostic Screening of Students ............................................................... 7121
1.3 Entitlement to Attend -- Age and Residency ............................................................. 7130
   1.3.1 Education of Students in Temporary Housing ............................................... 7131
   1.3.2 Non-Resident Students .................................................................................. 7132
   1.3.3 Admission of Foreign Exchange Students .................................................... 7133
   1.3.4 Education of Students in Foster Care ............................................................ 7134
1.4 Withdrawal and Transfer of Students ........................................................................ 7140
1.5 Remote Learning ........................................................................................................ 7141
1.6 Educational Services for Married/Pregnant Students ................................................ 7150
1.7 School Census ............................................................................................................ 7160

## STUDENT PROGRESS

2.1 Student Evaluation ..................................................................................................... 7210
   2.1.1 Provision of Interpreter Services to Parents Who Are Hearing Impaired ........................................................................... 7211
2.2 Graduation Requirements .......................................................................................... 7220
   2.2.1 Early Graduation ............................................................................................ 7221
   2.2.2 Diploma or Credential Options for Students with Disabilities  ...................... 7222
2.3 Dual Credit for College Courses ................................................................................ 7230
2.4 Student Records: Access and Challenge .................................................................... 7240
   2.4.1 Release of Information to the Non-custodial Parent RESCINDED 5/1/18 .. 7241
   2.4.2 Student Directory Information ....................................................................... 7242
   2.4.3 Military Recruiters' Access to Secondary School Students and Information on Students..................................................... 7243
2.5 Student Privacy, Parental Access to Information, and Administration of Certain Physical Examinations to Minors .............................................................. 7250
2.6 Rights of Non-Custodial Parents ............................................................................... 7270

## STUDENT CONDUCT

3.1 School Conduct and Discipline ................................................................................ 7310
   3.1.1 Loss or Destruction of District Property or Resources .................................... 7311
   3.1.2 Student Dress Code ....................................................................................... 7312
   3.1.3 Student Dress Code for Physical Education ................................................... 7312.1
   3.1.4 Suspension of Students .................................................................................. 7313
   3.1.5 Student Use of Computerized Information Resources (Acceptable Use Policy) ............................................................................. 7315
   3.1.6 Cell Phones and Electronic Device (Students) .................................................. 7316
Shoreham-Wading River Central School District

STUDENT CONDUCT (Cont'd.)

3.2 Alcohol, Tobacco, Drugs and Other Substances (Students) ........................................7320
   3.2.1 Alcohol / Breathalyzer .......................................................................................7321
3.3 Searches and Interrogations .......................................................................................7330
3.4 Bus Rules and Regulations .......................................................................................7340
3.5 Corporal Punishment/Emergency Interventions ........................................................7350
3.6 Weapons in School and the Gun-Free Schools Act ...................................................7360

STUDENT ACTIVITIES

4.1 Extracurricular Activities ...........................................................................................7410
   4.1.1 Student Publications and Censorship ...................................................................7411
   4.1.2 Extracurricular Eligibility .....................................................................................7412
4.2 Sports and the Athletic Program ...............................................................................7420
   4.2.1 Athletic Placement Process ..................................................................................7421
4.3 Contests for Students, Student Awards and Scholarships ........................................7430
4.4 Musical Instruments ..................................................................................................7440
4.5 Fundraising by Students .............................................................................................7450
4.6 Constitutionally Protected Prayer in the Public Schools ...........................................7460
4.7 Reimbursement of Students Participating in State and National Honors ....................7470

STUDENT WELFARE

5.1 School Health Services ..............................................................................................7510
   5.1.1 Immunization of Students .....................................................................................7511
   5.1.2 Student Physicals ..................................................................................................7512
   5.1.3 Administration of Medication ...............................................................................7513
   5.1.4 Health Records ....................................................................................................7514
   5.1.5 Pediculosis (Head Lice) ........................................................................................7515
5.2 Accidents and Medical Emergencies .........................................................................7520
   5.2.1 Students with Life Threatening Allergies / Health Conditions ..........................7521
5.3 Concussion Management ...........................................................................................7522
5.4 Child Abuse and Neglect/Maltreatment ....................................................................7530
5.5 Suicide .........................................................................................................................7540
5.6 Complaints and Grievances by Students ..................................................................7550
   5.6.1 Sexual Harassment of Students ..........................................................................7551
   5.6.2 Hazing and Bullying .............................................................................................7552
   5.6.3 Dignity for All Students Act ................................................................................7553
5.7 Notification of Paroled Sex Offenders .......................................................................7560
5.8 Supervision of Students .............................................................................................7570
5.9 Safe Public School Choice Option to Students who are Victims of a Violent Criminal Offense ..........................................................................................................................7580
5.9 District Wellness Policy ...............................................................................................7590
STUDENTS WITH DISABILITIES

6.1 Special Education: District Plan ................................................................. 7610
   6.1.1 Children with Disabilities ................................................................. 7611
   6.1.2 Grouping by Similarity of Needs ....................................................... 7612
   6.1.3 The Role of the Board in Implementing a Student’s Individualized Education Program ......................................................... 7613
   6.1.4 Preschool Special Education Program ............................................. 7614
   6.1.5 Least Restrictive Environment ......................................................... 7615
   6.1.6 Pre-referral Intervention Strategies in General Education (Prior to a Referral for Special Education) .............................................. 7616
   6.1.7 Declassification of Students with Disabilities .................................... 7617
   6.1.8 Response to Intervention (RTI) Process ........................................... 7618

6.2 Students with Disabilities Participating in School District Programs ......... 7620
   6.2.1 Section 504 of the Rehabilitation Act of 1973 .................................... 7621

6.3 Appointment and Training of CSE and CPSE Members
   6.3.1 Appointment and Training of Committee on Special Education (CSE)/Subcommittee on Special Education Members ............................................. 7631
   6.3.2 Appointment and Training of Committee on Preschool Special Education (CPSE) Members ............................................................... 7632

6.4 Student Individualized Education Program (IEP): Development and Provision .... 7640
   6.4.1 Transition Services ................................................................. 7641
   6.4.2 Extended School Year (July/August) Services and/or Programs ........ 7642
   6.4.3 Transfer Students with Disabilities ................................................... 7643

6.5 Identification and Register of Children with Disabilities (Child Find) ........... 7650

6.6 Parent Involvement for Children with Disabilities ..................................... 7660

6.7 Impartial Due Process Hearings/Selection of Impartial Hearing Officers ........ 7670

6.8 Independent Educational Evaluations ..................................................... 7680

6.9 Special Education Mediation ................................................................. 7690
SUBJECT: COMPREHENSIVE STUDENT ATTENDANCE POLICY

Statement of Overall Objectives

The District is an active partner with students and parents in the task of ensuring that all students meet or exceed the New York State Learning Standards. The District recognizes that consistent school attendance, academic success, and school completion have a positive correlation, and therefore has developed, and, if necessary, will revise a Comprehensive Student Attendance Policy to meet the following objectives:

a) Increase school completion for all students;
b) Raise student achievement and close gaps in student performance;
c) Identify attendance patterns in order to design attendance improvement efforts;
d) Know the whereabouts of every student for safety and other reasons;
e) Verify that individual students are complying with education laws relating to compulsory attendance;
f) Determine the District's average daily attendance for State aid purposes.

Description of Strategies to Meet Objectives

The District will:

a) Create and maintain a positive school building culture by fostering a positive physical and psychological environment where the presence of strong adult role models encourages respectful and nurturing interactions between adults and students. This positive school culture is aimed at encouraging a high level of student bonding to the school, which in turn should lead to increased attendance.

b) Develop a Comprehensive Student Attendance Policy based upon the recommendations of a multifaceted District Policy Development Team that includes representation from the Board of Education, administrators, teachers, students, parents and the community. The District will hold at least one public hearing prior to the adoption of this collaboratively developed Comprehensive Student Attendance Policy.

c) Maintain accurate recordkeeping via a Register of Attendance to record attendance, absence, tardiness or early departure of each student.

d) Utilize data analysis systems for tracking individual student attendance and individual and group trends in student attendance problems.

e) Develop early intervention strategies to improve school attendance for all students.
SUBJECT: COMPREHENSIVE STUDENT ATTENDANCE POLICY

Determination of Excused and Unexcused Absences, Tardiness and Early Departures

Based upon our District's education and community needs, values and priorities, the School District has determined that absences, tardiness and early departures will be considered excused or unexcused according to the following standards.

a) **Excused:** An absence, tardiness or early departure may be excused if due to personal illness, illness or death in the family, impassable roads due to inclement weather, religious observance, quarantine, required court appearances, attendance at health clinics, approved college visits, approved cooperative work programs, military obligations or other such reasons as may be approved by the Board of Education.

b) **Unexcused:** An absence, tardiness or early departure is considered unexcused if the reason for the lack of attendance does not fall into the above categories (e.g., family vacation, hunting, babysitting, haircut, obtaining learner's permit, road test, oversleeping).

A written excuse, signed by a parent / person in parental relation should be presented by the student when returning to school following each absence.

Student Attendance Recordkeeping/Data Collection

The record of each student's presence, absence, tardiness and early departure shall be kept in a register of attendance in a manner consistent with Commissioner's Regulations. An absence, tardiness or early departure will be entered as "excused" or "unexcused" along with the District code for the reason.

*Attendance shall be taken and recorded in accordance with the following:*

a) For students in non-departmentalized kindergarten through grade 5 (i.e., self-contained classrooms and supervised group movement to other scheduled school activities such as physical education in the gym, assembly, etc.), such student's presence or absence shall be recorded after the taking of attendance once per school day, provided that students are not dismissed from school grounds during a lunch period. Where students are dismissed for lunch, their presence or absence shall also be recorded after the taking of attendance a second time upon the student's return from lunch. Classroom attendance for all students K-12 will be recorded on a subject by subject basis.

b) For students in grades 6 through 12 or in departmentalized schools at any grade level (i.e., students pass individually to different classes throughout the day), each student's presence or absence shall be recorded after the taking of attendance in each period of scheduled instruction.
SUBJECT: COMPREHENSIVE STUDENT ATTENDANCE POLICY

c) Any absence for a school day or portion thereof shall be recorded as excused or unexcused in accordance with the standards articulated in this policy.

d) In the event that a student at any instructional level from grades K through 12 arrives late for or departs early from scheduled instruction, such tardiness or early departure shall be recorded as excused or unexcused in accordance with the standards articulated in this policy.

A record shall be kept of each scheduled day of instruction during which the school is closed for all or part of the day because of extraordinary circumstances including adverse weather conditions, impairment of heating facilities, insufficiency of water supply, shortage of fuel, destruction of or damage to a school building, or such other cause as may be found satisfactory to the Commissioner of Education.

Attendance records shall also indicate the date when a student withdraws from enrollment or is dropped from enrollment in accordance with Education Law Section 3202(1-a).

At the conclusion of each class period or school day, all attendance information shall be compiled and provided to the designated school personnel who are responsible for attendance. The nature of the absence, tardiness or early departure shall be coded on a student's record in accordance with the established District/building procedures.

Student Attendance/Course Credit

The District believes that classroom participation is related to and affects a student's performance and grasp of the subject matter and, as such, is properly reflected in a student's final grade. For purposes of this policy, classroom participation means that a student is in class and prepared to work.

Students are expected to attend all scheduled classes. Consistent with the importance of classroom participation, unexcused student absences, tardiness, and early departures will affect a student's grade, including credit for classroom participation, for the marking period.

At the middle school/senior high school level, any student with more than 18 absences in a course may not receive credit for the course. However, it is District policy that students with properly excused absences, tardiness and early departures for which the student has performed any assigned make-up work, assignments and/or tests shall not be counted as an absence for the purpose of determining the student’s eligibility for course credit.

For summer school and courses meeting 1/2 year or 1/4 year, the same policy will apply and a calculation of the absences will be prorated accordingly.

Transfer students and students re-enrolling after having dropped out will be expected to attend a prorated minimum number of the scheduled class meetings during their time of enrollment.
SUBJECT: COMPREHENSIVE STUDENT ATTENDANCE POLICY

Students will be considered in attendance if the student is:

a) Physically present in the classroom or working under the direction of the classroom teacher during the class scheduled meeting time; or

b) Working pursuant to an approved independent study program; or

c) Receiving approved alternative instruction.

Students who are absent from class due to their participation in a school sponsored activity are to arrange with their teachers to make up any work missed in a timely manner as determined by the student's teacher. Attendance at school sponsored events where instruction is substantially equivalent to the instruction which was missed shall be counted as the equivalent of regular attendance in class.

Upon returning to school following a properly excused absence, tardiness or early departure, it shall be the responsibility of the student to consult with his/her teacher(s) regarding arrangements to make up missed work, assignments and/or tests in accordance with the time schedule specified by the teacher.

Notice of Minimum Attendance Standard/Intervention Strategies Prior to the Denial of Course Credit

In order to ensure that parents/persons in parental relation and students are informed of the District's policy regarding minimum attendance and course credit, and the implementation of specific intervention strategies to be employed prior to the denial of course credit to the student for insufficient attendance, the following guidelines shall be followed:

a) Copies of the District's Comprehensive Student Attendance Policy will be provided to parents/persons in parental relation and provided to students at the beginning of each school year or at the time of enrollment in the District and posted to the District’s website.

b) School newsletters and publications will include periodic reminders of the components of the District's Comprehensive Student Attendance Policy. Copies of the Attendance Policy will also be included in parent/student handbooks or posted on the District’s website.

c) At periodic intervals, the parent/person in parental relation will be notified by telephone of the student's absence, tardiness, or early departure and explain the relationship of the student's attendance to his/her ability to receive course credit. If the parent/person in parental relation cannot be reached by telephone, a letter shall be sent detailing this information.

d) A designated staff member will review the District's Attendance Policy with students who have excessive and/or unexcused absences, tardiness or early departures. Further, appropriate student support services (ex: personnel within the District, as well as the possible collaboration/referral to community support services and agencies) will be implemented prior to the denial of course credit for insufficient attendance by the student.
SUBJECT: COMPREHENSIVE STUDENT ATTENDANCE POLICY

Notice of Students who are Absent, Tardy or Depart Early Without Proper Excuse

The parent/person in parental relation to a student who is absent, tardy or departs early without proper excuse will be notified of the District's Comprehensive Student Attendance Policy, the District's/building level intervention procedures, and, if appropriate, the relationship between student attendance and course credit. The District will utilize multiple means of communication to ensure the parent/person in parental relation is notified of any unexcused absence, tardiness, or early departure. Further, the District's Attendance Policy will be provided to the parent/person in parental relation to promote awareness and help ensure compliance with the policy.

If deemed necessary by appropriate school officials, or if requested by the parent/person in parental relation, a school conference shall be scheduled between the parent/person in parental relation and appropriate staff members in order to address the student's attendance. The student may also be requested to attend this conference in order to address appropriate intervention strategies that best meet the needs of the student.

Chronic Absenteeism

Chronic absenteeism is defined as missing at least 10% of enrolled school days in a year for any reason, excused or unexcused. Chronic absenteeism differs from truancy because it emphasizes missed instructional time rather than unexcused absences. Missed instructional time can increase a student's risk for disengagement, low achievement, and dropping out, among other things.

Students who miss at least 5% of enrolled school days in a year are at risk of becoming chronically absent. In light of this, the District will implement intervention strategies for students who miss 5% or more of the enrolled school days in a year.

In order to encourage student attendance the District, as necessary, will develop and implement grade-appropriate/building-level incentives, strategies, and programs.

Disciplinary Consequences

Unexcused absences, tardiness and early departures will result in disciplinary sanctions as described in the District's Code of Conduct. Consequences may include, but are not limited to, in-school suspension, detention and denial of participation in interscholastic and extracurricular activities. Parents/persons in parental relation will be notified by designated District personnel at periodic intervals to discuss their child's absences, tardiness or early departures and the importance of class attendance and appropriate interventions. Individual buildings/grade levels will address procedures to implement the notification process to the parent/person in parental relation.
SUBJECT: COMPREHENSIVE STUDENT ATTENDANCE POLICY

Intervention Strategy Process

In order to effectively intervene when an identified pattern of excused absences, unexcused absences, tardiness or early departures occur, designated District personnel will pursue the following:

a) Identify specific element(s) of the pattern (e.g., grade level, building, time frame, type of excused absences, unexcused absences, tardiness or early departures);

b) Contact the District staff most closely associated with the element. In specific cases where the pattern involves an individual student, the student and parent/person in parental relation will be contacted;

c) Recommend intervention to Superintendent or his/her designee if it relates to change in District policy or procedure;

d) Implement changes, as approved by appropriate administration;

e) Utilize appropriate District and/or community resources to address and help remediate student unexcused absences, tardiness or early departures;

f) Monitor and report short and long term effects of intervention.

Appeal Process

A parent/person in parental relation may request a building level review of their child's attendance record.

Building Review of Attendance Records

The Building Principal will work in conjunction with the building attendance clerk and other designated staff in reviewing attendance records at the end of each term. This review is conducted to identify individual and group attendance patterns and to initiate appropriate action to address the problem of unexcused absences, tardiness and early departures.

Annual Review by the Board of Education

The Board of Education shall annually review the building level student attendance records and if such records show a decline in student attendance, the Board shall make any revisions to the Policy and plan deemed necessary to improve student attendance.
SUBJECT: COMPREHENSIVE STUDENT ATTENDANCE POLICY

Community Awareness

The Board of Education shall promote necessary community awareness of the District's Comprehensive Student Attendance Policy by:

a) Providing a plain language summary of the policy to parents or persons in parental relation to students at the beginning of each school year and promoting the understanding of such a policy to students and their parents/persons in parental relation;

b) Providing each teacher, at the beginning of the school year or upon employment, with a copy of the policy; and

c) Providing copies of the policy to any other member of the community upon request.

Education Law Sections 3024, 3025, 3202, 3205, 3206, 3210, 3211 and 3213
8 NYCRR Sections 104.1, 109.2 and 175.6

Adopted: 4/28/09
Revised and Re-Adopted: 1/4/11
Revised and Re-Adopted: 10/29/19
SUBJECT: RELEASED TIME OF STUDENTS

Written requests from the parent/guardian for the release of students generally will be honored. The appropriate time and reason for absence will be recorded on the attendance record, using the procedures mandated by the state.

The Building Principal will assume this responsibility or will designate an individual to review and approve all requests.

8 New York Code of Rules and Regulations (NYCRR)
Section 109.2

Adopted: 4/28/09
SUBJECT: AGE OF ENTRANCE

Kindergarten

Students who are legal residents of the School District and who reside with parents or guardians within the School District at the time of the opening day of school must be five (5) years of age or more on December 1 in order to register for Kindergarten.

A child who transfers into the School District at any time during the school year may be considered for admission to Kindergarten by the Superintendent provided:

a) The parents were not legal residents of the School District on the opening day of school, and

b) The child has been registered and enrolled in kindergarten in the District in which his/her parents were legal residents.

Other Grades

Admission of children to other grades will involve a consideration of both chronological age and the readiness of the children to do the work of those grades.

Proof of Age

A student's birth certificate or other satisfactory evidence of age will be presented at the time of initial registration. The child will be entered under his/her legal name.

Education Law Sections 1712, 3202 and 3212

NOTE: Refer also to Policy #7131 -- Education of Students in Temporary Housing

Adopted: 4/28/09
SUBJECT: DIAGNOSTIC SCREENING OF STUDENTS

The School District has developed a plan for the diagnostic screening of all new entrants and students with low test scores.

A new entrant means a student entering the New York State public school system, pre-kindergarten through grade 12, for the first time, or re-entering a New York State public school with no available record of a prior screening.

Students with low test scores are students who score below level two on either the third grade English language arts or mathematics assessment for New York State elementary schools.

Such diagnostic screening will be utilized to determine which students:

a) Have or are suspected of having a disability;

b) Are possibly limited English proficient.

Such diagnostic screening will be conducted:

a) By persons appropriately trained or qualified;

b) By persons appropriately trained or qualified in the student's native language if the language of the home is other than English;

c) In the case of new entrants, prior to the school year, if possible, but no later than December 1 of the school year of entry or within fifteen (15) days of transfer of a student into a New York State public school should the entry take place after December 1 of the school year;

d) In the case of students with low test scores, within thirty (30) days of the availability of the test scores.

New Entrants

For new entrants, diagnostic screening will include, but not be limited to the following:

a) A health examination by a physician/physician's assistant or nurse practitioner or submission of a health certificate in accordance with Education Law Sections 901, 903, and 904;

b) Certificates of immunization or referral for immunization in accordance with Public Health Law Section 2164;

c) Vision, hearing and scoliosis screenings as required by Commissioner's Regulations Section 136.3;

c) A determination of development in oral expression, listening comprehension, written expression, basic reading skills and reading fluency and comprehension, mathematical
SUBJECT: DIAGNOSTIC SCREENING OF STUDENTS

calculation and problem solving, motor development, articulation skills, and cognitive development using recognized and validated screening tools; and

e) A determination whether the student is of foreign birth or ancestry and comes from a home where a language other than English is spoken as determined by the results of a home language questionnaire and an informal interview in English and the native language.

Students with Low Test Scores

For students with low test scores, diagnostic screening will include, but not be limited to:

a) Vision and hearing screenings to determine whether a vision or hearing impairment is impacting the student's ability to learn; and

b) A review of the instructional programs in reading and mathematics to ensure that explicit and research validated instruction is being provided in reading and mathematics.

No screening examination for vision, hearing or scoliosis condition is required where a student, parent, or person in parental relation objects on the grounds that such examination conflicts with their genuine and sincere religious beliefs.

Results and Reports

The results of the diagnostic screening will be reviewed and a written report of each student screened will be prepared by appropriately qualified School District staff. The report will include a description of diagnostic screening devices used, the student's performance on those devices and, if required, the appropriate referral.

If such screening indicates a possible disability, a referral, with a report of the screening, will be made to the Committee on Special Education (CSE) or the Committee on Preschool Special Education (CPSE) no later than fifteen (15) calendar days after completion of such diagnostic screening.

If such screening indicates a child identified as possibly being of limited English proficiency, such child will be referred for further evaluation in accordance with the Regulations of the Commissioner of Education to determine eligibility for appropriate transitional bilingual or free-standing ESL programs.

Reporting to Parents

Parents/guardians of children to be screened will receive information in advance regarding the purpose of screening, the areas to be screened and the referral process. The information will be communicated either orally or in writing in the parents' primary language(s). This information will be provided during the registration interview.

Parents/guardians have the right to request information regarding their child's performance during screening. They will have access to the screening results and obtain copies upon request.
SUBJECT: DIAGNOSTIC SCREENING OF STUDENTS

Confidentiality of Information

The Board's policy and administrative regulations in accordance with the Family Educational Rights and Privacy Act of 1974 will apply to all information collected about a child through the screening program. In accordance with the policy and regulations, parents will be informed of their right to privacy, their right to access to the records and their right to challenge those records should they be inaccurate, misleading or otherwise inappropriate.

Family Educational Rights and Privacy Act of 1974
20 United States Code (USC) Section 1232(g)
Education Law Sections 901, 903, 904, 905, 914 and 3208(5)
Public Health Law Section 2164
8 New York Code of Rules and Regulations (NYCRR)
Parts 117, 136, 142.2 and 154

NOTE: Refer also to Policies #7131 -- Education of Students in Temporary Housing
#7512 -- Student Physicals

Adopted: 4/28/09
SUBJECT: ENTITLEMENT TO ATTEND -- AGE AND RESIDENCY

Entitlement to Attend
All persons residing within the District who are between the ages of five (5) years and twenty-one (21) years and who have not obtained a high school diploma are entitled to enroll in the District.

A student who becomes six (6) years of age on or before the first of December in any school year will be required to attend full-time instruction from the first day that the District schools are in session in September of such school year, and a student who becomes six (6) years of age after the first of December in any school year will be required to attend full-time instruction from the first day of session in the following September. Each student will be required to remain in attendance until the last day of session in the school year in which the student becomes sixteen (16) years of age.

Additionally, any student from sixteen (16) to seventeen (17) years of age who is not employed will be required to attend full-time instruction until the end of the school year in which such student turns seventeen (17) years of age.

Evidence of a prospective student's age and residency must be presented in such form as is permitted by state and federal law and regulation.

Proof of Age
The State Education Department does not require districts to collect students' social security numbers for any purpose. While school districts may need to collect certain data pursuant to State and/or federal laws, they should do so after a student has enrolled in school so as not to inadvertently give the impression that information related to immigration status will be used in making registration/enrollment determinations.

In accordance with Education Law, where a birth certificate or record of baptism is not available, a passport (including foreign passport) may be used to determine a child's age for purposes of enrollment/registration in school. Should none of these be available, the District may consider certain other documentary or recorded evidence to determine a child's age.

The following are examples of documentation that may be used to establish a student's age. This list is not intended to be exhaustive, nor is it a list of required documentation.

a) Hospital or health records (ie Certificate of Birth);
b) State or other government-issued ID;
c) Military dependent ID card;
d) Native American Tribal document;
e) Record(s) from non-profit international aid agencies and voluntary agencies (VOLAGs);
SUBJECT: ENTITLEMENT TO ATTEND -- AGE AND RESIDENCY

f) Consulate identification card; and

g) Official driver's license.

Determination of Student Residency
"Residence," for purposes of this policy, is established by a child's physical presence as an inhabitant within the District and his/her intent to reside in the District.

A child's residence is presumed to be that of his/her parents or legal guardians. Where a child's parents live apart, the child can have only one legal residence. In cases where parents have joint custody, the child's time is essentially divided between two (2) households, and both parents assume responsibility for the child, the decision regarding the child's residency lies ultimately with the family. Where parents claim joint custody, but do not produce proof of the child's time being divided between both households, residency will be determined on the basis of the child's physical presence and intent to remain within the District.

The presumption that a child resides with his/her parents or legal guardians may be rebutted upon demonstration that custody of such child has been totally and permanently transferred to another individual. The District will not acknowledge living arrangements with persons other than a child's parents or legal guardians which are made for the sole purpose of taking advantage of the District's schools.

The presumption that a child resides with his/her parents or legal guardians may also be rebutted upon demonstration that such child is an emancipated minor. To establish emancipation, a minor may submit documentation of his/her means of support, proof of residency, and an explanation of the circumstances surrounding the student's emancipation, including a description of the student's relationship with his/her parents or persons in parental relation.

Notwithstanding the foregoing, all determinations of student residency will be made consistent with applicable state and federal laws and regulations.

Homeless Children
Determinations regarding whether a child is entitled to attend the District's schools as a homeless child or youth will be made in accordance with Section 100.2(x) of the Commissioner's Regulations, as well as applicable District policy and regulation.

Undocumented Children
The District is mindful that undocumented children are entitled to attend the District's schools, provided they meet the age and residency requirements established by state law. Consequently, the District will not request or require on any enrollment or registration form, in any meeting, or in any other form of communication, any documentation and/or information regarding or tending to reveal the immigration status of a child, a child's parent(s) or the person(s) in parental relation. In the event the District is required to collect such information, the District will do so after the child has been
SUBJECT: ENTITLEMENT TO ATTEND -- AGE AND RESIDENCY

enrolled. In no instance will such information be required as a condition of enrollment or continued attendance.

Children of Activated Reserve Military Personnel
Students temporarily residing outside the boundaries of the District, due to relocation necessitated by the call to active military duty of the student's parent or person in parental relation, will be allowed to attend the public school that they attended prior to the relocation. However, the District is not required to provide transportation between a temporary residence located outside the District and the school the child attends.

Education Law Sections 3202, 3205 and 3218
Family Court Act Section 657
8 NYCRR Sections 100.2(x) and (y)

NOTE: Refer also to Policies #7131 -- Education of Students in Temporary Housing
#7132 -- Non-Resident Students
#7134 Education of Students in Foster Care

Adopted: April 28, 2009
Revised and Re-Adopted: May 31, 2011
Revised and Re-Adopted: January 26, 2016
SUBJECT: EDUCATION OF STUDENTS IN TEMPORARY HOUSING

The Board recognizes the unique challenges that face students in temporary housing (i.e., homeless children and youth) and will provide these students with access to the same free and appropriate public education, including public preschool education, as other students, as well as access to educational and other services necessary to be successful in school. The District will ensure that these students are not separated from the mainstream school environment. The Board is also committed to eliminating barriers to the identification, enrollment, attendance, and success of students in temporary housing.

Identification of Students in Temporary Housing

All districts are obligated to affirmatively identify all students in temporary housing. Therefore, the District will determine whether there are students in temporary housing within the District by using a housing questionnaire to determine the nighttime residence of all newly enrolled students and all students whose address changes during the school year. Not all students in temporary housing can be identified through social service agencies or shelters, as children may be sharing the housing of other persons, such as family or friends, due to loss of housing, economic hardship, or other similar reason. For this reason, the District uses a housing questionnaire that asks for a description of the current living arrangements of the child or youth to determine whether the child or youth meets the definition of a homeless child.

In addition to using the housing questionnaire, the District will also contact the local department of social services (LDSS) (i.e., the social services district) to identify students in temporary housing, as well as the local runaway and homeless youth shelter, and any other shelters located within District boundaries to ensure all students in temporary housing are properly identified and served.

Definitions

a) Feeder school means:

   1. A preschool whose students are entitled to attend a specified elementary school or group of elementary schools upon completion of that preschool;

   2. A school whose students are entitled to attend a specified elementary, middle, intermediate, or high school or group of specified elementary, middle, intermediate, or high schools upon completion of the terminal grade of such school; or

   3. A school that sends its students to a receiving school in a neighboring school district.

b) Homeless child means:

   1. A child or youth who lacks a fixed, regular, and adequate nighttime residence, including a child or youth who is:

(Continued)
SUBJECT: EDUCATION OF STUDENTS IN TEMPORARY HOUSING

(a) Sharing the housing of other persons due to a loss of housing, economic hardship, or a similar reason (sometimes referred to as "doubled-up");

(b) Living in motels, hotels, trailer parks, or camping grounds due to the lack of alternative adequate accommodations;

(c) Abandoned in hospitals;

(d) A migratory child who qualifies as homeless under (a), (b), or (c) of this subparagraph or item 2 below; or

(e) An unaccompanied youth; or

2. A child or youth who has a primary nighttime location that is:

(a) A supervised, publicly, or privately operated shelter designed to provide temporary living accommodations, including, but not limited to, shelters operated or approved by the state or LDSS, and residential programs for runaway and homeless youth established in accordance with applicable law; or

(b) A public or private place not designed for, or ordinarily used as, a regular sleeping accommodation for human beings, including a child or youth who is living in a car, park, public space, abandoned building, substandard housing, bus or train station, or similar setting.

c) Migratory child means a child or youth who made a qualifying move in the preceding 36 months:

1. As a migratory agricultural worker or a migratory fisher; or

2. With, or to join, a parent or spouse who is a migratory agricultural worker or a migratory fisher

d) Preschool means a publicly funded prekindergarten program or a Head Start program administered by the District and/or services under the Individuals with Disabilities Act administered by the District.

e) Receiving school means:

1. A school that enrolls students from a specified or group of preschools, elementary schools, middle schools, intermediate schools, or high schools; or

(Continued)
SUBJECT: EDUCATION OF STUDENTS IN TEMPORARY HOUSING

2. A school that enrolls students from a feeder school in a neighboring local educational agency.

f) Regional placement plan means a comprehensive regional approach to the provision of educational placements for homeless children that has been approved by the Commissioner of Education.

g) School district of current location means the public school district within New York State in which the hotel, motel, shelter or other temporary housing arrangement of a homeless child, or the residential program for runaway and homeless youth, is located, which is different from the school district of origin.

h) School district of origin means the school district within New York State in which:

1. The homeless child was attending a public school or preschool on a tuition-free basis or was entitled to attend when circumstances arose that caused the child to become homeless, which is different from the school district of current location;

2. The child was residing when circumstances arose that caused the child to become homeless if the child was eligible to apply, register, or enroll in public preschool or kindergarten at the time the child became homeless; or

3. The homeless child has a sibling who attends a school in the school district in which the child was residing when circumstances arose that caused the child to become homeless.

i) School of origin means:

1. The public school that the child or youth attended when permanently housed or the school in which the child or youth was last enrolled, including a preschool or a charter school;

2. The designated receiving school at the next grade level for all feeder schools for a student in temporary housing who completes the final grade level served by the school of origin; and

3. The public school or preschool in which the child would have been entitled or eligible to attend based on the child's last residence before the circumstances arose which caused the child to become homeless if the child becomes homeless after the child is eligible to apply, register, or enroll in the public preschool or kindergarten or if the child is living with a school-age sibling who attends school in the school district of origin.
SUBJECT: EDUCATION OF STUDENTS IN TEMPORARY HOUSING

j) Unaccompanied youth means a homeless child or youth who is not in the physical custody of a parent or legal guardian.

The McKinney-Vento Liaison for Students in Temporary Housing

The District will designate an appropriate staff person, who may also be a coordinator for other federal programs, as the District liaison for students in temporary housing (otherwise referred to as the McKinney-Vento liaison). The District's McKinney-Vento liaison serves as one of the primary contacts between families experiencing homelessness and school staff, district personnel, shelter workers, and other service providers. The McKinney-Vento liaison coordinates services to ensure that homeless children and youth enroll in school and have the opportunity to succeed.

The District's McKinney-Vento liaison must ensure that:

a) Students in temporary housing are identified by school personnel and through coordination activities with other entities and agencies;

b) Students in temporary housing enroll in, and have full and equal opportunity to succeed in, the District's schools;

c) Students in temporary housing and their families receive educational services for which they are eligible, including Head Start programs administered by a local educational agency, Early Head Start, early intervention services under part C of the Individuals with Disabilities Education Act, and other preschool programs administered by the District.

d) Students and parents in temporary housing receive referrals to health care services, dental services, mental health and substance abuse services, housing services and other appropriate services;

e) Parents or guardians of students in temporary housing are informed of the educational and related opportunities available to their children and are provided with meaningful opportunities to participate in the education of their children;

f) Parents and guardians of students in temporary housing, and unaccompanied youth, are fully informed of all transportation services, including transportation to and from the school district of origin and are assisted in accessing transportation services;

g) Disputes regarding eligibility, school selection, enrollment and/or transportation are mediated in accordance with applicable laws and regulations;
(Continued)

SUBJECT: EDUCATION OF STUDENTS IN TEMPORARY HOUSING

h) Assistance in commencing an appeal, in accordance with applicable law, of a final determination regarding eligibility, enrollment, school selection, and/or transportation is provided to the student in temporary housing's parent or guardian or the unaccompanied youth;

i) A record is maintained of all appeals of enrollment, school selection, and transportation;

j) Public notice of the educational rights of students in temporary housing is posted in locations where these students receive services, such as schools, shelters, public libraries, and soup kitchens, in a manner and form understandable to the parents and guardians of students in temporary housing, and unaccompanied youth;

k) School personnel providing services to students in temporary housing receive professional development and other support;

l) Unaccompanied youths:

1. Are enrolled in school;

2. Have opportunities to meet the same challenging State academic standards as the State establishes for other children and youth, including receiving credit for full or partial coursework earned in a prior school pursuant to Commissioner's regulations; and

3. Are informed of their status as independent students under section 480 of the Higher Education Act of 1965 and that the youths may obtain assistance from the McKinney-Vento liaison to receive verification of this status for purposes of the Free Application for Federal Student Aid (FAFSA);

m) School personnel, service providers, advocates working with students in temporary housing, parents and guardians of students in temporary housing, and students in temporary housing are informed of the duties of the McKinney-Vento liaison; and

n) Assistance with obtaining any necessary immunizations or screenings, or immunization or other required health records is provided to the parents or guardians of the students in temporary housing.

School District and School Designations

A designator will make the initial decision about which school district and school a student in temporary housing will attend. A designator is:

a) The parent or person in parental relation (guardian) to a student in temporary housing;
SUBJECT: EDUCATION OF STUDENTS IN TEMPORARY HOUSING

b) The student in temporary housing, together with the McKinney-Vento liaison, in the case of an unaccompanied youth; or

c) The director of a residential program for runaway and homeless youth, in consultation with the student in temporary housing, where the student is living in that program.

The District will ask the designator to designate one of the following as the school district of attendance for the student in temporary housing:

a) The school district of current location;

b) The school district of origin; or

c) A school district participating in a regional placement plan.

The District will also ask the designator to designate one of the following as the school where a student in temporary housing seeks to attend:

a) The school of origin; or

b) Any school that permanent housed children and youth who live in the attendance area in which the child or youth is actually living are eligible to attend, including a preschool.

A student in temporary housing is entitled to attend the schools of the school district of origin without the payment of tuition for the duration of his or her homelessness and through the remainder of the school year in which the student becomes permanently housed and for one additional year if that year constitutes the student's terminal year in that school building, subject to a best interest determination.

Designation/STAC 202 Form

The District will identify all students in temporary housing, and a designation form will be completed by the designator for all these students and any other student who claims homelessness. Designations must be made on the STAC 202 form provided by the Commissioner.

The appropriate designator must complete the designation form. The District makes designation forms available to a student in temporary housing who seeks admission to school or to the parent or person in parental relation who seeks to enroll the child in school.

The District will provide completed designation forms to the McKinney-Vento liaison immediately, but no later than two business days from the earlier date on which the child or youth either:

a) Sought enrollment in school; or

(Continued)
SUBJECT: EDUCATION OF STUDENTS IN TEMPORARY HOUSING

b) Was placed in a temporary housing facility or residential facility for runaway and homeless youth.

Where a parent or person in parental relation or a child who is neither placed in a temporary housing facility by the LDSS nor housed in a residential program for runaway homeless youth, designates the District as the school district of current location, the District will forward to the State Education Department a completed designation form and a statement of the basis for its determination that the child is a homeless child entitled to attend the District's schools.

Immediate Enrollment and Best Interest Determinations

Upon identification of a child who is in temporary housing and/or receipt of a completed designation/STAC 202 form, the District will:

a) Immediately review the designation form to ensure that it has been completed and admit the student in temporary housing even if the child or youth is unable to produce records normally required for enrollment, such as previous academic records, medical records, immunization records, proof of residency or other documentation and even if the child or youth has missed application deadlines;

b) Determine whether the designation made by the designator is consistent with the best interests of the student in temporary housing. In making best interests decisions the District will:

1. Presume that keeping the child in the school of origin is in the child's best interest, except when doing so is contrary to the wishes of the parent or guardian (or youth in the case of an unaccompanied youth); and

2. Consider student-centered factors such as the effect of mobility on student achievement, education, health, and safety of the child, giving priority to the wishes of the child's parent or guardian (or the youth, if a homeless unaccompanied youth). If the District determines that it is in the best interest of the student in temporary housing to attend a school other than the school of origin or the designated school, the District will provide the parent or guardian (or youth, if an unaccompanied youth) with a written explanation of its determination, including information about the right to appeal.

c) Provide the child with access to all of the District's programs, activities and services to the same extent as they are provided to resident students;

d) Immediately contact the school district where the child's records are located in order to obtain a copy of these records and coordinate the transmittal of records for students with disabilities pursuant to applicable laws and regulations;
SUBJECT: EDUCATION OF STUDENTS IN TEMPORARY HOUSING

e) Immediately refer the parent or guardian of the student in temporary housing to the McKinney-Vento liaison who must assist in obtaining necessary immunizations or immunization or medical records if the child or youth needs to obtain immunizations or immunization or medical records;

f) Forward the STAC 202 form to the Commissioner and the school district of origin, where applicable. In all cases, the District will give a copy of the completed STAC 202 form to the designator and keep a copy of the STAC 202 form for the District's records;

g) Arrange for transportation in accordance with applicable laws and regulations; and

h) Arrange for the child to receive free school meals.

Request for Records

Within five days of receipt of a request for school records from a new school, the District will forward, in a manner consistent with state and federal law, a complete copy of the student in temporary housing's records, including, but not limited to, proof of age, academic records, evaluations, immunization records, and guardianship papers, if applicable.

Tuition Reimbursement

The District is eligible to request reimbursement from the State Education Department for the direct costs of educational services to students in temporary housing that are not otherwise reimbursed under special federal programs, when:

a) The District is either the school district of current location or a school district participating in a regional placement plan;

b) The District is designated as the school district of attendance; and

c) The school district of origin for the student in temporary housing is within New York State.

All claims for reimbursement will be made on the STAC 202 form prescribed by the Commissioner of the State Education Department.

In addition, the District is eligible for reimbursement for the direct costs of educational services, including transportation costs for students who continue enrollment in the District schools after finding permanent housing midyear in a different school district within New York State. In these cases, the District will directly bill the new district where the student permanently resides for all direct costs of educational services, including transportation, that are not otherwise reimbursed under special federal programs.
SUBJECT: EDUCATION OF STUDENTS IN TEMPORARY HOUSING

Transportation Responsibilities

The LDSS is responsible for providing transportation to students in temporary housing, including preschool students and students with disabilities who are eligible for benefits under Social Services Law §350-j and placed in temporary housing arrangements outside their designated districts. Where the LDSS requests that the District provide or arrange for transportation for a student in temporary housing in the circumstances above, the District will provide or arrange for the transportation and directly bill the LDSS so that the district will be fully and promptly reimbursed for the cost of the transportation.

If the District is the designated school district of attendance, the District will provide for the transportation of each student in temporary housing who is living in a residential program for runaway and homeless youth, including if the temporary housing is located outside the school district. The costs for transportation for each student in temporary housing who lives in a residential program for runaway youth and homeless youth located outside of the designated school district will be reimbursed by the State Education Department, to the extent funds are provided for the purpose, with the submission of a Runaway and Homeless Youth Act Transportation Program Form. Where the District provides transportation for a student living in a Runaway and Homeless Youth facility, the District will promptly request reimbursement using the Runaway and Homeless Youth Act Transportation Form.

The District will transport any student in temporary housing to their school of origin, including preschools and charter schools, where it is the designated district of attendance and the student in temporary housing is not entitled to receive transportation from the Department of Social Services.

When the District is designated as the school district of current location for a student in temporary housing and the student does not attend the school of origin, the District will provide transportation on the same basis as it is provided to resident students, unless the local transportation policy represents a barrier to the student's attendance in school.

If the student in temporary housing designates the District as the school district of attendance, transportation will not exceed 50 miles each way, unless the Commissioner determines that it is in the best interest of the child.

Where the District is designated as the school district of attendance and it has recommended the student in temporary housing attend a summer educational program, the district of attendance will provide transportation services to students in temporary housing for summer educational programs if the lack of transportation poses a barrier to the student's participation in the program.
SUBJECT: EDUCATION OF STUDENTS IN TEMPORARY HOUSING

Where the District is designated as the school district of attendance, it will provide transportation services to students in temporary housing for extracurricular or academic activities when:

a) The student participates in or would like to participate in an extracurricular or academic activity, including an after-school activity, at the school;

b) The student meets the eligibility criteria for the activity; and

c) The lack of transportation poses a barrier to the student's participation in the activity.

Where the District is designated as the school district of attendance, it will provide transportation as described above for the duration of homelessness, unless the LDSS is responsible for providing transportation. After the student becomes permanently housed, the District will provide transportation to the school of origin until the end of the school year and for one additional year if that year constitutes the child's terminal year in the school building.

Dispute Resolution Process

The District has established the following procedures for the prompt resolution of disputes regarding school selection or enrollment of a students in temporary housing:

a) The District will provide a written explanation, including a statement regarding the right to appeal, to the parent or guardian of a student in temporary housing, or to an unaccompanied youth, if the District determines that the District is not required to either enroll and/or transport the child or youth to the school of origin or a school requested by the parent or guardian or unaccompanied youth, or if there is a disagreement about a child's or youth's status as a homeless child or unaccompanied youth. The written explanation will be in a manner and form understandable to the parent, guardian, or unaccompanied youth and will include a statement regarding the McKinney-Vento liaison's availability to help the parent, guardian, or unaccompanied youth with any appeal and the contact information for the liaison.

b) The District will immediately enroll the student in the school in which enrollment is sought by the parent or guardian or unaccompanied youth, provide transportation to the school, and will delay for 30 days the implementation of a final determination to decline to either enroll in and/or transport the student in temporary housing to the school of origin or a school requested by the parent or guardian or unaccompanied youth.

c) If the parent or guardian of a student in temporary housing or unaccompanied youth commences an appeal to the Commissioner within 30 days of such final determination, the student will be permitted to continue to attend the school he or she is enrolled in at the time of the appeal and/or receive transportation to that school pending the resolution of all available appeals.
SUBJECT: EDUCATION OF STUDENTS IN TEMPORARY HOUSING

The McKinney-Vento Liaison's Dispute Resolution Responsibilities

The District's McKinney-Vento liaison must assist the student in temporary housing's parent or guardian or unaccompanied youth in bringing an appeal to the Commissioner of a final school district decision regarding enrollment, school selection and/or transportation. In the event of a dispute regarding eligibility, enrollment, school selection, and/or transportation, the District's McKinney-Vento liaison will:

a) Provide the parent or guardian or unaccompanied youth with a copy of the form petition;

b) Assist the parent or guardian or unaccompanied youth in completing the form petition;

c) Arrange for the copying of the form petition and supporting documents for the parent or guardian or unaccompanied youth, without cost to the parent or guardian or unaccompanied youth;

d) Accept service of the form petition and supporting papers on behalf of any District employee or officer named as a party, or the District if it is named as a party, or arrange for service by mail by mailing the form petition and supporting documents to any District employee or officer named as a party, and, if the District is named as a party, to a person in the office of the Superintendent who has been designated by the Board to accept service on behalf of the District;

e) Provide the parent or guardian or unaccompanied youth with a signed and dated acknowledgment verifying that he or she has received the form petition and supporting documents, and will either accept service of these documents on behalf of the District employee or officer or District, or effect service by mail by mailing the form petition and supporting documents to any District employee or officer named as a party, and, if the District is named as a party, to a person in the office of the Superintendent who has been designated by the Board to accept service on behalf of the District;

f) Transmit on behalf of the parent or guardian or unaccompanied youth, within five days after the service of, the form petition or any pleading or paper to the Office of Counsel, New York State Education Department, State Education Building, Albany, New York 12234;

g) Provide the parent or guardian or unaccompanied youth with a signed and dated acknowledgement verifying that he or she has received the form petition and supporting documents and will transmit these documents on behalf of the parent, guardian or unaccompanied youth to the Office of Counsel, New York State Education Department, State Education Building, Albany, New York 12234;

h) Accept service of any subsequent pleadings or papers, including any correspondence related to the appeal, if the parent or guardian or unaccompanied youth so elects. He or she will also make this correspondence available to the parent or guardian or unaccompanied youth; and
SUBJECT: EDUCATION OF STUDENTS IN TEMPORARY HOUSING

i) Maintain a record of all appeals of enrollment, school selection, and transportation determinations.

Coordination

The District will coordinate the provision of services described in this policy with local social services agencies, housing providers and other agencies or programs providing services to students in temporary housing and their families, including services and programs funded under the Runaway and Homeless Youth Act.

The District will coordinate with other school districts on inter-district issues, such as transportation or transfer of school records.

The District will coordinate implementation of the above provision of services with the requirements of the Individuals with Disabilities Education Act (IDEA) for students with disabilities.

Coordination with Title I

The District acknowledges that students in temporary housing are eligible for services under Title I, Part A, whether or not they live in a Title I school attendance area or meet the academic requirements required of other children. The District will ensure that:

a) Title I, Part A funds are set aside as are necessary to provide students in temporary housing, who may have unique needs that differ from their permanently housed peers, with educationally related support services;

b) Its local plan includes a description of how the plan is coordinated with McKinney-Vento;

c) Its local plan describes the services provided to students in temporary housing;

d) Its local plan describes the efforts it made to identify students in temporary housing, including unaccompanied youth, if the District reports that there are no students in temporary housing enrolled in the District. These efforts will include contacting the LDSS or Office of Children and Family Services (OCFS) to verify that there are no students in temporary housing in the District; and

e) Its housing questionnaire asks about the living arrangements of the child or unaccompanied youth, including asking if he or she is living in a shelter; with relatives or others due to loss of housing or economic hardship; in an abandoned apartment/building; in a motel/hotel, camping ground, car, train/bus station or other similar situation due to the lack of alternative, adequate housing. Documentation of the District's efforts to identify students in temporary housing will be maintained on file and a copy of the housing questionnaire will also be kept on file.
SUBJECT: EDUCATION OF STUDENTS IN TEMPORARY HOUSING

Reporting Requirements

The District will collect and transmit to the Commissioner of Education, at the time and in the manner as the Commissioner may require, a report containing information as the Commissioner determines is necessary, including the numbers of homeless students, their grade, and their nighttime residence.

Access to Free Meals

The District will provide free meals to all children identified as students in temporary housing. They do not have to complete a free or reduced-price meal application. When the McKinney-Vento liaison or a shelter director provides a child's name to the District's school food service office, free school meals will commence immediately.

Removal of Barriers

The District will review and revise its policies that may act as barriers to the identification of students in temporary housing and their enrollment and retention in school, including barriers to enrollment and retention due to outstanding fees or fines, or absences.

Comparable Services

The District will provide services to students in temporary housing comparable to those offered to other students in the District, including: transportation services; educational services for which the child or youth meets the relevant criteria, such as services provided under Title I or similar State or local programs; educational programs for students with disabilities; educational programs for English learners; programs in career and technical education; programs for gifted and talented students; and school nutrition programs.

Student Privacy

Information about a student in temporary housing's living situation will be treated as a student education record and will not be deemed to be directory information under the Family Educational Rights and Privacy Act (FERPA). A parent or guardian or unaccompanied youth may consent to the release of a student's address information in the same way they would for other student education records under FERPA.

Training

All school enrollment staff, secretaries, school counselors, school social workers, and principals will be trained on the requirements for enrollment of students in temporary housing. Other staff members including school nutrition staff, school registered professional nurses, teachers, and bus drivers will receive training on homelessness that is specific to their field.
SUBJECT: EDUCATION OF STUDENTS IN TEMPORARY HOUSING

McKinney-Vento Homeless Assistance Act, as amended by the Every Student Succeeds Act (ESSA) of 2015,
42 USC § 11431, et seq.
Education Law §§ 902(b) and 3209
Executive Law Article 19-H
8 NYCRR § 100.2(x)

Adoption Date: 4/28/09
Revised and Re-Adopted: 3/21/17
Revised and Re-Adopted: 6/25/19
SUBJECT: NON-RESIDENT STUDENTS

The Board of Education affirms its primary responsibility to educate children who are residents of the District and who are of legal age to attend school. Non-resident families who wish to enroll children in the Shoreham-Wading River School District shall submit a request in writing to the Superintendent. The Superintendent will review such requests and make recommendations regarding non-resident student admission to the Board of Education. The Board of Education will have final authority to approve or deny such requests.

Non-resident student enrollment requests will only be considered where:

a) There is sufficient space to accommodate the non-resident student;

b) No increase in the size of faculty or staff will be necessary; and

c) Admittance will not result in the establishment of a new section.

In making determinations regarding the admittance of non-resident students, the District will not discriminate on the basis of race, color, religion, national origin, sex, sexual orientation, age, disability or other legally protected category.

In the event a non-resident student is permitted to attend the District's schools, his/her attendance will be subject to the following conditions:

a) Parents/guardians must work out transfer conditions with the home school district or provide their own transportation;

b) All rules and regulations in effect for District students will be applicable to non-District students; and

c) Tuition will be charged to families of non-resident students in accordance with formulas approved by the State Education Department.

Future Students

The children of families who have signed a contract to buy or build a residence in the School District may be enrolled for the semester in which they expect to become residents. Non-resident tuition shall be charged, payable in advance, with an adjustment to be made when the family becomes a resident in the District. If residency is not established, tuition will be charged for the time the student is enrolled until residency is established or to the end of the next full semester, whichever occurs first. At the end of the next full semester, during which residency has not been established, the student may be dropped from enrollment.

Transportation is the responsibility of the non-resident.
SUBJECT: NON-RESIDENT STUDENTS

The only acceptable proof of purchase and intent to reside is a contract to purchase or build, showing a deposit on the property and a closing or completion date no later than the end of the semester in which the student is to be enrolled. Rental or lease agreements are not acceptable.

Former Residents

In the following limited circumstances, children who are not District residents will be permitted to attend the District's schools without payment of tuition:

a) Students of any grade who move from the Shoreham-Wading River Central School District during the school year may be given permission to finish the semester in which the move occurs.

b) Students who moves from the District after completion of the first semester of the year preceding their anticipated graduation year may be given permission to remain in the Shoreham-Wading River Central School District until graduation.

Reservation of Claims

Should a material misstatement of fact be made and relied upon by any administrator or the Board of Education in admitting a non-resident student without tuition, the Board shall be entitled to recover the cost of instruction for the time the student was not authorized to attend a school in the District from the person having made the misstatement or from a person in parental relation to the student.

Tuition Fees

Where applicable, tuition fees are computed according to a formula established by the Commissioner of Education.

Tuition of individual non-resident students shall be computed in advance at the time of enrollment. Methods of payment (e.g., monthly) may be arranged in the District Office and approved by the Superintendent. Non-resident student status is contingent upon timely payment of tuition fees as established by the Board of Education.

Legal Residence

Parents who maintain more than one residence, but whose legal residence for the purposes of voting or filing income tax is within the District, are eligible to send their children to District schools. However,
SUBJECT: NON-RESIDENT STUDENTS

School tax payments of non-residents who own assessable property in the District will be deducted from any tuition charges levied against such non-resident.

Education Law Sections 1709(13) and 3202
8 NYCRR Section 174.2

NOTE: Refer also to Policy #7131 -- Education of Homeless Children and Youth

Adoption Date: 4/28/09
Revised and Re-Adopted: 5/1/18
SUBJECT: ADMISSION OF FOREIGN EXCHANGE STUDENTS

The Board of Education recognizes the cultural enrichment derived from welcoming non-immigrant foreign exchange students into the District’s educational program. Thus, the Board encourages the attendance of non-immigrant foreign exchange students in the District’s High School, subject to the terms and conditions set forth in this policy and the approval of Superintendent or his/her designee.

Only non-immigrant foreign exchange students who possess a valid J-1 or F-1 visa to study in the United States will be admitted to the District’s High School. The Board retains the sole discretion to deny admission to any student.

Foreign Exchange Students (J-1 Visa)

The Board encourages District participation in a foreign exchange student program. Foreign exchange students will be admitted to the District’s High School for no more than a one-year academic program, pursuant to the following provisions:

1. The District recognizes only those organizations designated as “Exchange Visitor Programs” by the U.S. Department of State, pursuant to federal regulations, as sponsoring organizations for the exchange of students. Any such organization must supply proof of designation prior to recognition.

2. No foreign exchange students subject to this policy shall be brought into the District by a foreign exchange student program unless he/she has been accepted in writing as a student by the Superintendent or his/her designee. Sponsors are responsible for the effective administration of their Exchange Visitor Program. These responsibilities include:

   a. Selection of foreign exchange students: Sponsors shall provide a system to screen and select prospective foreign exchange students to ensure that they are eligible for program participation and that: (i) the program is suitable to the exchange student’s background, needs, and experience; (ii) the exchange student possesses sufficient proficiency in English language to participate in the District’s program; and (iii) the exchange student demonstrates maturity, good character, and scholastic aptitude.

   b. Securing written acceptance of the foreign exchange student: Sponsors are responsible for securing prior written acceptance for the enrollment of the exchange student in the District’s High School from Superintendent or his/her designee. Under no circumstances will a foreign exchange student subject to this policy be brought into the District by a foreign exchange student program unless the student has been accepted, in writing, as a student by the Superintendent or his/her designee. In order to secure written acceptance from the District, sponsors must:
SUBJECT: ADMISSION OF FOREIGN EXCHANGE STUDENTS

i. Submit an application to the District’s Superintendent or his/her designee no later than May 1st for enrollment in the upcoming academic school year.

ii. This application must include:

   a. A written English language summary of the exchange student’s complete academic coursework prior to the beginning of school;

   b. Information and documentation as to who will pay tuition for the student, including, as applicable, a contract between the sponsor and the student and/or student’s family for the payment of tuition;

   c. A record of commitment from the student’s prospective host family to host the student and information substantiating the host family’s residence within the District; and

   d. Recommendations from the student’s regular school’s principal, dean or other school-wide administrator.

c. Compliance with applicable laws, regulations, rules, and policies: Sponsors are expected to comply with all applicable laws, regulations, rules, and policies concerning the selection, placement, facilitation, and governance of foreign exchange student programs, including, but not limited to, the federal Exchange Visitor Program regulations and SEVIS reporting requirements.

d. Visa status: Sponsors are responsible for securing required visas for a foreign exchange student. Under no circumstances will the District be responsible for exchange students’ visa status.

e. Notification of termination of program participation: When an exchange student’s participation in the exchange program is terminated, the sponsor must promptly notify the District.

3. Foreign exchange students attending the District’s High School and living with host families in the District will be provided bus transportation to and from school to the same extent District students are provided such transportation, provided they pay the full, unsubsidized per capita cost of providing educational services to the student.
SUBJECT: ADMISSION OF FOREIGN EXCHANGE STUDENTS

4. The District will accept no more than two (2) foreign exchange students in an academic year.

5. Students must provide proof of required immunizations prior to attendance.

6. All school-related expenses shall be the responsibility of the sponsor, the student, and/or the host family.

7. The Board may terminate the approval of a foreign exchange student program when it is in the District’s best interests to do so. The Board retains sole discretion to deny admission to any student.

Foreign Exchange Students (F-1 Visa)

The District is not a Student and Exchange Visitor Program (SEVP) approved school, therefore no F-1 students will be admitted.

No Guarantee of Admission

The Board retains sole discretion to deny admission to any student.

8 U.S.C. §§ 1101(a)(15), 1184
22 C.F.R. Part 62
Education Law §§ 1709(3), 1709(13), 3202(2)


Adoption date: 5/1/18
SUBJECT: EDUCATION OF STUDENTS IN FOSTER CARE

The District recognizes the importance of educational stability for students in foster care and will collaborate, as appropriate, with the State Education Department (SED) and the local Department of Social Services (LDSS) to ensure that students in foster care have the same opportunity to achieve at the high-levels as their peers. For purposes of this policy, LDSS also refers to the local Social Services District or the local child welfare agency.

Definitions

a) **Child or youth in foster care** ("student in foster care") means a child who is in the care and custody or custody and guardianship of a local Commissioner of Social Services or the Commissioner of the Office of Children and Family Services.

b) **Feeder school** means:

1. A preschool whose students are entitled to attend a specified elementary school or group of elementary schools upon completion of that preschool;

2. A school whose students are entitled to attend a specified elementary, middle, intermediate, or high school or group of specified elementary, middle, intermediate, or high schools upon completion of the terminal grade of such school; or

3. A school that sends its students to a receiving school in a neighboring school district pursuant to applicable laws and regulations.

c) **Foster care** means 24-hour substitute care for children placed away from their parents or guardians and for whom the state or tribal child welfare agency has placement and care responsibility. This includes, but is not limited to, placements in foster family homes, foster homes of relatives, group homes, emergency shelters, residential facilities, child care institutions, and pre-adoptive homes. A child is in foster care regardless of whether the foster care facility is licensed and payments are made by the state, tribal or local agency for the care of the child, whether adoption subsidy payments are being made prior to the finalization of an adoption, or whether there is federal matching of any payments that are made.

d) **Preschool** means a publicly funded prekindergarten program administered by SED or a local educational agency or a Head Start program administered by a local educational agency and/or services under the Individuals with Disabilities Education Act (IDEA) administered by a local educational agency.

e) **Receiving school** means:

1. A school that enrolls students from a specified or group of preschools, elementary schools, middle schools, intermediate schools, or high schools; or
SUBJECT: EDUCATION OF STUDENTS IN FOSTER CARE

2. A school that enrolls students from a feeder school in a neighboring local educational agency pursuant to applicable laws and regulations.

f) School district of origin means the school district within New York State in which the child or youth in foster care was attending a public school or preschool on a tuition-free basis or was entitled to attend at the time of placement into foster care when the Social Services District or the Office of Children and Family Services assumed care and custody or custody and guardianship of such child or youth, which is different from the school district of residence.

g) School district of residence means the public school district within New York State in which the foster care placement is located, which is different from the school district of origin.

h) School of origin means a public school that a child or youth attended at the time of placement into foster care, or the school in which the child or youth was last enrolled, including a preschool or a charter school. For a child or youth in foster care who completes the final grade level served by the school of origin, the term school of origin will include the designated receiving school at the next grade level for all feeder schools. Where the child is eligible to attend school in the school district of origin because the child was placed in foster care after such child is eligible to apply, register, or enroll in the public preschool or kindergarten or the child is living with a school-age sibling who attends school in the school district of origin, the school of origin will include any public school or preschool in which such child would have been entitled or eligible to attend based on such child's last residence before the circumstances arose which caused such child to be placed in foster care.

District Foster Care Liaison

The District will designate an appropriate staff person to act as the District's point of contact for students in foster care (i.e., the "Foster Care Liaison"). The Foster Care Liaison will not be the same staff person as the McKinney-Vento Liaison unless the McKinney-Vento Liaison has sufficient ability to carry out the responsibilities of both roles.

The Foster Care Liaison will work collaboratively with representatives from the LDSS.

The District will ensure that the name and contact information for the Foster Care Liaison are:

a) Submitted to SED;

b) Provided, in writing, to the point of contact for any LDSS known by the District to have students in its custody; and

c) Posted on the District website.
SUBJECT: EDUCATION OF STUDENTS IN FOSTER CARE

Designation of School District and School

The LDSS, in consultation with the appropriate local educational agency or agencies, will determine whether placement in the school district of origin or the school district of residence is in the best interest of a student in foster care. Provided that the District is an appropriate local educational agency, the District will work with the LDSS to make the best interest determination as quickly as possible in order to prevent educational discontinuity for the student. If the student has an Individualized Education Program (IEP), a Section 504 plan, or is an English language learner, relevant school staff may be consulted during the best interest determination process.

To the extent feasible and appropriate, the student should remain in his or her school of origin while the best interest determination is being made.

Subject to a best interest determination, a student in foster care is entitled to attend the school of origin or any school that children and youth who live in the attendance area in which the foster care placement is located are eligible to attend, including a preschool, for the duration of the student's placement in foster care and until the end of the school year in which he or she is no longer in foster care, and for one additional year if that year constitutes the student's terminal year in that building.

Where the school district of origin or school of origin that a student was attending on a tuition-free basis, or was entitled to attend when the student entered foster care is located, in New York State and the student's foster care placement is located in a contiguous state, the student is entitled to attend his or her school of origin or any school that children and youth who live in the attendance area in which the foster care placement is located are eligible to attend, including a preschool, subject to a best interest determination, for the duration of the student's placement in foster care and until the end of the school year in which he or she is no longer in foster care, and for one additional year if that year constitutes the student's terminal year in such building.

Responsibilities When Designated as the School District of Attendance

If the District is designated as the school district of attendance for a student in foster care, the District will immediately:

a) Enroll the student in foster care, even if the student is unable to produce records which are normally required for enrollment, such as previous academic records, records of immunization and/or other required health records, proof of residency or other documentation and/or even if the student has missed application or enrollment deadlines during any period of placement in foster care, if applicable;

b) Treat the student in foster care as a resident for all purposes; and
SUBJECT: EDUCATION OF STUDENTS IN FOSTER CARE

c) Make a written request to the school district where the student's records are located in order to obtain a copy of the student's records and coordinate the transmittal of these records in accordance with applicable laws and regulations.

Request for Records

Within five days of receipt of a request for school records from a new school, the District will forward, in a manner consistent with federal and state law, a complete copy of the records of the student in foster care, including, but not limited to: proof of age; academic records; evaluations; immunization records; and guardianship papers (if applicable).

Tuition Reimbursement

Except as otherwise provided in law or regulation, the cost of instruction of a student in foster care will be borne by the school district of origin. Where a district other than the school district of origin is designated as the school district of attendance, the cost of instruction will be borne by the school district of origin and the tuition paid to the designated school district of attendance will be computed in accordance with applicable laws and regulations.

Transportation Responsibilities

Any student in foster care who requires transportation in order to attend his or her school of origin, is entitled to receive that transportation.

As appropriate, the District will coordinate and collaborate with the LDSS to make an appropriate transportation plan that supports the student's school stability plan and is fair to the District's taxpayers, consistent with the District's obligations under federal and state law.

When the District is the designated school district of attendance, and the student requires transportation to attend his or her school of origin, the District will provide transportation to and from the student's foster care placement location and the school of origin. The costs for transportation may be aidable pursuant to applicable laws and regulations.

When the District is the school district of residence and the designated school district of attendance, and the student does not attend his or her school of origin, the District will provide transportation on the same basis as provided to resident students. The costs for transportation may be aidable pursuant to applicable laws and regulations.

When transporting students in foster care, the District may incur excess transportation costs, as defined by law. The District and the LDSS may enter into a written agreement relating to how excess transportation costs should be funded, consistent with applicable laws and regulations. Absent such an
SUBJECT: EDUCATION OF STUDENTS IN FOSTER CARE

agreement, excess transportation costs incurred by the District will be shared equally between the LDSS responsible for the foster care costs of the student and the designated school district of attendance. The District and the LDSS will consider and utilize all allowable funding sources, including any available federal funds, to cover excess transportation costs.

Where a student in foster care has been placed in foster care in a contiguous state, and the District is the designated district of attendance, the District will collaborate with the LDSS to arrange for transportation.

Where the School of Origin is a Charter School

Where the school of origin is a charter school, the school district designated as the school district of attendance for a student in foster care will be deemed to be the school district of residence for the student for purposes of fiscal and programmatic responsibility and will be responsible for transportation of the student in foster care. If the designated school district of attendance is not the school district of origin, the designated school district of attendance may seek reimbursement from the school district of origin in accordance with applicable laws and regulations.

Dispute Resolution Process

To the extent feasible and appropriate, the District will ensure that a student in foster care remains in his or her school of origin while any dispute is being resolved in order to minimize disruptions and reduce the number of moves between schools.

Coordination with Other Agencies

The District will coordinate the provision of services described in this policy, as appropriate, with agencies or programs providing services to students in foster care.

The District will coordinate with other school districts on inter-district issues, such as transportation or transfer of school records.

The District will coordinate implementation of the above provision of services with the requirements of IDEA for students with disabilities.

Comparable Services

Each student in foster care will be provided services comparable to other students in the school of attendance, including: transportation services; educational services for which the student meets eligibility criteria; educational programs for students with disabilities; educational programs for English learners; programs in career and technical education; programs for gifted and talented students; and school nutrition programs.
SUBJECT: EDUCATION OF STUDENTS IN FOSTER CARE

Student Privacy

As appropriate, the District will collaborate with SED and/or the LDSS to determine what documentation related to a student in foster care should be shared among involved parties. In all cases, the District will comply with all statutory requirements to protect student privacy, including the Family Educational Rights and Privacy Act (FERPA) and any other applicable privacy requirements under federal, state, or local laws.

45 USC § 6312
45 CFR § 1355.20(a)
US DOE, Non-Regulatory Guidance: Ensuring Stability for Children in Foster Care (June 23, 2016)
Education Law §§ 3202 and 3244
Memorandum from NY St. Educ. Department on Educational Stability and Transportation Provisions for Students in Foster Care Memo (December 2, 2016)

#7240 -- Student Records: Access and Challenge

Adoption Date: 6/25/19
SUBJECT: WITHDRAWAL AND TRANSFER OF STUDENTS

Transfer

In general, students transferring into the Shoreham-Wading River Schools in grades 2 through 12 from another school system will be assigned to the grade recommended by the previous school attended.

Students transferring into kindergarten and grade one will, in general, meet the requirements established by the Shoreham-Wading River Board and New York Education Law.

Entering students in any elementary grade whose assignment from the previous school does not coincide with Shoreham-Wading River admission requirements because of mid-semester promotions will, in general, be placed at the discretion of the Principal.

Students who give evidence of possible misplacement shortly after admission should be referred to the building Child Study Team for recommendations. Final placement will be made by the Principal.

Withdrawal

Students in kindergarten through grade 11 who are moving out of the Shoreham-Wading-River School District are expected to withdraw as of the date of the move. Exceptions may be made only with the approval of the Superintendent.

Students who move from one elementary school attendance to another within the Shoreham-Wading River School District may complete the semester in the first school with the approval of that school's Principal and the Superintendent.

Involuntary Transfer of Students

Involuntary transfer of a student from regular classroom instruction to an appropriate educational setting in another school will be in accordance with Education Law.

Education Law Sections 1709(3) and 3214(5)

Adopted: 4/28/09
SUBJECT: REMOTE LEARNING*

Use of Remote Learning in the District

The District may offer remote or distance learning to students at certain times including, but not limited to, independent study, enrichment courses, and in the event of an extraordinary circumstance such as widespread illness, natural disaster, or other emergency situation.

When making decisions about remote learning, the District will consult with parents, teachers, administrators, and other stakeholders as appropriate. The District will also ensure that it is complying with applicable teaching and learning requirements.

Extraordinary Circumstances

In the event of an extraordinary circumstance that requires long-term and widespread use of remote learning, a plan will be developed that outlines how the District will accomplish remote learning. This plan will outline the number of students involved, modes of remote learning, asynchronous and synchronous learning opportunities, internet and device access among students, and alternatives available for students who have neither a device nor consistent access. It will also address the needs of different populations of students including, but not limited to, vulnerable students, younger students, students with disabilities, and English language learners.

If warranted, the District may use a hybrid model of in-person instruction and remote learning.

Formats and Methods of Remote Learning

Remote learning may be delivered by teachers through a variety of formats and methods. Instruction may be provided through video, audio, and/or written materials. Communication between teachers and students may occur through video conferencing, prerecorded videos, online discussion boards, and/or other instruction that relies on technology. Remote learning can occur synchronously, which involves real-time interaction and collaboration between teachers and students, or asynchronously, which involves delayed interactions between teachers and students and self-directed learning.

Determinations about how to best deliver remote learning will take into account a variety of factors including, but not limited to, the number of students involved, the subject matter, the students' grade levels, and technological resources of both the District and students. Consideration will also be given to whether accommodations need to be made for students with disabilities or English language learners.

Remote Learning Support

As necessary, the District will provide instruction on using remote learning technology and IT support for students, teachers, and families. The District will also work to ensure that teachers and administrators are provided with professional development opportunities related to designing an effective remote learning experience.
SUBJECT: REMOTE LEARNING (Cont'd.)

Compliance with District Policies, Procedures, and the Code of Conduct

Teachers, staff, and students are required to comply with any and all applicable District policies, procedures, and other related documents as they normally would for in-person instruction. Examples include, but are not limited to, the District's policies and procedures on non-discrimination and anti-harassment, acceptable use, and copyright. Students will also be required to abide by the rules contained within the Code of Conduct at all times while engaged in remote learning. Violations of the Code of Conduct and/or engaging in prohibited conduct may result in disciplinary action as warranted.

Privacy and Security of Student and Teacher Data

In compliance with law, regulation, and District policy, the District will take measures to protect the personal information of students and teachers from unauthorized access when using remote learning technologies. Examples of these measures include, but are not limited to, minimizing the amount of data shared to only that which is necessary, deidentifying data, and the use of encryption or an equivalent technical control that renders personally identifiable information unusable, unreadable, or indecipherable to unauthorized persons when transmitted electronically.

Adoption Date: 11/17/20
SUBJECT: EDUCATIONAL SERVICES FOR MARRIED/PREGNANT STUDENTS

Married Students

The Board will comply with state law in reference to married students attending school.

Pregnant Students

New York State Education Law provides that resident students over five (5) and under twenty-one (21) who have not received a high school diploma are entitled to attend school in the district in which they reside. The law further requires that a school district provide for this instruction and also to provide for home instruction for those students of legal age who are unable to profit from instruction in school.

In view of the above, administrative regulations will be developed to implement the terms of this policy to provide instruction as required by the New York State Education Law for students who become pregnant. The Superintendent, or his/her designee, is directed to consult with the school physician and the student's personal physician in determining the form of instruction.

The form of instruction may be any of the following or a combination of the following:

   a) Remain in school with provisions for special instruction, scheduling, and counseling where needed.

   b) Receive home instruction.

   c) Attend BOCES programs.

Education Law Sections 1604(20), 3202-1, 3205-1, 4401-1 and 4402-2

Adopted: 4/28/09
SUBJECT: SCHOOL CENSUS

Although not required by law, the Shoreham-Wading River Central School District will take a census of all children from birth to eighteen (18) years of age. Census data will be reported as required by law.

The census must indicate the names of all children between birth and eighteen (18) years of age, and of children with disabilities between birth and twenty-one (21) years of age; their respective residences by street and number; the day of the month and the year of their birth; the names of the parents/persons in parental relation to them; such information relating to physical or mental disabilities, to illiteracy, to employment and to the enforcement of the law relating to child labor and compulsory education as the State Education Department and the Board will require; and also such further information as the Board will require.

On written request and in such form as prescribed by the Commissioner of Education, the Board will provide to the Commissioner a report containing the names, ages and addresses of those children who are blind or deaf, and those children having serious physical or mental disabilities. Additionally, such report will further indicate whether such children are being educated within the public schools of the District or, if they are not, where such education is being furnished to them.

Parents/persons in parental relation to those children within the prescribed census age ranges are to make such reports as the Board will require, including, but not limited to, providing two (2) weeks before the child reaches compulsory school age, the name of the child; the child's residence; the name of the person or persons in parental relation to the child; the name and location of the school to which the child will have been or will be sent as a student; and such other information as required by law or as the Board may require.

A parent, guardian or other person having under his/her control or charge a child between birth and eighteen (18) years of age who withholds or refuses to give information in his/her possession relating to such census data as required by law pertaining to the child; or, in the alternative, gives false information in relation to such census data, will be liable to and punished by a fine or imprisonment as established by law.

Count of Immigrant Children and Youth

As a provision of the federal Title III Part A – English Language Acquisition, Language Enhancement, and Academic Achievement Act under the No Child Left Behind Act of 2001, the U.S. Secretary of Education requires that all local educational agencies (LEAs) count the number of "immigrant children and youth" enrolled in the public and nonpublic schools in the geographic area under the jurisdiction of, or served by, the LEA. The results of this count have important implications for the receipt of supplemental federal funds to eligible LEAs in New York State for services to recently arrived immigrant children and youth.
SUBJECT: SCHOOL CENSUS

For purposes of this count, the term "immigrant children and youth" will include those individuals who:

a) Are ages three (3) through twenty-one (21);

b) Were NOT born in any state or from the Commonwealth of Puerto Rico, the District of Columbia, Guam, American Samoa, the U.S. Virgin Islands, the Northern Mariana Islands, or the Trust Territory of the Pacific Islands; and

c) Have NOT been attending schools in any one (1) or more States for more than three (3) full academic years.

Each nonpublic school will report its data to the public school district in which it is located. It is the responsibility of each public school district to report its immigrant count as well as the counts for all nonpublic schools within its jurisdiction.

In accordance with law, the District will conduct its survey and submit the information electronically to the New York State Education Department by the specified deadline date. LEAs must also maintain on file a list of the immigrant students counted, their countries of origin, dates of arrival, and the public or nonpublic school in which they are registered as well as copies of the letter to each of the nonpublic schools in its jurisdiction regarding the count.

20 United States Code (USC) Section 6811
8 New York Code of Rules and Regulations (NYCRR) Section 200.2(a)
Education Law Sections 3240-3243 and 4402(1)(a)

NOTE: Refer also to Policy #7650 -- Identification and Register of Children With Disabilities

Adopted: 4/28/09
SUBJECT: STUDENT EVALUATION, PROMOTION AND PLACEMENT

Grade Promotion and Placement

Grade promotion and the placement of students within the District's instructional system will be at the discretion of the school administration and will be subject to review at any time. In making these decisions, the administrator or building principal will be guided by: performance in class; past records, including various measures of student growth; recommendations from parents, persons in parental relation to District students, and teacher, and any other appropriate sources of information. With regard to student placement decisions, parents or persons in parental relation to District students may submit written requests for teacher attributes that would best serve their child's learning needs; however, requests for specific teachers will not be honored.

Testing Program

The District utilizes various ability, achievement, diagnostic, readiness, interest and guidance tests for the purpose of complying with state and federal law and/or aiding the implementation of quality educational services. The District will not make any student promotion or placement decisions based solely or primarily on student performance on the state administered English language arts and mathematics assessments for grades 3 through 8. The District may, however, consider student performance on such state assessments in making student promotion and placement decisions provided that multiple measures be used in addition to such assessments and that such assessments do not constitute the major factor in such determinations.

Alternative Testing Procedures

The use of alternative testing procedures will be limited to:

a) Students identified by the Committee on Special Education and/or Section 504 Team as having a disability. Alternative testing procedures will be specified in a student's Individualized Education Program or Section 504 Accommodation Plan; and

b) Students whose native language is other than English (i.e., English language learners) in accordance with State Education Department Guidelines.

The alternative testing procedures employed will be based upon a student's individual needs and the type of test administered.

The District will report the use of alternative testing procedures to the State Education Department on a form and at a time prescribed by the Commissioner.

Reporting to Parents and Persons in Parental Relation to Students

Parents, or persons in parental relation to District students will receive an appropriate report of student progress at regular intervals.

The District will not place or include on a student's official transcript or maintain in a student's permanent record any individual student score on a state administered standardized English language
SUBJECT: STUDENT EVALUATION, PROMOTION AND PLACEMENT

arts or mathematics assessment for grades 3 through 8. However, the District will comply with state and federal requirements regarding the maintenance and transfer of student test scores. Any test results on a state administered standardized English language arts or mathematics assessment for grades 3 through 8 sent to parents or persons in parental relation to a student will include a clear and conspicuous notice that such results will not be included on the student's official transcript or in the student's permanent record and are being provided to the student and parents for diagnostic purposes.

When necessary, attempts will be made to provide interpreters for non-English speaking parents, or persons in parental relation to District students.

Section 504 of the Rehabilitation Act of 1973, 29 USC Section 794 et seq.
Education Law Sections 305(45) - (47), 1709(3)
8 NYCRR Sections 100.2(g), 100.2(ll), 100.3(b)(2)(iv), 100.4(b)(2)(v), 100.4(e)(6)
8 NYCRR Parts 117 and 154

Adoption Date: 4/28/09
Revised and Re-Adopted: 3/21/17
SUBJECT: PROVISION OF INTERPRETER SERVICES TO PARENTS WHO ARE HEARING IMPAIRED

This policy has been replaced by Policy #1925: Interpreters for Hearing-Impaired Parents, which can be found in Board Docs ➔ Policies
SUBJECT: GRADUATION OPTION/EARLY GRADUATION/ACCELERATED PROGRAMS

To graduate from the District, a student must meet or exceed the requirements set forth in Part 100 of the Commissioner's Regulations. The Board may establish graduation requirements that exceed the minimum standards as defined by the New York State Regents. The District will award the appropriate diploma, credential, or both to students.

Pathways to Graduation

Students must pass the required number of Regents examinations or approved alternative exams and meet any further graduation requirements; these requirements may include passing an approved pathways assessment, other assessment, or an additional exam that measure an equivalent level of knowledge and skill. Students who fail certain Regents examinations may appeal the result in accordance with Commissioner's regulations.

Early Graduation

A student may be eligible for early graduation (fewer than eight semesters) if the student completes all requirements for graduation, excluding physical education. The District will consult with appropriate personnel, the student, and persons in parental relation, and consider factors such as the student's grades, performance in school, future plans, and benefits to graduation early in making its decision.

Accelerated Programs

Eighth Grade Acceleration for Diploma Credits

Eighth grade students may take appropriate high school courses. The Superintendent or designee will determine whether an eighth grade student is eligible to take high school courses using criteria that examines each student's readiness. By the end of seventh grade, accelerated students must receive instruction designed to facilitate their attainment of the state intermediate learning standards in each subject area in which they are accelerated.

Advanced Placement

Advanced Placement examinations afford students the opportunity to earn credit or advanced standing in many colleges and universities. The College Board administers a variety of AP examinations in May of each year. The District will determine a student's readiness for enrollment in any AP class. Any student not taking an exam for an AP class will not receive AP designation on their High School transcript.
SUBJECT: GRADUATION OPTION/EARLY GRADUATION/ACCELERATED PROGRAMS

Dual Credit for College Courses

Students who have demonstrated intellectual and social maturity may choose to matriculate at any one of the colleges that have a cooperative agreement with the District. Students who wish to enroll in college-level coursework must meet all academic, grade level, and coursework requirements. These opportunities may include early admission to college, collegiate-level work offered in the high school, or other means of providing advanced work. The administration will review and approve any college courses before they are taken during the school day. The Board will not pay tuition and other related costs for those high school students enrolled in college courses.

NOTE: Refer also to Policy #7222 -- Diploma and/or Credential Options for Students with Disabilities

8 NYCRR Sections 100.1(i), 100.2(f), 100.4(d), 100.5, 100.6 and 200.5

Adoption Date: 4/28/19
Revised 12/3/13 and Re-Adopted: 12/3/13
Revised and Re-Adopted: 11/1/16
SUBJECT: PARTICIPATION IN GRADUATION CEREMONIES AND ACTIVITIES

Any student who has satisfactorily completed all graduation requirements will be permitted to participate in the graduation ceremony and all related graduation activities of his or her graduating class subject to certain exceptions. Students may be prohibited from participating in the graduation ceremony or related graduation activities as a consequence of violating the District's Code of Conduct.

The District permits any student to participate in the graduation ceremony and all related graduation activities of his or her high school graduating class, if the student has been awarded a Skills and Achievement Commencement Credential or a Career Development and Occupational Studies (CDOS) Commencement Credential, but has not otherwise qualified to receive a Regents or local diploma. While permitted to participate, these students are not required to participate in the graduation ceremony or related graduation activities of his or her high school graduating class. For purposes of this policy, a student's high school graduating class is the twelfth grade class with which he or she entered into ninth grade.

The District will provide annual written notice of this policy and any related procedures to all students and their parents or guardians.

Education Law § 3204(4-b)
8 NYCRR § 100.2(oo)

Adoption Date: 10/29/19
SUBJECT: DIPLOMA OR CREDENTIAL OPTIONS FOR STUDENTS WITH DISABILITIES

The District will provide students with disabilities appropriate opportunities to earn a diploma or non-diploma high school exiting credential in accordance with Commissioner's regulations. Students with disabilities may be eligible for one or more of the following diplomas or credentials:

a) Regents Diploma, including with honors, an advanced designation, a career and technical education endorsement, and/or any other designation or endorsement as may be available from time to time.

b) Local Diploma, including with any endorsement as may be available

c) Career Development and Occupational Studies (CDOS) Commencement Credential, which may be earned as a supplement to a Regents or local diploma or as a student’s only exiting credential.

d) Skills and Achievement Commencement Credential.

Specific requirements and detailed information for each diploma and non-diploma high school exiting credential are specified in the Commissioner's regulations and various guidance materials issued by the New York State Department of Education.

8 NYCRR §§ 100.1, 100.2, 100.5, and 100.6

NOTE: Refer also to Policies #7220 -- Graduation Options/Early Graduation/Accelerated Programs #7641 -- Transition Services

Adopted: 4/28/09
Revised and Re-Adopted: 4/3/12
Revised and Re-Adopted: 1/27/15
Revised and Re-Adopted: 12/20/16
Revised and Re-Adopted: 3/21/17
Revised and Re-Adopted: 6/12/18
Revised and Re-Adopted: 3/12/19
SUBJECT: DUAL CREDIT FOR COLLEGE COURSES

Students who wish to enroll in college level coursework will meet all academic, grade level and coursework requirements as set forth by administrative guidelines. Students who have demonstrated intellectual and social maturity may choose to matriculate at any one (1) of the colleges that have a cooperative agreement with our School District. Such opportunities may include early admission to college, collegiate-level work offered in the high school, or other means of providing advanced work. Review and approval by the administration are necessary before any college courses may be taken during the school day.

The Board will not be required to pay tuition and other related costs for those high school students enrolled in college courses.

Adopted: 4/28/09
SUBJECT: STUDENT RECORDS: ACCESS AND CHALLENGE

This policy has been replaced by Policy #1120: School District Records, which can be found in Board Docs → Policies
SUBJECT: STUDENT DIRECTORY INFORMATION

Directory information is information contained in an education record of a student that would not generally be considered harmful or an invasion of privacy if disclosed.

The District will publish an annual public notice informing parents or eligible students (i.e., a student eighteen (18) years of age or older or who is attending an institution of post-secondary education) of the District's definition of directory information, the parent/eligible student's right to refuse the release of student directory information and indication of the time period for their response. Following such public notice and a reasonable response period, the District may release such information to an outside group without individual consent.

The Family Educational Rights and Privacy Act (FERPA) defines student directory information as any of the items as indicated in the following list. The Shoreham-Wading River Central School District will release the following defined directory information:

Student’s Name, Grade Level, Participation in officially recognized activities and sports, degrees, honors, and awards received.

Directory information does not include:

a) A student's social security number; or
b) A student's identification (ID) number, except as provided below.

Directory information includes a student ID number, user ID, or other unique personal identifier used by the student for purposes of accessing or communicating in electronic systems, or that is displayed on a student ID card or badge, but only if the identifier cannot be used to gain access to education records except when used in conjunction with one or more factors that authenticate the user's identity, such as a personal identification number (PIN), password, or other factor known or possessed only by the authorized user. Parents and eligible students may not, by opting out of disclosure of directory information, prevent a school from requiring a student to wear or present a student identification card or a badge that displays information that may be directory information.

Limited Directory Information Disclosure

Limited Directory Information Disclosure means that that the District may limit disclosure of its designated directory information to specific parties, for specific purposes, or both. Allowing limited directory information disclosure may permit the District to use student directory information for such limited purposes as school yearbooks, honor roll lists, graduation programs, playbills and other similar uses, without obtaining individual consent. Limiting the disclosure of such information may be beneficial when the District perceives such disclosure as putting students at risk of becoming targets of marketing campaigns, news media or possible victims of criminal acts. The District will limit its disclosure of its designated directory information as specified in its public notice to parents and eligible students.
SUBJECT: STUDENT DIRECTORY INFORMATION

Military Recruiter Access

The release of student directory information is not to be confused with the release of names, addresses and telephone listings of eligible students (i.e., a student seventeen (17) years of age or older or in the eleventh grade (or its equivalent) or higher) to Military Recruiters. In compliance with the Elementary and Secondary Education Act (ESEA) of 1965, as amended by the No Child Left Behind Act of 2001 (NCLB), and the National Defense Authorization Act, the School District will notify parents that by law it routinely releases this information to Military Recruiters upon request subject to a parents'/eligible students' written request not to disclose such information.

Family Educational Rights and Privacy Act of 1974, 20 United States Code (USC) Section 1232(g)

NOTE: Refer also to Policies #7240 -- Student Records: Access and Challenge
#7243 -- Military Recruiters' Access to Secondary School Students and Information on Students

Adoption Date: 3/9/10
Revised and Re-Adopted: 4/3/12
Revised and Re-Adopted: 1/27/15
SUBJECT: MILITARY RECRUITERS’ ACCESS TO SECONDARY SCHOOL STUDENTS AND INFORMATION ON STUDENTS

In compliance with the Elementary and Secondary Education Act (ESEA) of 1965, as amended by the No Child Left Behind Act of 2001 (NCLB); and the National Defense Authorization Act, and in accordance with the Family Educational Rights and Privacy Act (FERPA), the School District will comply with a request by a Military Recruiter for names, addresses, and telephone listings of eligible students. Eligible student under ESEA and the National Defense Authorization Act is defined as a secondary student who is seventeen (17) years of age or older or in the eleventh grade (or its equivalent) or higher. Under ESEA and the National Defense Authorization Act, parents must be notified that the School District by law routinely discloses students’ names, addresses, and telephone listings to Military Recruiters upon request, subject to a parent's/eligible student's request not to disclose such information with written parental verification of such request.

Under FERPA, the School District must provide notice to parents/eligible students of the types of student information that it releases publicly. This type of information, commonly referred to as "directory information," which is released by the District includes - but is not limited to - such items as students’ names, addresses, and telephone listings. The notice must include an explanation of a parent's/eligible student's right to request that "directory information" not be disclosed without prior written consent of the parent/eligible student. Eligible student under FERPA is defined as a student eighteen (18) years of age or older or who is attending an institution of post-secondary education.

A single notice provided through a mailing, student handbook, or other method that is reasonably calculated to inform parents/eligible students of the above information is sufficient to satisfy the notification requirements of both FERPA, ESEA and the National Defense Authorization Act. The notification will advise the parent/eligible student of how to opt out of the public, nonconsensual disclosure of directory information and the disclosure of name, address and telephone listing to Military Recruiters; and will state the method and timeline within which to do so.

Further, in compliance with the ESEA and the National Defense Authorization Act, the District will give Military Recruiters the same access to secondary school students as they provide to postsecondary institutions or to prospective employers.

If a parent/eligible student opts out of providing directory information (or any subset of such information) to third parties, the opt-out relating to the student's name, address, or telephone listing applies to requests from Military Recruiters as well. For example, if the opt-out states that telephone numbers will not be disclosed to the public, the District may not disclose telephone numbers to Military Recruiters.

The Superintendent/designee will ensure that appropriate notification is provided regarding the opt-out rights prohibiting release of directory information and/or release of name, address and telephone listing to Military Recruiters.
SUBJECT: MILITARY RECRUITERS' ACCESS TO SECONDARY SCHOOL STUDENTS AND INFORMATION ON STUDENTS

Elementary and Secondary Education Act of 1965, Section 9528, 20 United States Code (USC) Section 7908 as amended by the No Child Left Behind Act of 2001
Family Educational Rights and Privacy Act of 1974, 20 United States Code (USC) Section 1232(g)
National Defense Authorization Act Section 544, 10 United States Code (USC) Section 503
34 Code of Federal Regulations (CFR) Section 300.571
Education Law Section 2-a
8 New York Code of Rules and Regulations (NYCRR) Section 3.33

Adopted: 4/28/09
SUBJECT: STUDENT PRIVACY, PARENTAL ACCESS TO INFORMATION, AND ADMINISTRATION OF CERTAIN PHYSICAL EXAMINATIONS TO MINORS

The Protection of Pupil Rights Amendment (PPRA) governs the administration to students of a survey, analysis, or evaluation that concerns one (1) or more of the following eight (8) protected areas:

a) Political affiliations or beliefs of the student or the student's parent/guardian;
b) Mental or psychological problems of the student or the student's family;
c) Sex behavior or attitudes;
d) Illegal, anti-social, self-incriminating, or demeaning behavior;
e) Critical appraisals of other individuals with whom respondents have close family relationships;
f) Legally recognized privileged or analogous relationships, such as those of lawyers, physicians, and ministers;
g) Religious practices, affiliations, or beliefs of the student or student's parent/guardian; or
h) Income (other than that required by law to determine eligibility for participation in a program or for receiving financial assistance under such program).

PPRA also concerns marketing surveys and other areas of student privacy, parental access to information, and the administration of certain physical examinations to minors.

General Provisions

The requirements of PPRA do not apply to a survey administered to a student in accordance with the Individuals with Disabilities Education Act (IDEA). Further, PPRA does not supersede any of the requirements of FERPA.

The rights provided to parents/guardians under PPRA transfer from the parent/guardian to the student when the student turns eighteen (18) years old or is an emancipated minor under applicable State law.

The School District may use funds provided under Part A of Title V of the Elementary and Secondary Education Act of 1965 to enhance parental/guardian involvement in areas affecting the in-school privacy of students.


The School District will provide for reasonable notice of the adoption or continued use of this policy directly to parents/guardians and eligible students enrolled in the District. At a minimum, the District will provide such notice at least annually, at the beginning of the school year, and within a reasonable
SUBJECT: STUDENT PRIVACY, PARENTAL ACCESS TO INFORMATION, AND ADMINISTRATION OF CERTAIN PHYSICAL EXAMINATIONS TO MINORS

period of time after any substantive change in this policy.

Further, in the notification, the District will offer an opportunity for parents/guardians to provide written consent or opt their child out of participation in the following activities in accordance with law and the surveys conducted:

a) The administration of any survey containing one (1) or more of the eight (8) protected areas.

   1. U.S. Department of Education-Funded Surveys: Prior written consent from parents must be obtained before students are required to submit to the survey.

   2. Surveys funded by sources other than U.S. Department of Education: Notification may indicate the specific or approximate dates during the school year when surveys will be administered and provide an opportunity for the parent to opt his/her child out of participating upon receipt of the notification.

b) Activities involving the collection, disclosure, or use of personal information collected from students for the purpose of marketing or for selling that information (or otherwise providing that information to others for that purpose).

c) Any non-emergency, invasive physical examination or screening that is required as a condition of attendance; administered by the school and scheduled by the school in advance; and not necessary to protect the immediate health and safety of the student, or of other students. The term "invasive physical examination" means any medical examination that involves the exposure of private body parts, or any act during such examination that includes incision, insertion, or injection into the body, but does not include a hearing, vision or scoliosis screening.

Specific Notification

In the event that the District does not identify the specific or approximate dates of the activities or surveys to be administered in the general annual notification, it will "directly" notify, such as through U.S. Mail or e-mail, the parents of students who are scheduled to participate in the specific activities or surveys prior to participation and provide an opportunity for the parent to provide written consent or opt his/her child out of participation in accordance with law and the surveys conducted.

U.S. Department of Education-Funded Surveys

In compliance with the Protection of Pupil Rights Amendment (PPRA), the School District is committed to protecting the rights and privacy interests of parents/guardians and students with regard to surveys funded in whole or part by any program administered by the U.S. Department of Education (DOE).
SUBJECT: STUDENT PRIVACY, PARENTAL ACCESS TO INFORMATION, AND ADMINISTRATION OF CERTAIN PHYSICAL EXAMINATIONS TO MINORS

The District will make instructional materials available for inspection by parents/guardians if those materials will be used in connection with a DOE-funded survey, analysis, or evaluation in which their children participate. In addition, the School District will obtain prior written parental/guardian consent before minor students are required to participate in any DOE-funded survey, analysis, or evaluation that reveals information concerning any of the eight (8) protected areas.

Surveys Funded by Sources Other than U.S. Department of Education

The School District has developed and adopted this Board policy, in consultation with parents/guardians, regarding the following:

a) The right of the parent/person in parental relation to inspect, upon request, a survey created by a third party (i.e., by a party other than the DOE) before the survey is administered or distributed by the school to a student. Requests by parents/guardians to inspect such surveys are to be submitted, in writing, to the Building Principal at least ten (10) days prior to the administration or distribution of any survey. Further, the District will grant a request by the parent/guardian for reasonable access to such survey within a reasonable period of time after the request is received by the District.

b) Arrangements will be provided by the District to protect student privacy in the event of the administration or distribution of a survey to a student containing one (1) or more of the eight (8) protected areas, including the right of the parent/guardian of the student to inspect, upon request, any survey containing one (1) or more of the eight (8) protected areas. Such requests must be submitted by the parent/guardian, in writing, to the Building Principal at least ten (10) days prior to the administration or distribution of any survey.

c) Parents/guardians will be granted, upon request, reasonable access and the right to inspect instructional materials used as part of the educational curriculum for the student within thirty (30) days after such request is received by the District. Requests will be submitted by parents/guardians, in writing, to the Building Principal. The term "instructional material" means instructional content that is provided to a student, regardless of its format, including printed or representational materials, audiovisual materials, and materials in electronic or digital formats (such as materials accessible through the Internet). The term does not include academic tests or academic assessments.

d) The administration of physical examinations or screenings that the School District may administer to a student.

Further, this law does not apply to any physical examination or screening that is permitted or required by State law, including physical examinations or screenings that are permitted without parental notification.

In the implementation of this provision regarding the administration of physical examinations or screenings that the school may administer to the student, the School Board policy requires that...
SUBJECT: STUDENT PRIVACY, PARENTAL ACCESS TO INFORMATION, AND ADMINISTRATION OF CERTAIN PHYSICAL EXAMINATIONS TO MINORS

District incorporates by reference Board policies that address student health services, as applicable, including but not limited to policies regarding the administration of medication, immunization of students, and student physicals.

e) Unless mandated/authorized in accordance with Federal or State law and/or regulation, it is policy of the Board, to not permit the collection, disclosure, or use of personal information (the term "personal information" is defined as individually identifiable information including a student's or parent/guardian's first and last name; home address; telephone number; or Social Security number) collected from students for the purpose of marketing or for selling that information (or otherwise providing that information to others for that purpose), unless otherwise exempted pursuant to law as noted below. Questions regarding the collection, disclosure, or use of personal information collected from students for such marketing purposes may be referred to the school attorney as deemed necessary by the Superintendent/designee.

This law is not intended to preempt applicable provisions of State law that require parental/guardian notification.

These requirements do not apply to the collection, disclosure, or use of personal information collected from students for the exclusive purpose of developing, evaluating, or providing educational products or services for, or to, students or educational institutions, such as the following:

a) College or other postsecondary education recruitment, or military recruitment;

*Military Recruiter access to student information is governed by the Family Educational Rights and Privacy Act of 1974 (FERPA) and the National Defense Authorization Act for Fiscal Year 2002.*

b) Book clubs, magazines, and programs providing access to low-cost literary products;

c) Curriculum and instructional materials used by elementary schools and secondary schools;

d) Tests and assessments used by elementary schools and secondary schools to provide cognitive, evaluative, diagnostic, clinical, aptitude, or achievement information about students (or to generate other statistically useful data for the purpose of securing such tests and assessments) and the subsequent analysis and public release of the aggregate data from such tests and assessments;

e) The sale by students of products or services to raise funds for school-related or education-related activities;

f) Student recognition programs.
SUBJECT: STUDENT PRIVACY, PARENTAL ACCESS TO INFORMATION, AND ADMINISTRATION OF CERTAIN PHYSICAL EXAMINATIONS TO MINORS (Cont'd.)

Family Educational Rights and Privacy Act of 1974, as amended by the No Child Left Behind Act of 2001
20 United States Code (USC) Sections 1232h(b) and 1232h(c)

NOTE: Refer also to Policies #7121 -- Screening of New School Entrants
#7243 -- Military Recruiters' Access to Secondary School Students and Information on Students
#7511 -- Immunization of Students
#7512 -- Student Physicals
#7513 -- Administration of Medication

Adopted: 4/28/09
SUBJECT: RIGHTS OF NON-CUSTODIAL PARENTS

The Board is mindful that various arrangements exist for the care and custody of children residing in the District. The District attempts to maintain current family information to help ensure student safety, proper communication with parents, and appropriate educational programming. Parents who are divorced, legally separated, or otherwise live apart should supply the District with relevant information and documentation, including custody orders, regarding who is responsible for the custody and care of their child, and who is permitted to make educational decisions for that child.

A non-custodial parent's participation in his or her child's education will be governed by the terms of any custody order. As a general matter, however, the District encourages non-custodial parents to participate in their child's education. Unless prohibited from doing so by a court order, non-custodial parents may request information about their child, inspect and review their child's records in accordance with the Family Educational Rights and Privacy Act (FERPA) and District policy, and otherwise remain interested in their child's education.

The District will not release students to a non-custodial parent without the custodial parent's consent. It is the custodial parent's responsibility to inform the District if and when the child may be released to individuals other than the custodial parent in a form acceptable to the District, preferably in writing (if possible).

NOTE: Refer also to Policies #7130 -- Entitlement to Attend -- Age and Residency #7240 -- Student Records: Access and Challenge

Adoption Date: November 1, 2016
SUBJECT: SCHOOL CONDUCT AND DISCIPLINE

The Board acknowledges its responsibility to protect the educational climate of the District and to promote responsible student behavior. Accordingly, the Board delegates to the Superintendent the responsibility for assuring the implementation of a Code of Conduct for the Maintenance of Order on School Property, including school functions, which will govern the conduct of students as well as teachers, other school personnel, and visitors.

School property will mean 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 in or on a school bus as defined in Vehicle and Traffic Law Section 142. A school function will mean a school-sponsored or school-authorized extracurricular event or activity regardless of where such event or activity takes place, including any event or activity that may take place in another state.

The Board will further provide for the enforcement of such Code of Conduct, which will be developed in collaboration with student, teacher, administrator, and parent organizations, school safety personnel and other personnel and will incorporate, at a minimum, those components addressed in law and enumerated in Policy #3410 -- Code of Conduct on School Property. Specific components may vary as appropriate to student age, building levels, and educational needs.

In accordance with the Code of Conduct on School Property, areas addressing student conduct and behavior will further utilize the following strategies in promoting acceptable student behavior:

a) A bill of rights and responsibilities of students that focuses upon positive student behavior, and is publicized and explained to all students on an annual basis;

b) A Code of Conduct for student behavior setting forth prohibited student conduct and the range of penalties that may be imposed for violation of such Code, that is publicized and disseminated to all students and parents/guardians on an annual basis pursuant to law;

c) Strategies and procedures for the maintenance and enforcement of public order on school property that will govern the conduct of all persons on school premises, in accordance with Section 2801 of the Education Law and accepted principles of due process of law;

d) Procedures within each building to involve student service personnel, administrators, teachers, parents/guardians and students in the early identification and resolution of discipline problems. For students identified as having disabilities, procedures are included for determining when a student's conduct will constitute a reason for referral to the Committee on Special Education for review and modification, if appropriate, of the student's individualized education program;

e) Alternative educational programs appropriate to individual student needs;

f) Disciplinary measures for violation of the school policies developed in accordance with subparagraphs b) and c) of this paragraph. Such measures will be appropriate to the seriousness of the offense and, where applicable, to the previous disciplinary record of the
SUBJECT: SCHOOL CONDUCT AND DISCIPLINE

student. Any suspension from attendance upon instruction may be imposed only in accordance with Education Law Section 3214; and

g) Guidelines and programs for in-service education for all District staff to ensure effective implementation of school policy on school conduct and discipline.

Education Law Sections 2801(1) and 3214
8 New York Code of Rules and Regulations (NYCRR)
Section 100.2(l)(2)

NOTE: Refer also to Policy #3410 -- Code of Conduct on School Property
District Code of Conduct on School Property

Adopted: 4/28/09
SUBJECT: LOSS OR DESTRUCTION OF DISTRICT PROPERTY OR RESOURCES

The District is authorized to seek restitution, through civil action when necessary, from the parent or guardian of an unemancipated student over the age of ten (10) and under the age of eighteen (18) where such student:

a) Has willfully, maliciously, or unlawfully damaged, defaced or destroyed real or personal property in the care, custody and/or ownership of the District; or

b) Has knowingly entered or remained in a District building, and wrongfully taken, obtained or withheld personal property owned or maintained by the District.

In instances where the District has sought and obtained a judgment from a court of competent jurisdiction, parent/guardian liability for civil damages will not exceed five thousand dollars ($5,000). Under certain circumstances, prior to the entering of a judgment in the sum total of five hundred dollars ($500) or more, a court may consider the parent's or guardian's financial inability to pay any portion or all of the amount of damages which are in excess of five hundred dollars ($500), and enter a judgment in an amount within the financial capacity of the parent or guardian. However, no such judgment will be entered for an amount which is less than five hundred dollars ($500).

False Reporting of an Incident and/or Placing a False Bomb

A School District is also authorized to seek restitution, as described in law, from a parent or guardian of an unemancipated student over the age of ten (10) and under the age of eighteen (18) where such student:

a) Has falsely reported an incident; or

b) Has placed a false bomb as defined in the New York State Penal Law.

Damages for falsely reporting an incident or placing a false bomb will mean the funds reasonably expended by the School District in responding to such false report of an incident or false bomb, less the amount of any funds which have been or will be recovered from any other source as enumerated in law.

In seeking restitution, the School District will file with the court, the County District Attorney and defense counsel an affidavit stating that the funds reasonably expended for which restitution is being sought have not been and will not be recovered from any other source or in any other civil or criminal proceeding, except as provided for pursuant to General Obligations Law Section 3-112.

General Obligations Law Section 3-112
Penal Law Sections 60.27, 240.50, 240.55, 240.60 and 240.61

Adopted: 4/28/09
SUBJECT: STUDENT DRESS CODE

The responsibility for the dress and appearance of students will rest with individual students and parents. They have the right to determine how the student will dress, provided that such attire does not interfere with the operation of the school or infringe upon the general health, safety and welfare of District students or employees. Student dress and appearance must be in accordance with the District Code of Conduct. The administration is authorized to take action in instances where individual dress does not meet these stated requirements.

While the school administration may require students participating in physical education classes to wear certain types of clothing such as sneakers, socks, shorts, and tee shirts, they may not prescribe a specific brand which students must wear.

This policy does not mean that student, faculty, or parent groups may not recommend appropriate dress for school or special occasions. It means that a student will not be prevented from attending school or a school function, or otherwise be discriminated against, so long as his/her dress and appearance meet the above requirements. A school function will mean a school-sponsored or school-authorized extracurricular event or activity regardless of where such event or activity takes place, including any event or activity that may take place in another state.

Education Law Section 2801(1) -- definition of school function

NOTE: Refer also to District Code of Conduct on School Property

Adopted: 4/28/09
SUBJECT: STUDENT DRESS CODE FOR PHYSICAL EDUCATION

To receive full credit for physical education class on a given day, students must be properly dressed for participation. Safe participation requires students to wear shorts or sweatpants, sweatshirts, t-shirt, socks and sneakers. Some physical education classes go outside during late fall, winter and early spring, therefore proper warm weather attire is required. Proper hygiene requires students to be prepared with a change of clothing, different from those worn to school. Students must change in the locker room.

Jewelry and piercings are not allowed to be worn during physical education or athletic activities. Students will be asked to remove all jewelry and piercings. No participation grade will be given until the jewelry or piercing is removed.

Adopted: November 15, 2011
SUBJECT: SUSPENSION OF STUDENTS

The Superintendent and/or the Principal may suspend the following students from required attendance upon instruction:

   a) A student who is insubordinate or disorderly; or
   b) A student who is violent or disruptive; or
   c) A student whose conduct otherwise endangers the safety, morals, health or welfare of others.

Suspension

Five (5) School Days or Less

The Superintendent and/or the Principal of the school where the student attends will have the power to suspend a student for a period not to exceed five (5) school days. In the absence of the Principal, the designated "Acting Principal" may then suspend a student for a period of five (5) school days or less.

When the Superintendent or the Principal (the "suspending authority") proposes to suspend a student for five (5) school days or less, the suspending authority will provide the student with notice of the charged misconduct. If the student denies the misconduct, the suspending authority will provide an explanation of the basis for the suspension.

When suspension of a student for a period of five (5) school days or less is proposed, administration will also immediately notify the parent/person in parental relation in writing that the student may be suspended from school.

Written notice will be provided by personal delivery, express mail delivery, or equivalent means reasonably calculated to assure receipt of such notice within twenty-four (24) hours of the decision to propose suspension at the last known address or addresses of the parents/persons in parental relation. Where possible, notification will also be provided by telephone if the school has been provided with a telephone number(s) for the purpose of contacting parents/persons in parental relation.

The notice will provide a description of the incident(s) for which suspension is proposed and will inform the student and the parent/person in parental relation of their right to request an immediate informal conference with the Principal in accordance with the provisions of Education Law Section 3214(3)(b). Both the notice and the informal conference will be in the dominant language or mode of communication used by the parents/persons in parental relation. At the informal conference, the student and/or parent/person in parental relation will be authorized to present the student's version of the event and to ask questions of the complaining witnesses.

The notice and opportunity for informal conference will take place prior to suspension of the student unless the student's presence in the school poses a continuing danger to persons or property or an ongoing threat of disruption to the academic process, in which case the notice and opportunity for an informal conference will take place as soon after the suspension as is reasonably practical.
SUBJECT: SUSPENSION OF STUDENTS

Teachers will immediately report or refer a violent student to the Principal or Superintendent for a violation of the District's Code of Conduct and a minimum suspension period.

More Than Five (5) School Days

In situations where the Superintendent determines that a suspension in excess of five (5) school days may be warranted, the student and parent/person in parental relation, upon reasonable notice, will have had an opportunity for a fair hearing. At the hearing, the student will have the right of representation by counsel, with the right to question witnesses against him/her, and the right to present witnesses and other evidence on his/her behalf.

Where the basis for the suspension is, in whole or in part, the possession on school grounds or school property by the student of any firearm, rifle, shotgun, dagger, dangerous knife, dirk, razor, stiletto or any of the weapons, instruments or appliances specified in Penal Law Section 265.01, the hearing officer or Superintendent will not be barred from considering the admissibility of such weapon, instrument or appliance as evidence, notwithstanding a determination by a court in a criminal or juvenile delinquency proceeding that the recovery of such weapon, instrument or appliance was the result of an unlawful search or seizure.

Minimum Periods of Suspension

Pursuant to law, Commissioner's Regulations and the District's Code of Conduct, minimum periods of suspension will be provided for the following prohibited conduct, subject to the requirements of federal and state law and regulations:

a) Consistent with the federal Gun-Free Schools Act, any student who is determined to have brought a firearm to school or possessed a firearm on school premises will be suspended for a period of not less than one (1) calendar year. However, the Superintendent has the authority to modify this suspension requirement on a case-by-case basis.

b) A minimum suspension period for students who repeatedly are substantially disruptive of the educational process or substantially interfere with the teacher's authority over the classroom, provided that the suspending authority may reduce such period on a case-by-case basis to be consistent with any other state and federal law. The definition of "repeatedly is substantially disruptive of the educational process or substantially interferes with the teacher's authority" will be determined in accordance with the Regulations of the Commissioner.

c) A minimum suspension period for acts that would qualify the student to be defined as a violent student pursuant to Education Law Section 3214(2-a)(a), provided that the suspending authority may reduce such period on a case-by-case basis to be consistent with any other state and federal law.
SUBJECT:  SUSPENSION OF STUDENTS

Suspension of Students with Disabilities

Generally, should a student with a disability infringe upon the established rules of the schools, disciplinary action will be in accordance with procedures set forth in the District's Code of Conduct and in conjunction with applicable law and the determination of the Committee on Special Education (CSE).

For suspensions or removals up to ten (10) school days in a school year that do not constitute a disciplinary change in placement, students with disabilities must be provided with alternative instruction or services on the same basis as non-disabled students of the same age.

If suspension or removal from the current educational placement constitutes a disciplinary change in placement because it is for more than ten (10) consecutive school days or constitutes a pattern, a manifestation determination must be made. The District determines on a case-by-case basis whether a pattern of removals constitutes a change of placement. This determination is subject to review through due process and judicial proceedings.

Manifestation Determinations

A review of the relationship between the student's disability and the behavior subject to disciplinary action to determine if the conduct is a manifestation of the disability must be made by a manifestation team immediately, if possible, but in no case later than ten (10) school days after a decision is made:

   a) By the Superintendent to change the placement to an interim alternative educational setting (IAES);

   b) By an Impartial Hearing Officer (IHO) to place the student in an IAES; or

   c) By the Board, District Superintendent, Superintendent or Building Principal to impose a suspension that constitutes a disciplinary change of placement.

The manifestation team will include a representative of the District knowledgeable about the student and the interpretation of information about child behavior, the parent and relevant members of the CSE as determined by the parent and the District. The parent must receive written notice prior to the meeting to ensure that the parent has an opportunity to attend. This notice must include the purpose of the meeting, the names of those expected to attend and notice of the parent's right to have relevant members of the CSE participate at the parent's request.

The manifestation team will review all relevant information in the student's file including the student's individualized education program (IEP), any teacher observations, and any relevant information provided by the parents to determine if: the conduct in question was caused by or had a direct and substantial relationship to the student's disability; or the conduct in question was the direct result of the District's failure to implement the IEP. If the team determines the conduct in question was the direct result of failure to implement the IEP, the District must take immediate steps to remedy those deficiencies.
SUBJECT: SUSPENSION OF STUDENTS

Finding of Manifestation

If it is determined, as a result of this review, that the student's behavior is a manifestation of his/her disability the CSE will conduct a functional behavioral assessment, if one has not yet been conducted, and implement or modify a behavioral intervention plan.

Functional behavioral assessment (FBA) means the process of determining why the student engages in behaviors that impede learning and how the student's behavior relates to the environment. FBA must be developed consistent with the requirements of Commissioner's Regulations Section 200.22(a) and will include, but not be limited to, the identification of the problem behavior, the definition of the behavior in concrete terms, the identification of the contextual factors that contribute to the behavior (including cognitive and affective factors) and the formulation of a hypothesis regarding the general conditions under which a behavior usually occurs and probable consequences that serve to maintain it.

Behavioral intervention plan (BIP) means a plan that is based on the results of a functional behavioral assessment and, at a minimum, includes a description of the problem behavior, global and specific hypotheses as to why the problem behavior occurs and intervention strategies that include positive behavioral supports and services to address the behavior.

Unless the change in placement was due to behavior involving serious bodily injury, weapons, illegal drugs or controlled substances, the student must be returned to the placement from which the student was removed unless the parent and the District agree to a change of placement as part of the modification of the behavioral intervention plan.

No Finding of Manifestation

If it is determined that the student's behavior is not a manifestation of his/her disability, the relevant disciplinary procedures applicable to students without disabilities may be applied to the student in the same manner and for the same duration for which they would be applied to students without disabilities, subject to the right of the parent/person in parental relation to request a hearing objecting to the manifestation determination and the District's obligation to provide a free, appropriate public education to such student.

Provision of Services Regardless of the Manifestation Determination

Regardless of the manifestation determination, students with a disability will be provided the services necessary for them to continue to participate in the general education curriculum and progress toward meeting the goals set out in their IEP as delineated below:

1) During suspensions or removals for periods of up to ten (10) school days in a school year that do not constitute a disciplinary change in placement, students with disabilities of compulsory attendance age will be provided with alternative instruction on the same basis as nondisabled students. Students with disabilities who are not of compulsory attendance age will be entitled to receive services during such suspensions only to the extent that services are provided to nondisabled students of the same age who have been similarly suspended.
SUBJECT: SUSPENSION OF STUDENTS

2) During subsequent suspensions or removals for periods of ten (10) consecutive school days or less that in the aggregate total more than ten (10) school days in a school year but do not constitute a disciplinary change in placement, students with disabilities will be provided with services necessary to enable the student to continue to participate in the general education curriculum and to progress toward meeting the goals set out in the student's IEP and to receive, as appropriate, a functional behavioral assessment, behavioral intervention services and modifications that are designed to address the behavior violation so it does not recur. School personnel, in consultation with at least one (1) of the student's teachers, will determine the extent to which services are needed, so as to enable the student to continue to participate in the general education curriculum, although in another setting, and to progress in meeting the goals set out in the student's IEP.

3) During suspensions or other disciplinary removals, for periods in excess of ten (10) school days in a school year which constitute a disciplinary change in placement, students with disabilities will be provided with services necessary to enable the student to continue to participate in the general education curriculum, to progress toward meeting the goals set out in the student's IEP, and to receive, as appropriate, a functional behavioral assessment, behavioral intervention services and modifications that are designed to address the behavior violation so it does not recur. The IAES and services will be determined by the CSE.

Interim Alternative Educational Setting (IAES)

Students with disabilities who have been suspended or removed from their current placement for more than ten (10) school days may be placed in an IAES which is a temporary educational setting other than the student's current placement at the time the behavior precipitating the IAES placement occurred.

Additionally, an Impartial Hearing Officer in an expedited due process hearing may order a change in placement of a student with a disability to an appropriate IAES for up to forty-five (45) school days if the Hearing Officer determines that maintaining the current placement is substantially likely to result in injury to the students or others.

There are three (3) specific instances when a student with a disability may be placed in an IAES for up to forty-five (45) school days without regard to a manifestation determination:

a) Where the student carries or possesses a weapon to or at school, on school premises, or to or at a school function under the jurisdiction of the District; or

b) Where a student knowingly possesses or uses illegal drugs or sells or solicits the sale of a controlled substance while at school, on school premises, or at a school function under the jurisdiction of the District; or
SUBJECT: SUSPENSION OF STUDENTS

c) Where a student has inflicted serious bodily injury upon another person while at school, on school premises, or at a school function under the jurisdiction of the District. Serious bodily harm has been defined in law to refer to one of the following:

1. Substantial risk of death;
2. Extreme physical pain; or
3. Protracted and obvious disfigurement or protracted loss or impairment of the function of a bodily member, organ or mental faculty.

A school function will mean a school-sponsored or school-authorized extracurricular event or activity regardless of where such event or activity takes place, including any event or activity that may take place in another state.

School personnel may consider any unique circumstances on a case-by-case basis when determining whether to order a change in placement for a student with a disability who violates a code of student conduct.

In all cases, the student placed in an IAES will:

a) Continue to receive educational services so as to enable the student to continue to participate in the general education curriculum, although in another setting, and to progress towards the goals set out in the student's IEP, and
b) Receive, as appropriate, a functional behavioral assessment and behavioral intervention services and modifications that are designed to address the behavior violation so that it does not recur.

The period of suspension or removal may not exceed the amount of time a non-disabled student would be suspended for the same behavior.

Suspension from BOCES

The BOCES Principal may suspend School District students from BOCES classes for a period not to exceed five (5) school days when student behavior warrants such action.

In-School Suspension

In-school suspension will be used as a lesser discipline to avoid an out-of-school suspension. The student will be considered present for attendance purposes. The program is used to keep each student current with his/her class work while attempting to reinforce acceptable behavior, attitudes and personal interaction.
SUBJECT: SUSPENSION OF STUDENTS

BOCES Activities

BOCES activities, such as field trips and other activities outside the building itself, are considered an extension of the school program. Therefore, an infraction handled at BOCES is to be considered as an act within the School District itself.

A student who is ineligible to attend a District school on a given day may also be ineligible to attend BOCES classes. The decision rests with the Superintendent or his/her designee.

Exhaustion of Administrative Remedies

If a parent/person in parental relation wishes to appeal the decision of the Building Principal and/or Superintendent to suspend a student from school, regardless of the length of the student's suspension, the parent/person in parental relation must appeal to the Board prior to commencing an appeal to the Commissioner of Education.

Procedure After Suspension

When a student has been suspended and is of compulsory attendance age, immediate steps will be taken to provide alternative instruction which is of an equivalent nature to that provided in the student's regularly scheduled classes.

When a student has been suspended, the suspension may be revoked by the Board whenever it appears to be for the best interest of the school and the student to do so. The Board may also condition a student's early return to school and suspension revocation on the student's voluntary participation in counseling or specialized classes, including anger management or dispute resolution, where applicable.

NOTE: Refer also to Policy #7360 -- Weapons in School and the Gun-Free Schools Act

Adoption Date: April 28, 2009
Revised and Re-Adopted: June 11, 2013
SUBJECT: STUDENT USE OF COMPUTERIZED INFORMATION RESOURCES
(ACCEPTABLE USE POLICY)

The Board will provide access to various computerized information resources through the District's computer system ("DCS" hereafter) consisting of software, hardware, computer networks and electronic communications systems. This may include access to electronic mail, so-called "on-line services" and the "Internet." It may include the opportunity for some students to have independent access to the DCS from their home or other remote locations. All use of the DCS, including independent use off school premises, will be subject to this policy and accompanying regulations. Further, all such use must be in support of education and/or research and consistent with the goals and purposes of the School District.

Access to Inappropriate Content/Material and Use of Personal Technology or Electronic Devices

This policy is intended to establish general guidelines for the acceptable student use of the DCS and also to give students and parents/guardians notice that student use of the DCS will provide student access to external computer networks not controlled by the School District. The District cannot screen or review all of the available content or materials on these external computer networks. Thus some of the available content or materials on these external networks may be deemed unsuitable for student use or access by parents/guardians.

Despite the existence of District policy, regulations and guidelines, it is virtually impossible to completely prevent access to content or material that may be considered inappropriate for students. Students may have the ability to access such content or material from their home, other locations off school premises and/or with a student's own personal technology or electronic device on school grounds or at school events. Parents and guardians must be willing to establish boundaries and standards for the appropriate and acceptable use of technology and communicate these boundaries and standards to their children. The appropriate/acceptable use standards outlined in this policy apply to student use of technology via the DCS or any other electronic media or communications, including by means of a student's own personal technology or electronic device on school grounds or at school events.

Standards of Acceptable Use

Generally, the same standards of acceptable student conduct which apply to any school activity will apply to use of the DCS. This policy does not attempt to articulate all required and/or acceptable uses of the DCS; nor is it the intention of this policy to define all inappropriate usage. Administrative regulations will further define general guidelines of appropriate student conduct and use as well as proscribed behavior.

District students will also adhere to the laws, policies and rules governing computers including, but not limited to, copyright laws, rights of software publishers, license agreements, and student rights of privacy created by federal and state law.
SUBJECT: STUDENT USE OF COMPUTERIZED INFORMATION RESOURCES (ACCEPTABLE USE POLICY)

Students who engage in unacceptable use may lose access to the DCS in accordance with applicable due process procedures, and may be subject to further discipline under the District's school conduct and discipline policy and the District Code of Conduct. The District reserves the right to pursue legal action against a student who willfully, maliciously or unlawfully damages or destroys property of the District. Further, the District may bring suit in civil court against the parents/guardians of any student who willfully, maliciously or unlawfully damages or destroys District property pursuant to General Obligations Law Section 3-112.

Student data files and other electronic storage areas will be treated like school lockers. This means that such areas will be considered to be School District property subject to control and inspection. The Computer Coordinator may access all such files and communications without prior notice to ensure system integrity and that users are complying with the requirements of this policy and accompanying regulations. Students should NOT expect that information stored on the DCS will be private.

Notification

The District's Acceptable Use Policy and Regulations will be disseminated to parents and students in order to provide notice of the school's requirements, expectations, and students' obligations when accessing the DCS.

Regulations will be established as necessary to implement the terms of this policy.

NOTE: Refer also to Policy #8271 -- Internet Safety/Internet Content Filtering Policy

District Code of Conduct on School Property

Adoption Date: 4/28/09
Revised and Re-Adopted: 4/3/12
SUBJECT: STUDENT USE OF PERSONAL TECHNOLOGY

The Board seeks to maintain a safe and secure environment for students and staff. Advances in technology have made it possible to expand the learning environment beyond traditional classroom boundaries. Using personal electronic devices during instructional time can enable students to explore new concepts, personalize their learning experience, and expand their global learning opportunities. Additionally, the use of personal technology devices is ubiquitous in today's society and standards for student use during non-instructional time should adapt to this change. This policy defines the use of personal technology during instructional and non-instructional times and reinforces the standard that all use, regardless of its purpose, must follow the guidelines outlined in the Student Acceptable Use Policy (AUP), the District's Code of Conduct, and the Dignity for All Students Act.

Personal technology includes all existing and emerging technology devices that can take photographs; record or play audio or video; input text; upload and download media; connect to or receive information from the internet; and transmit or receive messages, telephone calls, or images.

Instructional Purposes

Personal technology use by students is permitted during the school day for instructional purposes and/or in approved locations only. Teachers will indicate when and if classroom use is acceptable. Students are expected to act responsibly and thoughtfully when using technology resources. Students bear the burden of responsibility to inquire with school administrators and/or teachers when they are unsure of the permissibility of a particular use of technology prior to engaging in such use.

Instructional purposes include, but are not limited to, approved classroom activities, research, college admissions activities, career development, communication with experts, homework, and other activities as deemed appropriate by school staff.

Non-Instructional Uses

Appropriate use of personal technology during non-instructional time is also allowed at the SWR High School if students follow the guidelines in the AUP and Code of Conduct. Non-instructional use includes texting, calling and otherwise communicating with others during free periods and in common areas of the school building such as the hallways, cafeteria, study halls, buses, and student lounges. Other non-instructional uses may include such things as Internet searches, reading, listening to music, and watching videos. This use during non-instructional time must be conducted in a safe and unobtrusive manner. Devices must also be in silent mode to avoid disrupting others.

Liability

The district will not be liable for the loss, damage, misuse, or theft of any personal technology brought to school. The District reserves the right to monitor, inspect, and/or confiscate personal technology when administration has reasonable suspicion to believe that a violation of school policy or criminal law has occurred.

The Board expressly prohibits use of personal technology in locker rooms, restroom, health offices, and any other areas where a person would reasonably expect some degree of personal privacy.
SUBJECT:  STUDENT USE OF PERSONAL TECHNOLOGY

Prohibition During State Assessments

All students are prohibited from bringing electronic devices into a classroom or other location where a New York State assessment is being administered. Test proctors, test monitors, and school officials have the right to collect prohibited electronic devices prior to the start of the test and hold them while the test is being administered, including break periods. Admission to any assessment will be denied to any student who refuses to relinquish a prohibited device.

Students with disabilities may use certain devices if the device is specified in that student's IEP or 504 plan or a student has provided medical documentation that they require the device during testing.

Permission

Students will not be permitted to use personal technology devices in school or at school functions until they have reviewed the AUP, the applicable sections of the Code of Conduct and associated technology guidelines, and signed the Student Use of Personal Technology Permission Form with their parents. The District reserves the right to restrict student use of District-owned technologies and personal technology on school property or at school sponsored events, at the discretion of the administration.

Students must follow the guidelines for use set out in the District Code of Conduct and the AUP at all times. Consequences for misuse will follow guidelines set forth in the District's Code of Conduct.

NOTE:  Refer also to Policies #7315 -- Student Acceptable Use Policy
       #7550 -- Dignity for All Students
       #8271 -- Internet Safety/Internet Content Filtering Policy

Adopted:  4/28/09
Revised and Re-Adopted 1/13/15
Revised and Re-Adopted: 3/21/17
SUBJECT: ALCOHOL, TOBACCO, DRUGS, ELECTRONIC CIGARETTES, AND OTHER SUBSTANCES

The Board recognizes that the misuse of alcohol, drugs, tobacco, electronic cigarettes (e-cigarettes), and other illegal substances is a serious problem with legal, physical, emotional, and social implications for our students, as well as the entire community. Therefore, the consumption, sharing, selling, use, or possession of alcoholic beverages, tobacco products, e-cigarettes, illegal drugs, counterfeit and designer drugs, or paraphernalia for the use of these drugs is prohibited at any school-sponsored function, on school grounds, including in vehicles, and on school buses at all times. The unauthorized use or misuse of prescription and over-the-counter drugs is also prohibited.

Tobacco use will not be permitted and no student shall possess, consume, display or sell any tobacco products, tobacco-related devices, or electronic cigarettes at any time on school property or at off-campus, school-sponsored events. Students are not permitted to be under the influence of alcohol or other prohibited substances on school grounds or at school-sponsored events. A school-sponsored function shall include a school-sponsored or school-authorized extracurricular event or activity regardless of where such event or activity takes place.

Smoking

Smoking, and the use of e-cigarettes, is not permitted on District property and no person is permitted to smoke within 100 feet of the entrance, exits, or outdoor areas of any public or private elementary or secondary schools as defined in the Public Health Law. Similarly, the use of e-cigarettes is prohibited on school grounds, as defined in Public Health Law.

Non-Medical Use of Prescription Drugs

Non-medical use of prescription drugs is prohibited.

Disciplinary Measures

Disciplinary measures for students consuming, sharing, selling, using, or possessing alcoholic beverages, tobacco products, e-cigarettes, illegal drugs, counterfeit and designer drugs, or paraphernalia for the use of these drugs are outlined in the District Code of Conduct.

Education Law §§ 409 and 2801(1)
Public Health Law 1399-o

NOTE: Refer also to Policies #3280 -- Public Use of School Facilities
       #3410 -- Code of Conduct
       #5640 -- Smoking/Tobacco/Electronic Cigarettes Use
       #8210 -- Safety Conditions and Prevention Instruction
       District Code of Conduct

Adoption Date: April 28, 2009
Revised and Re-Adopted: June 11, 2013
Revised and Re-Adopted: February 23, 2016
Revised and Re-Adopted: January 23, 2018
SUBJECT: ALCOHOL / BREATHALYZER

The Shoreham-Wading River Central School District is committed to discouraging and eliminating use of alcohol by students attending instruction or any other school functions or activities. Therefore, any student for whom there is a reasonable suspicion of the use of alcohol before or during the school day, prior to or during an extra-curricular, inter-scholastic, or other school-related function, whether conducted on or away from school property, may be required to submit to a breathalyzer test.

This policy will be implemented in accordance with administrative regulations adopted for that purpose. It is not the purpose of this policy to conduct random testing of students.

The Board and administration intend to have this breathalyzer policy serve as a deterrent to students attending school or school functions from consuming alcohol.

NOTE: Refer also to Shoreham-Wading River Central School District Code of Conduct
Refer also to Policy #7320: Alcohol, Tobacco, Drugs and Other Substances (Students)

Adoption Date: May 12, 2009
SUBJECT: SEARCHES AND INTERROGATIONS

This policy has been replaced by Policy #5300.60: Student Searches and Interrogations, which can be found in Board Docs ➔ Policies
SUBJECT: BUS RULES AND REGULATIONS

The Shoreham-Wading River Central School District furnishes transportation to those students whose disability or distance from the school make the service essential. Except as otherwise mandated in a student’s Individualized Education Program (IEP), riding these buses is a privilege and may be withdrawn if the student does not comply with the rules and regulations set forth in this District.

Bus drivers will be held responsible for reasonable and acceptable behavior of students while riding the school bus. Students riding school buses are expected to conform to the rules of conduct in order to permit the bus driver to transport his/her passengers safely.

The Board, the Superintendent or his/her designee has the authority to suspend the transportation privileges of children who are disorderly and insubordinate on buses. Generally, parent(s)/guardian(s) will be required to make alternative transportation arrangements for their children who have been suspended from riding the bus. However, the effect of a suspension from transportation on the student’s ability to attend school will be considered. If a suspension from transportation effectively results in a suspension from attendance because of the distance between the home and the school and the absence of alternative public or private means of transportation, the District will make appropriate arrangements to provide for the student’s education.

If a student with a disability who receives transportation as a related service as part of his/her Individualized Education Program is being considered for suspension from transportation, and that suspension would effectively result in a change in placement, the student will be referred to the Committee on Special Education.

The Board directs the administration to establish rules and regulations for student conduct on buses, including applicable due process rights to be afforded students suspended from transportation privileges. These rules and regulations will be promulgated to all concerned, including the nonpublic schools to which students are transported.

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Individuals With Disabilities Education Act (IDEA)
20 United States Code (USC) Sections 1400-1485
8 New York Code of Rules and Regulations (NYCRR)
Section 156

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Adopted: 4/28/09
SUBJECT: CORPORAL PUNISHMENT/EMERGENCY INTERVENTIONS

Corporal Punishment

Corporal punishment as a means of discipline will not be used against a student by any teacher, administrator, officer, employee or agent of this School District.

Whenever a school employee uses physical force against a student, the school employee will immediately report the situation to his/her Principal/Supervisor. The Principal/Supervisor will, within the same school day, make a report to the Superintendent describing in detail the circumstances and the nature of the action taken.

The Superintendent will submit a written report semi-annually to the Commissioner of Education, with copies to the Board, by January 15 and July 15 of each year, setting forth the substance of each written complaint about the use of corporal punishment received by the Shoreham-Wading River Central School District authorities during the reporting period, the results of each investigation, and the action, if any, taken by the school authorities in each case.

Emergency Interventions

However, if alternative procedures and methods which would not involve physical force do not work, then the use of reasonable physical force is not prohibited for the following reasons:

a) Self-protection;
b) Protection of others;
c) Protection of property; or
d) Restraining/removing a disruptive student.

Such emergency interventions will only be used in situations where alternative procedures and methods not involving the use of reasonable physical force cannot reasonably be employed. Emergency interventions will not be used as a punishment or as a substitute for systematic behavioral interventions that are designed to change, replace, modify or eliminate a targeted behavior.

Staff who may be called upon to implement emergency interventions will be provided appropriate training in safe and effective restraint procedures. The parent(s) of the student will be notified whenever an emergency intervention is utilized.

The District will maintain documentation on the use of emergency interventions for each student including:

a) Name and date of birth of student;
SUBJECT: CORPORAL PUNISHMENT/EMERGENCY INTERVENTIONS

b) Setting and location of the incident;

c) Name of staff or other persons involved;

d) Description of the incident and emergency intervention used, including duration;

e) A statement as to whether the student has a current behavioral intervention plan; and

f) Details of any injuries sustained by the student or others, including staff, as a result of the incident.

This documentation will be reviewed by District supervisory personnel and, if necessary, by the school nurse or other medical personnel.

8 New York Code of Rules and Regulations (NYCRR) Sections 19.5, 100.2(l)(3), 200.15(f)(1) and 200.22(d)

NOTE: Refer also to Policies #7313 -- Suspension of Students

Adopted: 4/28/09
SUBJECT: WEAPONS IN SCHOOL AND THE GUN-FREE SCHOOLS ACT

With the exception of those students who receive prior written permission from the Board or its designee, no student may bring in or possess any "firearm" or "weapon" on school property, on a school bus or District vehicle, in school buildings, or at school sponsored activities or settings under the control or supervision of the District regardless of location. Any student who has been found guilty of bringing in or possessing a firearm or weapon in violation of this policy will be disciplined in a manner consistent with State and Federal law and the District's Code of Conduct. Such discipline may include a mandatory suspension for a period of not less than one (1) calendar year for a student who is determined to have violated the Federal Gun-Free Schools Act and its implementing provisions in the New York State Education Law, provided that the Superintendent may modify the suspension requirement on a case-by-case basis.

Students who have brought a "weapon" or "firearm" to school will be referred by the Superintendent to either a presentment agency (the agency or authority responsible for presenting a juvenile delinquency proceeding) or to appropriate law enforcement officials. Such referrals will be made as follows: a student who is under the age of sixteen (16) and who is not a fourteen (14) or fifteen (15) year-old who qualifies for juvenile offender status under the Criminal Procedure Law will be referred to a presentment agency for juvenile delinquency proceedings; a student who is sixteen (16) years old or older, or who is fourteen (14) or fifteen (15) and qualifies for juvenile offender status, will be referred to the appropriate law enforcement authorities.

For the purposes of this policy, the term "weapon" will be as defined in 18 USC 930(g)(2).

For the purposes of this policy, the term "firearm" will be as defined in 18 USC 921(a).

Students with disabilities continue to be entitled to all rights enumerated in the Individuals with Disabilities Act and Education Law Article 89. This policy will not be deemed to authorize suspension of students with disabilities in violation of those authorities.

This policy does not diminish the authority of the Board to offer courses in instruction in the safe use of firearms pursuant to Education Law Section 809-a.

Gun-Free Schools Act as reauthorized by the No Child Left Behind Act of 2001
18 USC Sections 921(a) and 930
Criminal Procedure Law Section 1.20(42)
Education Law Sections 809-a and 3214

NOTE: Refer also to Policies #3411 -- Unlawful Possession of a Weapon Upon School Grounds
#7313 -- Suspension of Students
District Code of Conduct

Adoption Date: 4/28/09
Revised and Re-Adopted: 11/18/14
SUBJECT: EXTRACURRICULAR ACTIVITIES

The Board considers extracurricular activities to be a valuable part of the program of the school and will support these activities within the financial means of the District.

Limited Open Forum

The Board maintains a limited open forum where secondary students may meet for voluntary student-initiated activities unrelated directly to the instructional program, regardless of religious, political or philosophical content.

To provide "a fair opportunity" to students who wish to conduct a meeting, the Board, in accordance with the provisions of the Equal Access Act, will ensure that:

a) The meeting is voluntary and student-initiated;
b) There is no sponsorship of the meeting by the school, the government, or its agents or employees;
c) Employees or agents of the school or government are present at religious meetings only in a non-participatory capacity;
d) The meeting does not materially and substantially interfere with the orderly conduct of educational activities within the school; and
e) Nonschool persons may not direct, conduct, control, or regularly attend activities of student groups (20 USC Section 4071[c]).

The Board prohibits student organizations whose activities may be unlawful or may cause disruption or interference with the orderly conduct of the educational process.

Administration is responsible for establishing regulations governing the use of school facilities by student organizations.

Eligibility for Attendance

a) Students who are suspended from school on a day of an athletic game or practice session, party, school dance, or other school affair scheduled after regular school hours are not eligible for participation or attendance at such events.

b) In order for students to attend a school-sponsored function, it is necessary that students attend classes for at least one half (1/2) of the school day on the day of the activity, unless otherwise excused by the building administrator.
SUBJECT: EXTRACURRICULAR ACTIVITIES

School property will mean 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 in or on a school bus as defined in Vehicle and Traffic Law Section 142. A school function will mean a school-sponsored or school-authorized extracurricular event or activity regardless of where such event or activity takes place, including any event or activity that may take place in another state.

Equal Access Act,
20 United States Code (USC) Sections 4071-4074
Education Law Sections 1709 and 1709-a, 2503-a,
2554-a and 2801(1)
8 New York Code of Rules and Regulations (NYCRR)
Sections 172.1 and 172.2

Adopted: 4/28/09
SUBJECT: STUDENT PUBLICATIONS AND CENSORSHIP

The Board encourages and supports the development of student-produced publications, such as school newspapers, magazines, and annuals as part of the regular school curriculum and as a means of expressing student opinions and of improving literary skills.

The regulation of student publications in the several schools will be vested in student-faculty committees with provisions for direct appeal to the appropriate Building Principal. The committees, in regulating the publications, will give consideration to the maturity levels of the students and to appropriate standards of journalistic taste. They will encourage development of the skills of written and pictorial expression and of student responsibility in distinguishing between freedom and license.

Student publications may be sold by the sponsoring school, group, or club with the approval of the student-faculty committee and the appropriate Building Principal. Monies from such sales will be returned to the Extraclassroom Activity Fund to be used by the sponsoring school, group, or club to support the same or similar activities with the approval of the Building Principal, subject to review by the Superintendent.

Censorship of School Sponsored Student Publications and Activities

The District may exercise editorial control over the style and content of student speech in school sponsored publications and activities that are part of the educational curriculum.

Adopted: 4/28/09
SUBJECT: EXTRACURRICULAR ELIGIBILITY

This policy has been replaced by Policy #5205: Eligibility for Co-Curricular and Extracurricular Activities, which can be found in Board Docs ➔ Policies
SUBJECT: SPORTS AND THE ATHLETIC PROGRAM

General Principles and Eligibility

Athletics are an integral part of a well-balanced educational program. The District's interscholastic athletic program will conform with the Commissioner's regulations, as well as the established rules of the New York State Public High School Athletic Association and the State Education Department.

Athletic eligibility requires that the student:

a) Provide written parental/guardian consent. The consent form must contain information regarding mild traumatic brain injuries (concussions) as specified in the Commissioner's regulations.

b) Obtain medical clearance from the school physician/nurse practitioner or the student's personal physician. The school physician/nurse practitioner retains final approval on any physicals performed by a student's personal physician.

c) Meet the requirements for interscholastic competition as set forth by the Commissioner's regulations and the New York State Public High School Athletic Association.

d) Comply with all District rules, codes, and standards applicable to athletic participation.

Title IX Compliance

The Board supports equal athletic opportunities for members of both sexes through interscholastic and intramural activities. To ensure equal athletic opportunities for its students, the District will consider:

a) Its accommodation of athletic interests and abilities (the nature and extent of sports offered, including levels of competition, team competition, and team performance);

b) Equipment and supplies;

c) Scheduling of games and practice time;

d) Travel costs and opportunities for travel;

e) Assignment and compensation of coaches;

f) Locker rooms, practice, and competitive facilities;

g) Available medical and training facilities and services; and

h) The nature and extent of support, publicity, and promotion, including cheerleading, bands, programs distributed at games, and booster club activities.
SUBJECT: SPORTS AND THE ATHLETIC PROGRAM

The District may consider other pertinent factors as well. Each of the factors will be assessed by comparing availability, quality, type of benefits, kind of opportunities, and form of treatment. Identical benefits, opportunities, or treatment are not required.

The District's Civil Rights Compliance Officer will coordinate the District's efforts to comply with and carry out its responsibilities under Title IX. This person will be appropriately trained and possess comprehensive knowledge about applicable federal and state laws, regulations, and policies. To the extent possible, the District will not designate an employee whose other job duties may create a conflict of interest, such as the athletic director.

Booster Clubs

The District has a responsibility under Title IX to ensure that boys' and girls' programs are provided with equivalent benefits, treatment, services, and opportunities regardless of their source. When determining equivalency, therefore, benefits, services, and opportunities attained through private funds-including donations, fundraising, and booster clubs-must be considered in combination with all benefits, services, and opportunities.

Athletic Placement Process for Interschool Athletic Programs (APP)*

Please refer to Policy #7421 Athletic Placement Process.

Student Athletic Injuries

No injured student will be allowed to practice or play in an athletic contest. An appropriate medical professional should diagnose and treat an athlete's injuries. The coach should ensure that any player injured while under his or her care receives prompt and appropriate medical attention, and that all of the medical professional's treatment instructions are followed. The injured student has an obligation to promptly inform his or her coach of all injuries. No student will be allowed to practice or compete if there is a question whether he/she is in adequate physical condition. A physician's certification is required before a previously injured athlete is permitted to return to practice or competition.

Concussions

A student who has sustained or is believed to have sustained a mild traumatic brain injury (concussion) must be immediately removed from athletic activities. If there is any doubt, it will be presumed that the student is so injured until proven otherwise. Before being permitted to return to athletic activity, a student must be symptom free for not less than 24 hours and have been evaluated by and received written and signed authorization from a licensed physician. Additionally, for extra class athletic activities, a student must have received clearance from the District’s Medical Director to participate in such activity, pursuant to Policy #7522 Concussion Management).

Athletic Program-Safety

The District will take reasonable steps to minimize physical risks posed to students participating in the interscholastic athletic program by:

a) Requiring timely medical examinations of participants;
SUBJECT: SPORTS AND THE ATHLETIC PROGRAM

b) Employing certified or licensed staff to coach all varsity, junior varsity, and modified practices and games;

c) Providing or requiring certified or licensed officials to officiate all competitions;

d) Ensuring that its players' equipment is safe and operates within the applicable manufacturers' guidelines;

e) Ensuring that all home fields, courts, pools, tracks, and other areas where athletes practice, warm-up, or compete are safe and appropriate for use; and

f) Providing professional development and training opportunities for all coaching staff.

Athletic Program-Supervision of Students

Students working on any activity must be supervised by the Board appointed personnel in charge of the activity. This applies to all activities and permission to hold practices or meeting must not be granted unless the designated Board appointed personnel is definitely in charge.

a) Physical education personnel in the school district will be fully responsible for the supervision of all students in their class.

b) Coaches are responsible for the supervision of team members for the entire practice or game period. The practice or game period will include the time that team members arrive in the locker rooms, both before and after practice or games, travel to/from practice or game sites, practice or game duration, until such time that the last team member has left campus or turned over to the supervision of their respective parent/guardian.

Title IX of the Education Amendments of 1972, 20 USC Section 1681 et seq.
45 CFR Part 86
8 NYCRR Sections 135 and 136

NOTE: Refer also to Policies #3420 -- Non-Discrimination and Anti-Harassment in the School District
#7421 - Athletic Placement Process
#7522 -- Concussion Management

Adopted: April 27, 2010
Revised and Re-Adopted: June 4, 2013
Rescinded: March 12, 2013
Revised and Re-Adopted: January 26, 2016
SUBJECT: ATHLETIC PLACEMENT PROCESS

The Athletic Placement Process (APP) is a program for evaluating students who want to participate in sports at higher or lower levels, as approved by the Board of Regents as a part of the school eligibility rules in 1980, and is aligned with Learning Standards 1 and 2. Commissioner’s Regulation Section 135.4(c)(7)(ii)(a)(4) states:

A Board may permit pupils in grades no lower than seventh to compete on any senior high school team, or permit senior high pupils to compete on any teams in grades no lower than seventh, provided the pupils are placed at levels of competition appropriate to their physiological maturity, physical fitness, and skills in relationship to other pupils on those teams in accordance with standards established by the Commissioner.

These standards state that students will have the necessary knowledge and skills to establish and maintain physical fitness, participate in physical activity, maintain personal health, and acquire both the knowledge and ability to create and maintain a safe and healthy environment.

The intent of this process is to identify those exceptional student athletes in grades 7** and 8 who may qualify for an opportunity to safely participate at an advanced level of competition at the JV and varsity level based upon readiness, rather than age and grade.

The New York State Education Department (NYSED) has collaborated with the New York State Athletic Administrators Association (NYSAAA), the New York State Public High School Athletic Association (NYSPHSAA), the Statewide School Health Services Center (SSHSC), district directors of school health services (commonly referred to as medical directors and previously known as school medical officers), and directors of physical education/athletics to promote physical education and interscholastic athletic competition statewide. This guide to the Athletic Placement Process is the result of that collaboration.

This document represents the shared belief of the NYSAAA, the NYSPHSAA, medical directors, directors of physical education/athletics, and the NYSED that physical education and interscholastic athletic competition are important to the development of the whole child, and that students benefit when they can participate in such activities at a pace that is consistent with their physical and emotional maturity, size, fitness level, and athletic skill.

Schools, both public and private, competing in interscholastic sports under the jurisdiction of the Commissioner’s Regulations may choose whether or not to adopt a policy that permits students in the 7th and 8th grades to try out for a high school team, or that permits high school students to play at the modified level. If schools choose to have such a policy, the process outlined in this document is to be followed.

Normally, a student is eligible for senior high athletic competition in a sport during each of four consecutive seasons, beginning with entry into the ninth grade. However, by satisfying the requirements of the APP, a student may receive extended eligibility that permits:
SUBJECT: ATHLETIC PLACEMENT PROCESS

a) participation during five (5) consecutive seasons in the approved sport, after entry into the eighth grade; or

b) participation during six (6) consecutive seasons in the approved sport, after entry into the seventh grade.

THE INTENT OF THE APP IS TO PROVIDE A PROTOCOL FOR THOSE DISTRICTS THAT CHOOSE TO ALLOW STUDENTS IN GRADES 7 AND 8 TO MOVE UP; OR FOR STUDENTS IN GRADES 9-12 TO MOVE DOWN, ALLOWING THEM TO PARTICIPATE SAFELY AT AN APPROPRIATE LEVEL OF COMPETITION BASED UPON PHYSICAL AND EMOTIONAL READINESS AND ATHLETIC ABILITY RATHER THAN AGE AND GRADE ALONE.

Students do not mature at the same rate, and there can be tremendous developmental differences between students of the same age. The APP is not to be used to fill positions on teams, provide additional experience, provide an opportunity for middle school or junior high students when no modified program is offered, or to reward a student. Instead, it is aimed at the few, select students who can benefit from such placement because of their level of readiness.

How to Use This Guide
The APP is a program that may be implemented at the discretion of local school districts. It is not mandated.

The APP is intended for use by student athletes in grades 7 - 12, and directly relates to specific interschool sport categories and levels of competition as follows:

Intermediate
• Grades 7 - 8

Commencement
• Grades 9 - 12

Interscholastic Sports Categories:
Contact Sports
Basketball, baseball, field hockey, ice hockey, lacrosse, soccer, football, softball, volleyball, competitive cheerleading, and wrestling

Non-Contact Sports
Archery, bowling, cross-country, golf, gymnastics, rifle, swimming & diving, skiing, tennis, track & field, fencing, and badminton

Athletic Competition Levels:
• Modified
• Freshman
• Junior Varsity
• Varsity
SUBJECT: ATHLETIC PLACEMENT PROCESS

The main body of this document is organized to assist the medical director and the physical education director and/or athletic director in administering all aspects of the APP.

There is great diversity among student athletes throughout New York State. The APP was revised to assess a student’s physical and emotional maturation, physical fitness, and sport skill, so that a student may be placed at a level of competition that should result in increased opportunity, a fairer competitive environment, minimized risk, and greater personal satisfaction. In districts that allow the program, safety must be of paramount importance.

The APP is to be used only when an individual athlete’s athletic skills warrant moving to the commencement or intermediate sport competition level, and therefore, ideally, it should be initiated by the district’s physical education director and/or athletic director and physical education staff, who recognize the student’s skill. The APP may be used either prior to the beginning of the season, so that the student athlete can participate in the try-out period, or within the timelines specified by the NYSPHSAA Promotion Rule.

GENERAL INFORMATION

Varsity coaches, may ask the physical education director and/or athletic director to evaluate a student, using the APP. Students will not be processed through the evaluation procedures without a request from the physical education director and/or athletic director and parent/guardian written permission. It is not the intent to evaluate all modified students, and evaluation should be considered only for those students with the appropriate physical and emotional readiness, and whose athletic abilities are outside of those of their age-related peers.

After the fall season of 2015, the following should be implemented:

If a student in grade 7 or 8 has reached the chronological age of 15 years old prior to July 1, he or she is eligible to participate on high school athletics without undergoing the APP; only medical approval by the district medical director is required, as these students are already at an advanced age and would otherwise lose eligibility due to aging out.

A student who has undergone the APP does not need the procedure repeated if he/she achieved the required scores for fitness, maturity, and comparable physical size for the desired sport and level, regardless of the school year in which the testing was completed.

If a student has undergone the APP evaluation procedure and participated in the 7th grade, the process would not have to be repeated in the 8th grade provided they remain at the same level of athletic competition in the same sport. If the student changes levels or sports, the student’s scores should be reviewed to see if they meet the requirements for the desired level and sport. APP evaluation procedures must be repeated only if the scores do not meet the requirements for the desired level and sport.
SUBJECT: ATHLETIC PLACEMENT PROCESS

If a student has attained an appropriate level of physical maturity, and has a height and weight that are comparable to those of the proposed team members as determined by the medical director, they may proceed to the next level of skills assessment by the athletic/physical education director. If the medical director does not clear the student to participate in the desired sport and level, he or she may not proceed any further in the evaluation process. Medical directors should not be pressured to change their decision. If a student is determined to be comparable with the physical size and maturity of the average age and sex of the students against whom they wish to compete, but fails to meet more than one of the physical fitness test standards, or if a student fails to meet an appropriate sport skill level as determined by the coach, he or she may not proceed any further in the evaluation process.

In conclusion, the district medical director and the director of physical education/athletics and ultimately the Board ensure compliance with the APP. It is intended only for the student who is truly at a level of physical and emotional maturity, comparable physical size, fitness, and sport skill that is commensurate with the level of competition that they wish to pursue.

Whenever there is disagreement between a private health care provider and the district medical director, efforts should be made by both parties to come to agreement for the health and safety of the student athlete. In these cases, the primary concern should be allowing an athlete to participate to the fullest level of his or her potential safely, and neither the demands of parents, athletes, or coaches should confound that concern.

PROCEDURES FOR THE DIRECTOR OF PHYSICAL EDUCATION AND ATHLETICS

The director of physical education/athletics has the responsibility of ensuring that the APP is followed by all parties involved; that the medical director is included at appropriate times; and that the final determinations are sent to the parents, competing school districts, and section executives. Students who pass all parts of the APP are permitted to try out. There are no waivers. A student must meet the appropriate standards of physical and emotional maturity, size, fitness, and skill, in order to qualify.

IMPLEMENTATION STEPS

ALL STEPS MUST BE FOLLOWED, IN ORDER, FOR EACH APPLICATION REQUEST

Step 1 District Policy: Confirm that the school district has approved a resolution to allow students to participate in the APP (and/or revise the language in existing “Selection/Classification” policies to include the new process). If no such resolution exists, proper steps should be taken to ensure that this first requirement is met.

Step 2 Parent/Guardian Permission: All students who are to be evaluated must first obtain written parent/guardian permission before any evaluation may begin.
**SUBJECT: ATHLETIC PLACEMENT PROCESS**

**Step 3 Administrative Approval:** The athletic administrator should confirm that the student is suitable for consideration, which includes the likelihood that the student would play in at least 50% of the games. Additionally, because of the increased time demands of participation at the high school level, the student’s academic performance (as determined at the local level) should be at or above grade level. Furthermore, administration should assess the student’s emotional readiness to socialize with high school-aged students. If the student is not academically or socially ready, the student should not proceed through the APP.

**Step 4 Medical Clearance:** (Must be completed BEFORE the physical fitness portion of the process) The student is assessed* by the medical director to determine whether if he/she has reached a stage of physical development that will lessen the likelihood of the student being injured by participating in the level and sport desired. If a student has attained an appropriate level of physical maturity, and has a height and weight that are comparable to those of the proposed team members as determined by the medical director, the medical director approves the student to proceed to the next step in the process. If the student is not approved by the medical director to proceed the process stops.

*Please note: In the past Selection Classification Process, the Tanner scores were required scores, based exclusively on the Tanner staging of sexual development. The requirement meant the students must be at an identical level of development per the chart. This was not realistic as there is generally a range of ages playing at a high school competition level. Additionally, the Tanner scores were identical for both sexes. This did not accurately reflect the earlier age of development of adolescent females versus adolescent males, which made it more likely that a less physically mature female could be approved to play at a higher level against physically matured females, and therefore be at greater risk of injury. Therefore, the APP maturity assessment standards were revised as follows: The medical director is instructed to take into consideration the height, weight, muscle mass, and Tanner rating as compared to the other athletes he/she would compete with. This allows for a medical director to use their professional judgment taking into account the totality of the student’s overall physical development when determining whether or not the student is of a comparable or similar level of physical maturity in relation to those they wish to compete with. These changes to the Selection Classification Process were made to lessen, but not eliminate, the chances of injury for a younger student competing with older students who tend to be larger and more physically mature.

The Tanner scores on (chart H found in the APP document) are no longer required numbers, as was the case in the previous Selection Classification Process but, are now recommended numbers for the APP.

For the medical director, determining the physical maturity level of the student is an important step in the APP process. This is done to ensure that the student has attained a level of physical development at which the chances of growth plate or overuse injury is minimized. Since the growth plate is the weakest area of the growing skeleton, weaker than the nearby ligaments and tendons that connect bones to other bones and muscles, injury to a growth plate can lead to a serious and potentially permanent injury to a joint or long bone. While growth plate injuries are usually caused by an acute event such as a fall or a blow to a limb, they can also result from overuse, such as when a gymnast practices for hours on the uneven bars, a runner runs long...
Students

SUBJECT: ATHLETIC PLACEMENT PROCESS

distances, or a baseball pitcher spends hours perfecting a curve ball. Growth plate trauma and other overuse injuries may occur in competitive sports such as football, basketball, softball, track & field, and gymnastics.

The likelihood increases when students are doing a single sport year round without substantial rest; therefore, caution must be exercised in determining the physical maturity of students at this age level. Developmental staging reduces, but does not eliminate, the risks of injury to a younger student moving up to sport activities involving more developmentally mature students. Since all growth plates might not be fully matured by the time a student reaches Tanner 5, care must be exercised in determining the physical maturity of athletes. The size of the student in relation to the other athletes is also a critical component in determining the risk of injury.

It is always best to err on the side of caution and keep a student at the age-appropriate level of play in order to safeguard the student. There will be many more years for the student to advance in athletics, and success is more likely if he or she does not suffer from permanent injuries.

Step 5 Sport Skill Evaluation: The sport coach will rely on past personal observations and may consider input from the student’s former coaches to complete the evaluation. If the coach is unfamiliar with the student, the sport coach may wish to observe the student in a physical education class.

Step 6 Physical Fitness Testing: This will be done by the Director of Athletics provided he or she is a certified physical education teacher. Otherwise the physical fitness testing will be done by a certified physical education teacher who is not a coach of the sport for which the student will be trying out. The President’s Physical Fitness Test has been selected as the test for this process, and the student must meet the 85th percentile level for their age in 4 out of 5 test components (see Appendix E, I, and J). For students trying out for swimming, see Appendix J for an alternate fitness test to the 1 mile walk/run-students trying out for swimming may choose to either do the 1 mile walk/ run or the 500 yard swim.

Exception to the physical fitness test requirement: Students who desire to try out for bowling or golf teams are not required to complete the physical fitness testing.

Step 7 Qualification Determination: The results of the three evaluations will be sent to the director of physical education/athletics. Only students who pass all parts of the APP are permitted to try out.

Step 8 Try Outs: The student is allowed to try out for the sport and level requested or the student must return to the modified level of competition. For students trying out for bowling or golf, see instructions for try outs for these sports in Appendix G.

Step 9 Records: The physical education director and/or athletic director must maintain all records of students who have successfully completed the APP. Items to be kept in the student’s file are: Parent/Guardian Permission and Result letters; Maturity Evaluation and Medical Director Form; Physical Fitness results; Coach’s Sport Skill Evaluation.
SUBJECT: ATHLETIC PLACEMENT PROCESS

Step 10 Notifications: A Notification List (see Appendix F) of the scores of all athletes who have successfully completed the process and have been approved through the APP after the try-out period has been completed must be sent to:

- The physical education director and/or athletic director of competitor schools
- Athletic governing board or section office

PROCEDURES FOR THE DISTRICT MEDICAL DIRECTOR
The director of school health services, commonly referred to as the medical director, (also known as the medical officer, or the school or district medical director) must approve a student’s participation in interscholastic athletics [8NYCRR 135.1(7)(i)]. The medical director, who is a physician, or a nurse practitioner employed by the district has the responsibility of ensuring that all students who enter into the school’s interscholastic sport program are physically able to participate in the sport of their choosing. Special attention must be given to students in grades 7 and 8 who wish to move up to a higher level of competition. Students in grades 9-12 may qualify to move to a lower level of competition. This section will provide guidance for making the decision to allow younger students the opportunity to play at a higher level, or older students to play at a lower level, provided that they have the physical maturity, comparable physical size, fitness levels, and sport skill to do so safely and with success. Prior to being sent to the medical director, students are required to have written parent/guardian permission to participate in the APP, approval by administration to move to the desired level, and a recommendation from the athletic administrator.

IMPLEMENTATION
The medical director will determine:

- The physical maturity level of the student in relation to the sport and level in and at which they wish to participate (see Appendix C and H), using the Tanner Scale
- The size, in height and weight, of the student in relation to the size of the average age and sex of the students against whom they wish to compete

The medical director should take into consideration the height, weight, muscle mass and Tanner rating as compared to the other athletes he/she would compete with. For physical development and maturity, Tanner staging remains the least invasive tool to gauge a person’s sexual maturity rating as an indicator of physical maturation. Best practice, therefore, would dictate that the medical director use the Tanner Rating Scale and compare the developmental level of the student to the average Tanner level of students playing the sport at the desired level. The medical director may conduct the Tanner Rating examination him/herself with the prior informed consent of the parent/guardian and of the student. The school must make provisions that allow for a private, dignified, chaperoned examination, with a parent/guardian present if he/she and the student so desire. Alternatively, the medical director may decide to use, but is not obligated to use, the Tanner rating provided by a private medical provider. Additionally, for girls giving a history of having gone through menarche, assigning a Tanner rating of five without a physical examination may also be done at the professional judgment and discretion of the medical director, if the history given is consistent with observation of body appearance while clothed. Since a Tanner Rating requires an intimate examination, it is essential that school districts create a
SUBJECT: ATHLETIC PLACEMENT PROCESS

sound protocol with simple and clear information for parents/guardians and students to understand what is required during an examination and whether private medical provider assessments, or a student or parent/guardian reported history of menarche are acceptable.

For physical size comparability, the medical director should have access to the current height and weight of the student, and compare that with the size of the average age and sex of the students against whom they wish to compete. Growth charts are the easiest method of accomplishing this. For consistency, it is recommended that the following growth charts from the Centers for Disease Control and Prevention are used.

Centers for Disease Control and Prevention Growth Charts:

The medical director will clear the student to continue the APP if:

- The student is at an appropriate physical maturity* level by Tanner Scale for the desired level and sport; and
- The student is physically comparable with the average age and sex of the students against whom the student will compete.

The process stops if a student is not at a comparable physical maturity level or physical size in relation to the average age and sex of the students against whom he or she desires to compete, as determined by the medical director. The medical director does not need to do anything more than return that information to the physical education director and/or athletic director (see Appendix C). In cases where the medical director’s determination differs from that of a private medical provider, there should be communication between the two to determine the best decision for the student in question. If there can be no consensus between the medical director and the private provider, the medical director’s determination is final. It is advisable that the medical director complete his or her own examination of the student in such cases.

*Important Note on the Physical Maturity Examination: For the medical director, determining the physical maturity level of the student is an important step in the APP. This is done to ensure that the student has attained a level of physical development at which the chances of growth plate or overuse injury are minimized. Since the growth plate is the weakest area of the growing skeleton, weaker than the nearby ligaments and tendons that connect bones to other bones and muscles, injury to a growth plate can lead to a serious and potentially permanent injury to a joint or long bone. While growth plate injuries are usually caused by an acute event, such as a fall or a blow to a limb, they can also result from overuse, such as when a gymnast practices for hours on the uneven bars, a runner runs long distances, or a baseball pitcher spends hours perfecting a curve ball. Growth plate trauma and other overuse injuries may occur in competitive sports such as football, basketball, softball, track & field, and gymnastics. The likelihood increases when students are doing a single sport year round without substantial rest; therefore, caution must be exercised in determining the physical maturity of...
**SUBJECT:**  ATHLETIC PLACEMENT PROCESS

Students at this age level. Developmental staging reduces, but does not eliminate, the risks of injury to a younger student moving up to sport activities involving larger and more developmentally mature students. Since all growth plates might not be fully matured by the time that a student reaches Tanner 5, care must be exercised in determining the physical maturity of athletes. It is always best to err on the side of caution and keep a student at the age-appropriate level of play in order to safeguard the student.

**7th grade students are only eligible to move to the JV or Varsity levels in cross country, swimming, golf, tennis, wrestling, and track (winter and spring).**

Adopted: 7/9/14
Revised and Re-Adopted: May 19, 2015
Revised and Re-Adopted: June 21, 2016
Revised and Re-Adopted: November 1, 2016
Revised and Re-Adopted: August 21, 2018
Revised and Re-Adopted: October 26, 2021
SUBJECT: CONTESTS FOR STUDENTS, STUDENT AWARDS AND SCHOLARSHIPS

Contests for Students

Distribution of educational material, essay contests, and poster contests must be approved in advance by the Building Principals if the sponsoring organization wishes to involve students in the project on school time. Samples of informational material should accompany the request. Upon the judgment of the Principal, the request may be forwarded to the Superintendent and the Board for approval.

The Board approves a selective policy of student-participation in contests. However, participation by students in any such activities must be on a purely voluntary basis and at no time can such participation interfere with the instructional program. In High School, the policy of the National Association of Secondary School Principals relative to contest will serve as a guide.

When students agree to participate in any activity sponsored by an outside organization, it will be the responsibility of the sponsoring organization to manage the contest and provide the students with detailed information, instructions, and rules.

At no time will pressure be applied to students to participate in any contest sponsored by outside organizations.

Student Awards and Scholarships

The School District may obtain and award to its students awards and scholarships. The Board, having been entrusted by law, will hold in trust gifts, grants, bequests and legacies given or bequeathed to the Shoreham-Wading River Central School District and will apply the same and/or their interest and proceeds according to the instruction of the donors and according to the procedures established by the administration.

Education Law Sections 1604(30), 1709(12-a) and 2503(1)

Adopted: 4/28/09
SUBJECT: MUSICAL INSTRUMENTS

a) It will be a policy of the Shoreham-Wading River Central School District to provide, with a rental charge, a musical instrument to students during instrumental study when such instruments are available.

b) Students and parents/guardians will assume responsibility for proper care of school-owned instruments and will pay for damages to same.

c) The District will only transport in its vehicles those instruments meeting certain safety standards as indicated in the New York State Department of Transportation Regulations.

17 New York Code of Rules and Regulations (NYCRR)
Section 720.22

Adopted: 4/28/09
SUBJECT: FUNDRAISING BY STUDENTS

Fundraising by school organization, parent groups, staff or students must have as its main purpose benefits for students. All fundraising activities must be approved by the Superintendent or designee. It is the intent of this policy to avoid too many fundraising activities simultaneously in the District and to avoid too frequent fund raises by any one (1) school organization. All participation will be voluntary.

Certain fundraising activities will recur and become routine. Once a fundraising activity is deemed routine by the Superintendent or designee that activity may recur simply by informing the Superintendent's Office prior to the start of that activity.

Gifts, coupons, money, or other tangible rewards are prohibited to any person involved in fundraising for any District purpose.

Fundraising projects in which students sell merchandise, provide services, or in other ways solicit money for school activities may be sponsored by school organizations with the express approval of the Building Principal. Any such plan will have a clearly defined purpose and, in general, will contribute to the educational experience of students and will not conflict with instructional programs or state mandates. Fundraising activities away from school property will be held to a minimum.

Door to door sales projects undertaken by any organization using the Shoreham-Wading River Central School District name will require previous approval of the Board. Profits will be used to enhance school programs by providing money for expenditures not normally funded by the District.

New York State Constitution, Article 8, Section 1
Education Law Section 414
8 New York Code of Rules and Regulations (NYCRR) Section 19.6

NOTE: Refer also to Policy #3271 -- Solicitation of Charitable Donations From Students

Adopted: 4/28/09
SUBJECT: CONSTITUTIONALLY PROTECTED PRAYER IN THE PUBLIC SCHOOLS

In accordance with the most recent Guidance Document issued by the U.S. Department of Education implementing the requirements of the No Child Left Behind Act of 2001, the Board affirms the responsibilities of the School District, consistent with applicable statutory/case law pertaining to the First Amendment of the United States Constitution, to allow students and staff to engage in constitutionally protected prayer within the District schools.

Accordingly, no Board policy will prevent, or otherwise deny participation in, constitutionally protected prayer in District schools, consistent with the Guidance Document and applicable law as enumerated above.

The Board rescinds any other policy that may be inconsistent with the mandates of this policy, which will supersede any and all Board policies to the contrary.

United States Constitution, First Amendment
Elementary and Secondary Education Act of 1965,
as amended by the No Child Left Behind Act of 2001,
Section 9524
Equal Access Act,
20 United States Code (USC) Sections 4071-4074

Adopted: 4/28/09
SUBJECT: REIMBURSEMENT OF STUDENTS PARTICIPATING IN STATE AND NATIONAL HONORS

Reimbursement of out-of-pocket expenses for individual students who qualify for State and National honors will be subsidized up to an amount of two hundred dollars ($200) per student with additional consideration based on circumstances. Staff members will be reimbursed for approved expenses.

Adopted: 4/28/09
SUBJECT: SCHOOL HEALTH SERVICES

All districts must provide and maintain a continuous program of health services which includes, but is not limited to:

a) Providing medical examinations, dental inspection and/or screening, scoliosis screening, vision screening and audiometer tests, designed to determine the health status of the student;

b) Informing parents or other persons in parental relation to the student, pupils and teachers of the individual student's health condition subject to federal and state confidentiality laws. The District will provide this notice in writing if the District becomes aware that the student has defective sight or hearing or a physical disability, including sickle cell anemia, or other condition which may require professional attention with regard to health;

c) Where the exigencies warrant (where the parents/persons in parental relation are unable or unwilling to provide the necessary relief and treatment), providing relief in situations where the student would otherwise be deprived of the full benefit of education through inability to follow the instruction offered;

d) Guiding parents, students and teachers in procedures for preventing and correcting defects and diseases and for the general improvement of the health of students;

e) Instructing school personnel in procedures to take in case of accident or illness;

f) Maintaining a program of education to inform school personnel, parents, non-school health agencies, welfare agencies and the general public regarding school health conditions, services and factors relating to the health of students;

g) Providing inspections and supervision of the health and safety aspects of the school plant;

h) Providing health examinations before participation in strenuous physical activity and periodically throughout the season as necessary;

i) Providing health examinations necessary for the issuance of employment certificates, vacation work permits, newspaper carrier certificates and street trades badges; and

j) Surveying and making necessary recommendations concerning the health and safety aspects of school facilities and the provision of health information.

Education Law Article 19
8 New York Code of Rules and Regulations (NYCRR)
Part 136

Adopted: 4/28/09
SUBJECT: IMMUNIZATION OF STUDENTS

Every child entering or attending a District school must present proof of immunization or proof of immunity by serology (blood test) if applicable in accordance with Public Health Law Section 2164 and the New York State Department of Health Regulations unless:

a) A New York State licensed physician certifies that such immunization is detrimental to the child's health. The requirement for that immunization is waived until such immunization is no longer detrimental to the child's health; or

b) The student's parent, parents, or persons in parental relation hold genuine and sincere religious beliefs which are contrary to the requirement. In such cases, the Building Principal will make a case-by-case determination whether a parent/guardian is entitled to invoke this religious exemption from required immunizations after receiving a written and signed statement from the parent(s) or persons in parental relation to such child. New York State Law does not recognize exemptions based on a parent(s) or guardian(s) personal or philosophical beliefs.

Except for the above two exemptions, the District may not permit a student lacking evidence of immunization to remain in school for more than fourteen (14) days, or more than thirty (30) days for an out-of-state or out-of-country transferee who can show a good faith effort to get the necessary certification or other evidence of immunization.

For homeless children, the enrolling school must immediately refer the parent or guardian of the student to the District's homeless liaison, who must assist them in obtaining the necessary immunizations, or immunization or medical records.

The administration will notify the local health authority of the name and address of excluded students and provide the parent/person in parental relation a statement of his/her duty regarding immunization as well as a consent form prescribed by the Commissioner of Health. The school will cooperate with the local health authorities to provide a time and place for the immunization of these students.

Parents, guardians or other persons in parental relation may appeal to the Commissioner of Education if their child is denied school entrance or attendance for failing to meet health immunization standards.

The District will provide an annual summary of compliance with immunization requirements to the Commissioner of Health.

For current information regarding immunization requirements, refer to website: http://schoolhealthservicesny.com

For advice on specialized immunization questions, contact the regional New York State Department of Health (NYSDOH) office directly. A complete listing of regional offices can be found on the following website: http://www.health.ny.gov/professionals/diseases/reporting/communicable/infection/regional_epi_staff.htm
SUBJECT: IMMUNIZATION OF STUDENTS

All schools will post educational information on influenza and the benefits of influenza immunization. The information must be in plain view and available to parents. Schools can obtain the information to post at: http://www.nyhealth.gov/prevention/immunization/childhood_and_adolescent.htm

Education Law Sections 310 and 914
Public Health Law Section 2164
8 NYCRR Part 136
10 NYCRR Subpart 66-1

NOTE: Refer also to Policy #7131 -- Education of Homeless Children and Youth

Adoption Date: 4/28/09
Revised and Re-Adopted: 5/13/14
SUBJECT: STUDENT PHYSICALS

Health Examination

Each student enrolled in District schools must have a satisfactory health examination conducted by the student's physician, physician assistant or nurse practitioner within twelve (12) months prior to the commencement of the school year of:

a) The student's entrance in a District school at any grade level;

b) Entrance to pre-kindergarten or kindergarten;

c) Entry into the 2nd, 4th, 7th and 10th grades.

The District may also require an examination and health history of a student when it is determined by the District that it would promote the educational interests of the student.

In addition, the District requires a certificate of physical fitness for:

a) All athletes prior to their first sport of the school year, then only those who were injured or ill during their first sport before participating in a second sport during the school year;

b) All students who need work permits; and

c) All students either suspected of or sustaining a mild traumatic brain injury (concussion) must receive a written and signed authorization from a licensed physician before returning to athletic activities in school.

Health Certificate

Each student must submit a health certificate attesting to the health examination within thirty (30) days after his or her entrance into school and within thirty (30) days after his or her entry into the 2nd, 4th, 7th and 10th grades. The health certificate will be filed in the student's cumulative record. The health certificate must:

a) Describe the condition of the student when the examination was given;

b) State the results of any test conducted on the student for sickle cell anemia;

c) State whether the student is in a fit condition of health to permit his/her attendance at public school and, where applicable, whether the student has defective sight or hearing, or any other physical disability which may tend to prevent the student from receiving the full benefit of school work or from receiving the best educational results, or which may require a modification of such work to prevent injury to the student;
SUBJECT: STUDENT PHYSICALS

d) Include a calculation of the student's body mass index (BMI) and weight status category. BMI is computed as the weight in kilograms divided by the square of height in meters or the weight in pounds divided by the square of height in inches multiplied by a conversion factor of 703. Weight status categories for children and adolescents will be defined by the Commissioner of Health. BMI collection is mandatory, effective September 2008. Reporting is random, with districts chosen by the NYS Department of Health. Selected districts must report BMI results on-line using DOH's Health Provider Network (HPN), a secure website;

e) Be signed by a duly licensed physician, physician assistant, or nurse practitioner, who is authorized by law to practice in New York State consistent with any applicable written practice agreement; or authorized to practice in the jurisdiction in which the examination was given, provided that the Commissioner of Health has determined that such jurisdiction has standards of licensure and practice comparable to those of New York. A certificate signed by a chiropractor is not acceptable except for a scoliosis evaluation.

Dental Certificate

The dental certificate law became effective on September 1, 2008. This law applies to new entrants in PreK, K, Grades 2, 4, 7 and 10. In accordance with this law, a notice of request for a dental health certificate will be distributed at the same time that the parent/person in parental relation is notified of health examination requirements, such certificate to be furnished at the same time the health certificate is required. At this time, students will be permitted to attend school regardless of whether or not they have a dental certificate.

The dental certificate will be signed by a duly licensed dentist, or a registered dental hygienist, authorized by law to practice in New York State or one who is authorized to practice in the jurisdiction in which the assessment was performed, provided that the Commissioner has determined that the jurisdiction has standards of licensure and practice comparable to New York State. The certificate will describe the dental health condition of the student upon assessment, which will not be more than twelve (12) months prior to the commencement of the school year in which the assessment is requested, and will state whether the student is in fit condition of dental health to permit his/her attendance at the public schools.

Requests are not to be retroactive (i.e., any physical requested prior to September 1, 2008 does not need to have an additional notice sent requesting the dental certificate). Requests are not required when the student or parent/person in parental relation objects on the grounds of conflict with their genuine and sincere religious beliefs. Within thirty (30) days following the student's entrance in the school or grade, the certificate, if obtained, will be filed in the student's cumulative health record.

Examination by Health Appraisal

The Principal or the Principal's designee will send a notice to the parents of, or person in parental relation to, any student who does not present a health certificate, that if the required health certificate is not furnished within thirty (30) days from the date of such notice, an examination by health appraisal will be made of such student by the Director of School Health Services.
SUBJECT: STUDENT PHYSICALS

The Director of School Health Services will cause such students to be separately and carefully examined and tested to ascertain whether any such student has defective sight or hearing, or any other physical disability which may tend to prevent the student from receiving the full benefit of school work or from receiving the best educational results, or which may require a modification of such work to prevent injury to the student.

The physician, physician assistant or nurse practitioner administering such examination will determine whether a one-time test for sickle cell anemia is necessary or desirable and, if so determined, will conduct such test and include the results in the health certificate.

Unless otherwise prohibited by law, if it is ascertained that any students have defective sight or hearing, or a physical disability or other condition, including sickle cell anemia which may require professional attention with regard to health, the Principal or Principal's designee will notify, in writing, the student's parents or persons in parental relation as to the existence of such disability. If the parents or persons in parental relation are unable or unwilling to provide the necessary relief and treatment for such students, such fact will be reported by the Principal or Principal's designee to the Director of School Health Services, who then has the duty to provide relief for such students.

Health Screenings

The District will provide:

a) Scoliosis screening at least once each school year for all students in grades 5 through 9. The positive results of any such screening examinations for the presence of scoliosis will be provided in writing to the student's parent or person in parental relation within ninety (90) days after such finding;

b) Vision screening to all students who enroll in school including at a minimum color perception, distance acuity, and near vision within six (6) months of admission to the school. In addition, all students will be screened for distance acuity in grades Kindergarten, 1, 2, 3, 5, 7 and 10 and at any other time deemed necessary. The results of all such vision screening examinations will be provided in writing to the student's parent or person in parental relation and to any teacher of the student. The vision report will be kept in a permanent file of the school for at least as long as the minimum retention period for such records;

c) Hearing screening to all students within six (6) months of admission to the school and in grades Kindergarten, 1, 3, 5, 7 and 10, as well as at any other time deemed necessary. Screening will include, but not be limited to, pure tone and threshold air conduction screening. The results of any such hearing tests will be provided in writing to the student's parent or person in parental relation and to any teacher of the student.
SUBJECT: STUDENT PHYSICALS

The results of all health screenings (dental, hearing, vision and scoliosis) will be recorded on appropriate forms signed by the health professional making the examination, include appropriate recommendations, and be kept on file in the school. The health records of individual students will be kept confidential in accordance with the federal Family Educational Rights and Privacy Act (FERPA) and any other applicable federal and State laws.

Accommodation for Religious Beliefs

No health examinations, health history, examinations for health appraisal, screening examinations for sickle cell anemia and/or other health screenings will be required where a student or the parent or person in parental relation to such student objects thereto on the grounds that such examinations, health history and/or screenings conflict with their genuine and sincere religious beliefs. A written and signed statement from the student or the student's parent or person in parental relation that such person holds such beliefs will be submitted to the Principal or Principal's designee, in which case the Principal or Principal's designee may require supporting documents.

Homeless Students

For homeless children, the enrolling school must immediately refer the parent or guardian of the student to the District's homeless liaison, who must assist them in obtaining the necessary medical records.

Family Educational Rights and Privacy Act of 1974 (FERPA)
20 USC Section 1232(g)
Education Law Sections 901-905, 912 and 3217
8 NYCRR Parts 135 and 136

NOTE: Refer also to Policies #5690 -- Exposure Control Program
#5691 -- Communicable Diseases
#5692 -- Human Immunodeficiency Virus (HIV) Related Illnesses
#7121 -- Diagnostic Screening of Students
#7131 -- Education of Homeless Children and Youth
#7511 -- Immunization of Students
#7522 -- Concussion Management

Adopted: April 28, 2009
Revised and Re-Adopted June 11, 2013
SUBJECT: ADMINISTRATION OF MEDICATION

The school’s registered professional nurse may administer medication to a student during school hours under certain conditions. (For the purpose of this policy, “medication” includes prescriptions and non-prescriptions). Per New York State Education Department (NYSED) requirements, the school must receive the following before medication is given to a student:

a) The original written order from the student’s physician stating the name of the medication, precise dosage, frequency and time of administration;
b) A written, signed consent from the student’s parent or legal guardian requesting the administration of the medication, as prescribed by the physician, to the student in school; and
c) The medication, properly labeled in its original container, must be delivered to the school’s health office by the student’s parent or legal guardian. (The term “properly labeled” in the context of this policy means that the container must include the following information: the student’s name, name of medication, dosage, frequency and prescribing physician). A student is not permitted to carry any medication on his/her person in school or on the school bus, or keep any medication in his/her school locker(s). An exception to this may apply for a student’s asthma inhaler or epi-pen which a student may carry and use under certain conditions.

All medication orders must be reviewed annually or whenever there is a change in dosage.

Student with Asthma or Other Respiratory Illnesses

*The District will make a nebulizer available on-site in school buildings where full- or part-time nursing services are provided. Only students with a patient-specific order may have access to the nebulizer. School nursing personnel will clean and maintain the District nebulizer as appropriate.

**The District will obtain and stock albuterol metered dose inhalers (MDIs) and/or liquid albuterol from a licensed pharmacy. This stock albuterol is for use in a nebulizer for students diagnosed with asthma whose personal prescription albuterol supplies are empty and while awaiting the parent or person in parental relation to provide the school with a new one. School health office personnel will promptly inform parents or persons in parental relation of the need for replacement of the student's albuterol medication. Students utilizing the school's stock albuterol must provide a patient specific order for albuterol from their own private health provider, including an order permitting the student to utilize the school's stock albuterol. Stock albuterol may only be utilized when the school nurse is available to administer the medication. The student's parent/guardian must also provide the school with written permission allowing his/her child to be administered the school's stock albuterol in the event that the student's own prescription albuterol supply is empty. The school health office will promptly inform students' parents or persons in parental relation any time that the school stock albuterol was utilized.

*District Option -- Although not required, a school district may choose to maintain a nebulizer in its schools. If you choose not to do so, please remove this option.

**District Option -- A school district may, but is not mandated to, stock albuterol. If a district decides to not provide stock albuterol, this paragraph should be removed.
SUBJECT: ADMINISTRATION OF MEDICATION

Personal equipment used to deliver albuterol to a student will be cleaned and appropriately labeled with the student's name and used solely by that individual student. (Examples of equipment to be cleaned and labeled are nebulizer tubing, facemask, mouthpiece, spacer, etc.)

Self-Administration of Medication

Generally

Each student who is permitted to self-administer medication should have an emergency care plan on file with the District. Further, the school will maintain a record of all written parental consents in the student's cumulative health record.

School health office personnel will also maintain regular parental contact in order to monitor the effectiveness of such self-medication procedures and to clarify parental responsibility as to the daily monitoring of their child to ensure that the medication is being utilized in accordance with the physician's or provider's instructions. Additionally, the student will be required to report to the health office on a periodic basis as determined by health office personnel so as to maintain an ongoing evaluation of the student's management of such self-medication techniques, and to work cooperatively with the parents and the student regarding such self-care management.

Students who self-administer medication without proper authorization will be referred for counseling by school nursing personnel, as appropriate. Additionally, school administration and parents will be notified of such unauthorized use of medication by the student, and school administration may determine the proper resolution of this behavior.

Students with asthma or another respiratory disease

A student will be permitted to carry and self-administer their prescribed inhaled rescue medication during the school day, on school property, and at any school function if the school health office has the following on file:

   a) Written order/permission and an attestation from a duly authorized health care provider stating that the student has a diagnosis of asthma or other respiratory disease for which inhaled rescue medications are prescribed to alleviate respiratory symptoms or to prevent the onset of exercise induced asthma; the student has demonstrated that he/she can self-administer the prescribed medication effectively; and the expiration date of the order, the name of the prescribed medication, the dose the student is to self-administer, times when the medication is to be self-administered, and the circumstances which may warrant the use of the medication; and

   b) Written consent from the student's parent or person in parental relation.

Upon written request of the student's parent or person in parental relation, the school will allow the student to maintain an extra inhaled rescue medication in the care and custody of the school's registered professional nurse, nurse practitioner, physician assistant, or school physician.
SUBJECT: ADMINISTRATION OF MEDICATION

Students with Allergies

A student will be permitted to carry and self-administer his/her prescribed EpiPen during the school day, on school property, and at any school function if the school health office has the following on file:

a) Written order/permission and an attestation from a duly authorized health care provider stating that the student has a diagnosis of an allergy for which an EpiPen is needed for the emergency treatment of allergic reactions; the student has demonstrated that he/she can self-administer the prescribed EpiPen effectively; and the expiration date of the order, the name of the medicine, the dose the student is to self-administer, and the circumstances which may warrant the use of the medication; and

b) Written consent from the student's parent or person in parental relation.

Upon written request of the student's parent or person in parental relation, the school will allow the student to maintain an extra EpiPen in the care and custody of a licensed nurse, nurse practitioner, physician assistant, or school physician.

Students with Diabetes

A student will be permitted to carry and self-administer his/her prescribed insulin through an appropriate medication delivery device, carry glucagon, and carry and use equipment and supplies necessary to check blood glucose and/or ketone levels during the school day, on school property, and at any school function if the school health office has the following on file:

a) Written order/permission and an attestation from a duly authorized health care provider stating that the student has a diagnosis of diabetes for which insulin and glucagon through appropriate medication delivery devices, and the use of equipment and supplies to check blood glucose and/or ketone levels are necessary; the student has demonstrated that he/she can self-administer effectively, can self-check glucose or ketone levels independently, and can independently follow prescribed treatment orders; and the expiration date of the order, the name of the prescribed insulin or glucagon, the type of insulin delivery system, the dose of insulin and/or glucagon the student is to self-administer, times when the insulin and/or glucagon is to be self-administered, and the circumstances which may warrant administration by the student. The written permission must also identify the prescribed blood glucose and/or ketone test, the times testing is to be done, and any circumstances which warrant checking a blood glucose and/or ketone level.

b) Written consent from the student's parent or person in parental relation.

Upon written request of the student's parent or person in parental relation, the school will allow the student to maintain extra insulin, insulin delivery system, glucagon, blood glucose meter, and related supplies to treat the student's diabetes in the care and custody of a licensed nurse, nurse practitioner, physician assistant, or school physician.
SUBJECT: ADMINISTRATION OF MEDICATION

Students with diabetes will also be permitted to carry food, oral glucose, or other similar substances necessary to treat hypoglycemia in accordance with District policy.

Alcohol-Based Hand Sanitizers

The New York State Education Department (NYSED) permits the use of alcohol-based hand sanitizers in schools. The school medical director may approve and permit the use of alcohol-based hand sanitizers in the District's schools without a physician's order. Parents may provide written notification to the school in the event that they do not wish to have their child use this product.

Sunscreen

Students may carry and use FDA approved sunscreen products for over-the-counter use. The student's parent or person in parental relation must provide written permission for the student to carry and use sunscreen. This written parental consent will be maintained by the school. A student who is unable to physically apply sunscreen may be assisted by unlicensed personnel when directed to do so by the student, if permitted by a parent or person in parental relation, and authorized by the school.

Storage and Disposal

The District will comply with relevant state laws, regulations, and guidelines governing the District's receipt, storage, and disposal of medication.

Individuals with Disabilities Education Improvement Act of 2004 [Public Law 108-446 Section 614(a)]
Individuals with Disabilities Education Act (IDEA), 20 USC Sections 1400 et seq.
Section 504 of the Rehabilitation Act of 1973, 29 USC Section 794 et seq.
Education Law Sections 902(b), 907, 916, 916-a, 916-b, 919, 921, 6527, and 6908(1)(a)(iv), 6909
Public Health Law Section 3000-a, c, 3309
8 NYCRR 136.6, 136.7

NOTE: Refer also to Policy #7521 -- Students with Life-Threatening Health Conditions

Adopted: 4/28/09
Revised and Re-Adopted: 9/26/17
SUBJECT: HEALTH RECORDS

The school will keep a convenient, accurate, and up-to-date health record of every student. Insofar as the health records include confidential disclosures or findings, they will be kept confidential.

The Family Educational Rights and Privacy Act (FERPA) is a federal law that protects the privacy interests of students. For Pre-K through grade 12 students, health records maintained by the School District, including immunization records and school nurse records, generally are considered "education records" and subject to FERPA because they are:

a) Directly related to the student;

b) Maintained by an education agency or institution, or a party acting for the agency or institution; and

c) Not excluded from the definition of education records as treatment or sole-possession records, or on some other basis.

Health records and immunization records that are considered "education records" under FERPA are not subject to the Health Insurance Portability and Accountability Act of 1996 (HIPAA) privacy requirements. In addition, school nurse or other health records maintained on students receiving services under the Individuals with Disabilities Act (IDEA) are considered "education records" and also subject to that Act's confidentiality provisions. Consequently, these records are subject to FERPA and not the HIPAA Privacy Rule.

Individual records may be interpreted by the school's registered professional nurse to administrators, teachers, and counselors, consistent with law.

34 Code of Federal Regulation (CFR) Section 99
Education Law Sections 902(b) and 905
8 New York Code of Rules and Regulations (NYCRR) Part 136

Adopted: 4/28/09
SUBJECT: PEDICULOSIS (HEAD LICE)

Few conditions seem to cause as much concern in schools and homes as an infestation of head lice in children. Students in the elementary grades (ages 3 through 10) are the most likely target hosts for these insect pests. Head lice do not respect socio-economic class distinctions and their presence does not indicate a lack of hygiene or personal cleanliness. Recent medical recommendations from both the American Association of Pediatrics (AAP) and the National Association of School Nurses (NASN) do not treat head lice as an illness that necessitates an absence from school and have shown that the contagion does not spread as easily as once thought.

In order to control infestations of head lice (Pediculosis), the Board has adopted the following protocols:

a) Whenever live lice are observed on a student, the school nurse will contact the student's parents/guardians. The school nurse will advise parents/guardians on how to treat their child’s condition effectively.

b) A student who has been observed with live lice and then returns to school will be re-examined by the school nurse. If live lice are noted during the school nurse’s examination, the student’s parent/guardian will be advised of further treatment options. Such treatments may include, but not be limited to, treatment by a physician.

After multiple observations of live lice, the student will be re-examined by the school nurse and will be re-admitted to school only when no live lice are noted.

c) School staff will protect student privacy and maintain confidentiality of medical information when infestation is detected.

d) School staff will also work to minimize the social stigma that is unfairly attached to victims of head lice infestations. Head lice are not caused by poverty or unsanitary conditions. Students will not be separated from their peers or singled out as infected. All staff will learn proper precautions to prevent further spread of the infestation.

Regulations will be developed to provide guidelines on the detection and treatment of head lice, as well as classroom procedures for dealing with affected students.

Revised and Re-Adopted: June 11, 2013
SUBJECT: ACCIDENTS AND MEDICAL EMERGENCIES

Student Emergency Treatment

All staff members of the District are responsible to obtain first aid care for students who are injured or become ill while under school supervision.

In most instances, first aid should be rendered and then the parent should be contacted to come to school and transport the student to the family physician. Beyond first aid, the medical care of the student is the parent's responsibility. However, the student's welfare is always the primary concern, and it is the responsibility of school personnel to exercise good judgment and care under all circumstances.

The Board encourages all staff members to become qualified to give emergency treatment through instruction in first aid, Cardiopulmonary Resuscitation (CPR), and Automated External Defibrillators (AEDs).

Transporting an Ill or Injured Student

In the event of an illness or injury to a student, an ambulance may be called. The District will make all reasonable attempts to contact a parent or person in parental relation when determining if emergency treatment is necessary.

Insurance

The Board may approve provisions for all students to be covered by group insurance.

If group insurance is provided, such student accident insurance policies are to be a co-insurance with family coverage(s) as primary.

Education Law §§ 1604(7-a), 1604(7-b), 1709(8-a) and 1709(8-b)

NOTE: Refer also to Policy #7420 -- Sports and the Athletic Program

Adoption Date: 4/28/09
Revised and Re-Adopted: 3/12/19
Students come to school with diverse medical conditions which may impact their learning as well as their health. Some of these conditions are serious and may be life-threatening. As a result, students, parents, school personnel, and health care providers must all work together to provide the necessary information and training to allow children with chronic health problems to participate as fully and safely as possible in the school experience. This policy encompasses an array of serious or life-threatening medical conditions such as anaphylaxis, diabetes, seizure disorders, or severe asthma and acute medical conditions such as substance overdose. All students within the District with known life-threatening conditions will have a comprehensive plan of care in place: an Emergency Care Plan (ECP) or Individualized Healthcare Plan (IHP) and if appropriate, an Individualized Education Plan (IEP) or Section 504 Plan.

Life-Threatening Conditions

For those students with chronic life-threatening conditions such as diabetes, seizure disorders, asthma, and allergies, the District must work cooperatively with the parent(s) and the healthcare provider(s) to:

a) Immediately develop an ECP for each at risk student to ensure that all appropriate personnel are aware of the student's potential for a life-threatening reaction;

b) If appropriate, develop an IHP that includes all necessary treatments, medications, training, and educational requirements for the student. If the student is eligible for accommodations based upon the Individuals with Disabilities Act (IDEA), Section 504 of the Rehabilitation Act of 1973, or the Americans with Disabilities Act, the appropriate procedures will be followed regarding evaluation and identification;

c) Provide training by licensed medical personnel (e.g., registered professional nurse) for all adults in a supervisory role in the recognition and emergency management of a specific medical condition for specific students;

d) Obtain specific medical-legal documents duly executed in accordance with New York State law; appropriate health care provider authorization in writing for specific students that includes the frequency and conditions for any testing and/or treatment, symptoms, and treatment of any conditions associated with the health problem; and directions for emergencies;

e) Secure written parent permission and discuss parental responsibility that includes providing the health care provider's orders, providing any necessary equipment, and participation in the education and co-management of the child as he/she works toward self-management;

f) Allow supervised students to carry life-saving medication in accordance with relevant laws, regulations, and procedures. The District will also encourage parents and students to provide duplicate life-saving medication to be maintained in the health office in the event the self-carrying student misplaces, loses, or forgets their medication;
SUBJECT: STUDENTS WITH LIFE THREATENING HEALTH CONDITIONS

g) Assure appropriate and reasonable building accommodations are in place within a reasonable degree of medical certainty.

In addition, the District will:

a) Provide training for transportation, instructional, food service, or physical education staff, as appropriate, in the recognition of an anaphylactic reaction;

b) Have standing emergency medical protocols for nursing or other staff;

c) Request the school medical director to write a non-patient specific order for anaphylaxis treatment agents for the school's registered professional nurse or other staff, as designated by the administration and allowed under federal and New York State laws and regulations, to administer in the event of an unanticipated anaphylactic episode;

d) Maintain or ensure the maintenance of a copy of the standing order(s) and protocol(s) that authorizes them to administer emergency medications such as anaphylactic treatment agents;

*e) The school nurse will inventory the supply of Naloxone.

f) Allow the school registered nurse, nurse practitioner, or physician to train unlicensed school personnel to administer emergency epinephrine via auto-injector, or emergency glucagon, to students with both a written provider order and parent/person in parental relation consent during the school day, on school property, and at any school function. Such training will be done in accordance with specifications outlined in the Commissioner's regulations;

g) Ensure that building-level and District-wide school safety plans include appropriate accommodations for students with life-threatening health conditions.

h) Encourage families to obtain medic-alert bracelets for at risk students;

i) Educate students regarding the importance of immediately reporting symptoms of an allergic reaction.

Creating an Allergen-Safe School Environment

The risk of accidental exposure or cross-contamination is always present in school, particularly for students with food allergies. The school setting is a high-risk environment for accidental ingestion of a food allergen due to the presence of a large number of students, increased exposure to food allergens, and cross-contamination of tables, desks, and other surfaces.
SUBJECT: STUDENTS WITH LIFE THREATENING HEALTH CONDITIONS

In an effort to prevent accidental exposure to allergens, the District will monitor the following high-risk areas and activities:

a) Cafeteria;
b) Food sharing;
c) Hidden ingredients in art, science, and other projects;
d) Transportation;
e) Fund raisers and bake sales;
f) Parties and holiday celebrations;
g) Field trips;
h) Before and after school programs.

Medication Self-Management

The District will work toward assisting students in the self-management of their chronic health condition based upon the student's knowledge level and skill by:

a) Adequately training all staff involved in the care of the child, as appropriate;
b) Assuring the availability of the necessary equipment and/or medications;
c) Providing appropriately trained licensed persons as required by law;
d) Developing an emergency plan for the student; and
e) Providing ongoing staff and student education.

Americans with Disabilities Act, 42 USC Section 12101 et seq.
Individuals with Disabilities Education Act (IDEA), 20 USC Sections 1400-1485
Section 504 of the Rehabilitation Act of 1973, 29 USC Section 794 et seq.
34 CFR Part 300
Education Law Sections 6527 and 6908
8 NYCRR Section 136.6, 136.7
Public Health Law Sections 2500-h (Anaphylactic policy for school districts) and 3000-a

NOTE: Refer also to Policy #7513 -- Administration of Medication

Adopted: 4/28/09
Revised and Re-Adopted: 6/25/19
SUBJECT: CONCUSSION MANAGEMENT

The Board recognizes that concussions and head injuries are the most commonly reported injuries in children and adolescents who participate in sports and recreational activities. The physical and mental well-being of our students is a primary concern. Therefore, the Shoreham-Wading River Central School District adopts the following Policy to support the proper evaluation and management of concussion injuries.

A concussion is a mild traumatic brain injury (MTBI). A concussion occurs when normal brain functioning is disrupted by a blow or jolt to the head or body that causes the head and brain to move rapidly back and forth. Recovery from concussion and its symptoms will vary. Avoiding re-injury and over-exertion until fully recovered are the cornerstones of proper concussion management. Concussions can impact a student's academics as well as their athletic pursuits.

Concussion Management Team (CMT)

In accordance with the Concussion Management and Awareness Act, the School District is authorized, at its discretion, to establish a Concussion Management Team (CMT) which may be composed of the certified athletic director, a school nurse, the school physician, a coach of an interscholastic team, a certified athletic trainer or such other appropriate personnel as designated by the School District. The Concussion Management Team will oversee and implement the School District's concussion policy and regulations, including the requirement that all school coaches, physical education teachers, nurses and certified athletic trainers who work with and/or provide instruction to pupils engaged in school-sponsored athletic activities complete training relating to mild traumatic brain injuries. Furthermore, every concussion management team may establish and implement a program which provides information on mild traumatic brain injuries to parents and persons in parental relation throughout each school year.

Staff Training/Course of Instruction

Each school coach, physical education teacher, school nurse and certified athletic trainer who works with and/or provides instruction to students in school-sponsored athletic activities (including physical education class and recess) will complete a course of instruction every two (2) years relating to recognizing the symptoms of concussions or MTBIs and monitoring and seeking proper medical treatment for students who suffer from a concussion or MTBI.

Components of the training will include:

a) The definition of MTBI;
b) Signs and symptoms of MTBI;
c) How MTBIs may occur;
d) Practices regarding prevention; and
e) Guidelines for the return to school and school activities for a student who has suffered an MTBI, even if the injury occurred outside of school.
SUBJECT: CONCUSSION MANAGEMENT

The course can be completed by means of instruction approved by SED which include, but are not limited to, courses provided online and by teleconference.

Information to Parents

The District will include the following information on concussion in any permission or consent form or similar document that may be required from a parent/person in parental relation for a student's participation in interscholastic sports. Information will include:

a) The definition of MTBI;
b) Signs and symptoms of MTBI;
c) How MTBI's may occur;
d) Practices regarding prevention; and
e) Guidelines for the return to school and school activities for a student who has suffered an MTBI, even if the injury occurred outside of school.

The District will provide a link on its website, if one exists, to the above list of information on the State Education Department's and Department of Health's websites.

Identification of Concussion and Removal from Athletic Activities

The District will require the immediate removal from all athletic activities of any student who has sustained, or is believed to have sustained, a mild traumatic brain injury (MTBI) or concussion. Any student demonstrating signs, symptoms or behaviors consistent with a concussion while participating in a class, extracurricular activity, or interscholastic athletic activity will be removed from the class, game or activity and must be evaluated as soon as possible by an appropriate health care professional. Such removal must occur based on display of symptoms regardless of whether such injury occurred inside or outside of school. If there is any doubt as to whether the student has sustained a concussion, it will be presumed that the student has been injured until proven otherwise. The District will notify the student's parents or guardians and recommend appropriate evaluation and monitoring.

The School District may choose to allow credentialed District staff to use validated Neurocognitive computerized testing as a concussion assessment tool to obtain baseline and post-concussion performance data. These tools are not a replacement for a medical evaluation to diagnose and treat a concussion.
SUBJECT: CONCUSSION MANAGEMENT

Return to School Activities and Athletics

The student will not return to physical activity (including athletics, physical education class and recess) until he/she has been symptom-free for not less than twenty-four (24) hours, and has been evaluated and received written authorization from a licensed physician. In accordance with Commissioner's Regulations, the School District's Medical Director will give final clearance on a return to activity for extra-class athletics. All such authorizations will be kept on file in the student's permanent health record. The standards for return to athletic activity will also apply to injuries that occur outside of school. School staff should be aware that students may exhibit concussion symptoms caused by injuries from outside activities and that these visible symptoms also indicate a removal from play.

The District will follow any directives issued by the student's treating physician with regard to limitations and restrictions on school and athletic activities for the student. The District's Medical Director may also formulate a standard protocol for treatment of students with concussions during the school day.

In accordance with NYSED guidelines, this Policy will be reviewed periodically and updated as necessary in accordance with New York State Education Department guidelines. The Superintendent, in consultation with the District's Medical Director and other appropriate staff, may develop regulations and protocols for strategies to prevent concussions, the identification of concussions, and procedures for removal from and return to activities or academics.

Education Law Sections 207; 305(42), and 2854
8 NYCRR 135.4 and 136.5

Guidelines for Concussion Management in the School Setting, SED Guidance Document, June 2012

Adoption Date: January 8, 2013
SUBJECT: CHILD ABUSE AND MALTREATMENT

The District takes seriously the obligations of its officers and employees to report cases of child abuse or maltreatment. To this end, regulations will be developed, maintained, and disseminated by administration regarding the:

a) Mandatory reporting of suspected child abuse or maltreatment;
b) Reporting procedures and obligations of persons required to report;
c) Provisions for taking a child into protective custody;
d) Mandatory reporting of deaths;
e) Immunity from liability and penalties for failure to report;
f) Obligations for provision of services and procedures necessary to safeguard the life or health of a child; and
g) Provision of information in recognizing signs of unlawful methamphetamine laboratories for all current and new school officials (i.e., "mandated reporters") who, as part of their usual responsibilities, visit children's homes.

Additionally, an ongoing training program for all current and new school officials will be established and implemented to enable the staff to carry out their reporting responsibilities.

Reporting Information

The District will post the child abuse hotline telephone number and directions for accessing the Office of Children and Family Services (OCFS) website in English and Spanish on its website and in clearly and highly visible areas of school buildings. The District will also make this information available from its administrative offices; provide it to parents and persons in parental relation at least once per school year by electronic communication, sending the information home with students, or otherwise; and provide it to each teacher and administrator. The District may post and provide this information in other, common languages used by the school community.

Persons Required to Report

Persons required to report cases of child abuse or maltreatment to the State Central Register (SCR) in accordance with Social Services Law Section 413(1) include, but are not limited to, school teachers, school guidance counselors, school psychologists, school social workers, school nurses, school administrators or other school personnel required to hold a teaching or administrative license or certificate, and full- or part-time compensated school employees required to hold a temporary coaching license or professional coaching certificate.

All mandated reporters must make the report themselves and then immediately notify the building principal or designee. The building principal or designee will be responsible for all subsequent administration necessitated by the report. Any report must include the name, title, and contact.
SUBJECT: CHILD ABUSE AND MALTREATMENT

information for every staff member who is believed to have direct knowledge of the allegations in the report.

Prohibition of Retaliatory Personnel Action

The District will not take any retaliatory personnel action against an employee because the employee believes that he or she has reasonable cause to suspect that a child is an abused or maltreated child and that employee makes a report to SCR. Further, no school official will impose any conditions, including prior approval or prior notification, upon any staff member specifically designated a mandated reporter.

"Retaliatory personnel action" means the discharge, suspension, or demotion of an employee, or other adverse employment action taken against an employee in the terms and conditions of employment.

Report Form

The "Report of Suspected Child Abuse or Maltreatment" Form LDSS-2221A may be accessed at the OCFS website.

Child Abuse in an Educational Setting

The District is committed to the protection of students in educational settings from abuse and maltreatment by employees or volunteers.

Child abuse means any of the following acts committed in an educational setting by an employee or volunteer against a child (defined as a person under the age of 21 years enrolled in a school):

a) Intentionally or recklessly inflicting physical injury, serious physical injury, or death; or

b) Intentionally or recklessly engaging in conduct which creates a substantial risk of physical injury, serious physical injury, or death; or

c) Any child sexual abuse, defined as conduct prohibited by Penal Law Articles 130 or 263; or

d) The commission or attempted commission against a child of the crime of disseminating indecent materials to minors in accordance with Penal Law Article 235.

Administrator or school administrator means a principal, or the equivalent title, in a school, or other chief school officer.

Educational setting means the building(s) and grounds of the District; the vehicles provided directly or by contract by the District for the transportation of students to and from school buildings, field trips, co-curricular and extracurricular activities both on and off District grounds; all co-curricular and extracurricular activity sites; and any other location where direct contact between an employee or volunteer and a child has allegedly occurred.
SUBJECT: CHILD ABUSE AND MALTREATMENT

In any case where an oral or written allegation is made to a teacher, school nurse, school counselor, school psychologist, school social worker, school administrator, Board member, or other school personnel required to hold a teaching or administrative license or certificate, as well as a licensed and registered physical therapist, licensed and registered occupational therapist, licensed and registered speech-language pathologist, teacher aide or school resource officer that a child has been subjected to child abuse by an employee or volunteer in an educational setting, that person will upon receipt of the allegation:

a) Promptly complete a written report of the allegation including the full name of the child alleged to be abused; the name of the child's parent; the identity of the person making the allegation and their relationship to the alleged child victim; the name of the employee or volunteer against whom the allegation was made; and a listing of the specific allegations of child abuse in an educational setting. This written report will be completed on a form prescribed by the Commissioner of Education.

b) Except where the school administrator is the person receiving the oral or written allegation, the employee completing the written report must promptly personally deliver a copy of that written report to the school administrator of the school in which the child abuse allegedly occurred.

In any case where an oral or written report or allegation is made to a supervisor who is employed by a person or entity that contracts with the District to provide transportation services to children that a child has been subjected to child abuse by an employee or volunteer in an educational setting, the supervisor must, upon receipt of an allegation:

a) Promptly complete a written report of the allegation including the full name of the child alleged to be abused; the name of the child's parent or guardian; the identity of the person making the allegation and their relationship to the alleged child victim; the name of the employee or volunteer against whom the allegation was made; and a listing of the specific allegations of child abuse in an educational setting. This report must be completed on a form prescribed by the Commissioner.

b) Ensure that the written report is personally delivered to the Superintendent employed by the school district where the child abuse occurred or, for a school other than a school district or public school, the school administrator employed by the school where the child abuse occurred.
SUBJECT: CHILD ABUSE AND MALTREATMENT

In any case where it is alleged a child was abused by an employee or volunteer of a school other than a school within the District, the report of these allegations will be promptly forwarded to the Superintendent of the District and the Superintendent of the school district where the abuse of the child allegedly occurred. If a case involves a school that is not a school district or public school, the appropriate school administrator or administrators, in addition to any appropriate Superintendent, must be notified of the allegations of abuse.

If it is alleged the child was abused by the Superintendent or administrator, the report of the allegations will be made to another designated administrator.

Any employee, volunteer, or supervisor who is employed by a person or entity that contracts with the District to provide transportation services to children who reasonably and in good faith makes a report of allegations of child abuse in an educational setting in accordance with the reporting requirements of the law will have immunity from civil liability which might otherwise result by reason of those actions.

Upon receipt of a written report alleging child abuse in an educational setting, a school administrator or the Superintendent must then determine whether there is reasonable suspicion to believe that an act of child abuse has occurred. Where there has been a determination as to the existence of reasonable suspicion, the school administrator or Superintendent must follow the procedures mandated in law and further described in administrative regulations including parental notification. When the school administrator receives a written report, he or she must promptly provide a copy of the report to the Superintendent and promptly forward the report to appropriate law enforcement. In no event will reporting to law enforcement be delayed by an inability to contact the Superintendent.

Where the Superintendent or, in a school other than a school district or public school, the school administrator has forwarded a written report of child abuse in an educational setting to law enforcement authorities, the Superintendent will also refer the report to the Commissioner if the employee or volunteer alleged to have committed an act of child abuse holds a certification or license issued by the State Education Department.

Any school administrator or Superintendent who reasonably and in good faith makes a report of allegations of child abuse in an educational setting, or reasonably and in good faith transmits a report to a person or agency as required by law, will have immunity from civil liability which might otherwise result by reason of those actions.

Reports and other written material submitted in accordance with law with regard to allegations of child abuse in an educational setting, and photographs taken concerning those reports that are in the possession of any person legally authorized to receive that information, will be confidential and will not be redisclosed except to law enforcement authorities involved in an investigation of child abuse in an educational setting or as expressly authorized by law or in accordance with a court-ordered subpoena. School administrators and the Superintendent will exercise reasonable care in preventing unauthorized disclosure.
SUBJECT: CHILD ABUSE AND MALTREATMENT

Additionally, teachers and all other school officials will be provided an annual explanation concerning the reporting of child abuse in an educational setting, including the immunity provisions as set forth in law. The Commissioner will furnish the District with required information, including rules and regulations for training necessary to implement District and staff responsibilities under the law.

All persons employed by the District, in titles equivalent to teacher or administrator, and any school bus drivers employed by a person or entity that contracts with the District to provide transportation services to children, are required to complete coursework or training regarding the identification and reporting of child abuse and maltreatment in accordance with law and Commissioner's regulations.

Prohibition of "Silent" (Unreported) Resignations

The Superintendent and other school administrators are prohibited from withholding from law enforcement authorities, the Superintendent, or the Commissioner, as appropriate, information concerning allegations of child abuse in an educational setting against an employee or volunteer in exchange for that individual's resignation or voluntary suspension from his or her position.

The Superintendent or other school administrator who reasonably and in good faith reports to law enforcement officials information regarding allegations of child abuse or a resignation as required by law will have immunity from any liability, civil or criminal, which might otherwise result by reason of those actions.

Prohibition on Aiding and Abetting Sexual Abuse

Unless exempted by law, no District employee, contractor, or agent of the District will assist another District employee, contractor, or agent in obtaining a new job, apart from the routine transmission of administrative and personnel files, if the individual or agency knows or has probable cause to believe, that the individual engaged in sexual misconduct regarding a minor or student in violation of the law.

Education Law Article 23-B and §§ 409-1, 902(b), 3028-b and 3209-a
Family Court Act § 1012
Labor Law § 740(1)(e)
Penal Law Articles 130, 235 and 263
Social Services Law §§ 411-428
8 NYCRR Part 83, § 100.2(nn)
20 USC § 7926

Adoption Date April 28, 2009
Revised and Re-Adopted: February 23, 2016
Revised and Re-Adopted: November 28, 2017
Revised and Re-Adopted: October 29, 2019
SUBJECT: SUICIDE

The suicide of a student has an extremely disturbing effect on the school and the local community. Unfortunately, there has been a significant increase in the number of adolescents who choose suicide as a way to resolve their problems. It is the intent of this District to alert school personnel to the implications of suicide by a student, to help the school and the community cope with the aftermath of such a tragic event should it occur, to recommend ways of identifying children and adolescents at risk of attempting suicide and to suggest ways to prevent such occurrences.

Suicide prevention will be incorporated into the curriculum to make students aware of this growing problem. This will be done in a manner so as not to glamorize the situation but to educate students in regard to this policy.

The administration is responsible for informing staff of regulations and procedures of suicide prevention, intervention, and post-intervention that have been developed by the administration.

Adopted: 4/28/09
SUBJECT: COMPLAINTS AND GRIEVANCES BY STUDENTS

While students have the responsibility to abide by the policies and regulations of the District, they will also be afforded opportunity to present complaints and grievances free from interference, coercion, restraint, discrimination or reprisal. Administration will be responsible for:

a) Establishing rules and regulations for the redress of complaints or grievances through proper administration channels;

b) Developing an appeals process;

c) Ensuring that students have full understanding and access to these regulations and procedure; and

d) Providing prompt consideration and determination of student complaints and grievances.

Prohibition of Retaliatory Behavior

The Board prohibits any retaliatory behavior directed against complainants, victims, witnesses, and/or any other individuals who participated in the investigation of a complaint of discrimination. Follow-up inquiries will be made to ensure that discrimination has not resumed and that all those involved in the investigation of the discrimination complaint have not suffered retaliation.

Complaints and Grievances Coordinator

Additionally, the Board will ensure 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). The Superintendent will designate a District employee as the Title IX/Section 504/ADA Coordinator; and regulations and procedures will be implemented to resolve complaints of discrimination based on sex or disability.

Prior to the beginning of each school year, the District will issue an appropriate public announcement which advises students, parents/guardians, employees and the general public of the District's established grievance procedures for resolving complaints of discrimination based on sex or disability. Included in such announcement will be the name, address and telephone number of the Title IX/Section 504/ADA Coordinator.

The Title IX/Section 504/ADA Coordinator will also be responsible for handling complaints and grievances regarding discrimination based on race, color, creed, religion, national origin, political affiliation, sexual orientation, age, military status, marital status, or use of a recognized guide dog, hearing dog or service dog.
SUBJECT: COMPLAINTS AND GRIEVANCES BY STUDENTS (Cont'd.)

Age Discrimination in Employment Act, 29 United States Code Section 621
Prohibits discrimination on the basis of disability.

Americans With Disabilities Act, 42 United States Code (USC) Section 12101 et seq.
Prohibits discrimination on the basis of disability.

Section 504 of the Rehabilitation Act of 1973, 29 United States Code (USC) Section 794 et seq.
Prohibits discrimination on the basis of age, race, creed, color, national origin, sex, marital status, sexual orientation or disability.

Title VI of the Civil Rights Act of 1964, 42 United States Code (USC) Section 2000d et seq.
Prohibits discrimination on the basis of race, color or national origin.

Title VII of the Civil Rights Act of 1964, 42 United States Code (USC) Section 2000e et seq.
Prohibits discrimination on the basis of race, color, religion, sex or national origin.

Title IX of the Education Amendments of 1972, 20 United States Code (USC) Section 1681 et seq.
Prohibits discrimination on the basis of sex.

Civil Rights Law Section 40-c
Prohibits discrimination on the basis of race, creed, color, national origin, sex, marital status, sexual orientation or disability.

Executive Law Section 290 et seq.
Prohibits discrimination on the basis of age, race, creed, color, national origin, sex, sexual orientation, disability, military status, marital status, or use of a recognized guide dog, hearing dog or service dog.

NOTE: Refer also to Policy #3420 -- Anti-Harassment in the School District

Adopted: 4/28/09
SUBJECT: SEXUAL HARASSMENT OF STUDENTS

This policy has been replaced by Policy #0110.1: Sexual Harassment of Students, which can be found in Board Docs ➔ Policies
SUBJECT: HAZING OF STUDENTS

This policy has been replaced by Policy #0115: Student Harassment and Bullying Prevention and Intervention, which can be found in Board Docs ➔ Policies.
SUBJECT: DIGNITY FOR ALL STUDENTS

This policy has been replaced by Policy #0115: Student Harassment and Bullying Prevention and Intervention, which can be found in Board Docs ➔ Policies
SUBJECT: NOTIFICATION OF SEX OFFENDERS

In accordance with the Sex Offender Registration Act ("Megan's Law"), the Board of Education supports the New York State Department of Criminal Justice Services (DCJS) in its effort to inform the community in certain circumstances of the presence of individuals with a history of sex offenses, particularly against children, in the school locality. This policy is enacted in order to minimize the possibility that the sex offender will come in contact with school-age children, and to assist law enforcement agencies in preventing further criminal activity from occurring. Furthermore, the District shall cooperate with local police authorities and the local community in promoting and protecting the safety and well-being of its students.

It is the policy of the Board of Education to disseminate all information which the District receives from local police authorities in conjunction with Megan's Law to designated staff members who might have possible contact with the offender during the course of their school duties including, but not limited to, Building Principals, supervisors, teachers, office personnel, coaches, custodians, bus drivers, and security personnel. The Superintendent reserves the right to automatically disseminate such information to additional members of the staff, designated supervisors of non-school groups that regularly use District facilities and have children in attendance, parents/guardians of District students, and other community residents who, in the opinion of the Superintendent, have an immediate need to be notified of such data in order to protect the safety of our students.

Information received by the District pursuant to Meghan’s Law will be available upon written request to the Building Principal or his/her designee. All staff members shall be informed that the information will be available from the Building Principal or his/her designee.

Staff members shall inform their immediate supervisor if they observe within the school building, on school grounds, at school activities, or at or near bus routes any individual whose description matches the information which was provided to the District by local law enforcement authorities. Such law enforcement officials will be notified of this information by the District as appropriate.

Information that is disseminated to the School District pursuant to Megan's Law may be disclosed or not disclosed by the District at its discretion. Any information which the School District receives regarding a sex offender from a source other than the Sex Offender Registry, and which is maintained independent of the requirements of Megan's Law, will be available from the District, upon written request, in accordance with the requirements of the Freedom of Information Law (FOIL).

Special Circumstances Whereby Sex Offenders May Enter Upon School Grounds

As a mandatory condition of the sentence for sex offenders placed on probation or conditional discharge whose victim was under the age of eighteen (18) or who has been designated a Level 3 sex offender, the court requires that such sentenced offender refrain from knowingly entering into or upon school grounds or any other facility or institution primarily used for the care or treatment of persons under the age of eighteen (18) while one or more of such persons are present.

However, by exception, a sex offender may enter school grounds or facility with the written authorization of his/her parole officer and the Superintendent for limited authorized purposes. Entrance upon the premises is subject to the following conditions:

a) The offender is a registered student, participant or employee of the facility;
SUBJECT: NOTIFICATION OF SEX OFFENDERS

b) The offender is an employee of an entity contracted by the facility;

c) The offender has a family member enrolled in the facility; or

d) If the school is the offender's designated polling place and he/she enters solely to vote.

Implementation

Administrative regulations shall be developed to implement this policy.

Correction Law Article 6-C
Executive Law 259-c(14)
Penal Law 65.10(4-a) and 140.15
Public Officers Law § 84 et seq.

Adoption Date: 4/28/09
Revised and Re-Adopted: 11/28/17
SUBJECT: SUPERVISION OF STUDENTS

Students working on any activity must be supervised by the teacher or staff member in charge of the activity. This applies to all in school and extracurricular activities as well as sports activities and events. Permission to hold practices or meetings must not be granted unless a teacher or staff member is definitely in charge.

a) District personnel will be fully responsible for the supervision of all students in either their class or their after school activities.

b) Coaches will maintain supervision over the dressing rooms by personally being present during the dressing periods. Coaches are responsible for the supervision of their athletes at the end of practice. This may entail bus duty, or making sure students have transportation home.

c) Teachers and/or assigned school personnel in the elementary grades will be responsible for the playground supervision of all the children under their jurisdiction during the recess periods and before the regular afternoon sessions. The Principal will distribute the responsibility so that the playground situation will be properly controlled.

d) Students are not to be sent on any type of errand away from the building.

e) All teachers and staff working directly with students who have a history of wandering or elopement (i.e., the act of a student who leaves or runs away from the premises without permission or notification, often referring to students who have autism spectrum disorder or diminished cognitive impairment) will be made aware of these concerns and of any existing behavioral intervention plan formulated to prevent or respond to instances of wandering or elopement.

NOTE: Refer also to Policy #5681 -- School Safety Plans #5720 -- Transportation of Students

Adoption Date: April 28, 2009
Revised and Re-Adopted February 23, 2016
SUBJECT: SAFE PUBLIC SCHOOL CHOICE OPTION TO STUDENTS WHO ARE VICTIMS OF A VIOLENT CRIMINAL OFFENSE

Any District student who is a victim of a violent criminal offense, as defined pursuant to Education Law and Commissioner's Regulations, that occurred on the grounds of the District elementary or secondary school that the student attends, will be allowed to attend a safe public school within the School District to the extent required by the federal No Child Left Behind Act (NCLB) and state law and regulations.

In accordance with Commissioner's Regulations, a "safe public school will mean a public school that has not been designated by the Commissioner [of Education] as a persistently dangerous public elementary or secondary school."

Violent Criminal Offense

The Superintendent will determine if the student has been the victim of a "violent criminal offense." "Violent criminal offense" means a crime that:

a) Involves infliction of a serious physical injury upon another as defined in New York State Penal Law Section 10.00(10); or

b) A sex offense that involves forcible compulsion; or

c) Any other offense defined in State Penal Law Section 10.00(12) that involves the use or threatened use of a deadly weapon.

Determination Whether Student is a Victim

Procedures will be established for determination by the Superintendent of whether a student is a victim of a violent criminal offense that occurred on school grounds of the school the student attends. The Superintendent will, prior to making any such determination, consult with any law enforcement agency investigating the alleged violent criminal incident and consider any reports or records provided by such agency. However, a criminal conviction is not required prior to the Superintendent's determination that a student has been a victim of a violent criminal offense. The Superintendent may also consult with the school attorney prior to making such determination.

The Superintendent's determination may be appealed to the Board. However, this determination will not preclude any student disciplinary proceeding brought against the alleged victim or perpetrator of such violent criminal offense.

Notice to Parents/Persons in Parental Relation

A school district that is required to provide school choice in accordance with applicable provisions of the federal No Child Left Behind Act of 2001, Education Law and Commissioner's
SUBJECT: SAFE PUBLIC SCHOOL CHOICE OPTION TO STUDENTS WHO ARE VICTIMS OF A VIOLENT CRIMINAL OFFENSE

Regulations, will establish procedures for notification of parents of, or persons in parental relation to, students who are victims of violent criminal offenses of their right to transfer to a safe public school within the District and procedures for such transfer. Such notice will be, to the extent practicable, provided in the dominant language or mode of communication used by the parents or persons in parental relation to such student. The School District will so notify the parents of, or persons in parental relation to, such student within twenty-four (24) hours of the determination that the student has been the victim of a violent criminal offense on school grounds at the school he/she attends.

Written notice will be provided by personal delivery, express mail delivery, or equivalent means reasonably calculated to assure receipt of such notice within twenty-four (24) hours of such determination at the last known address or addresses of the parents/persons in parental relation to the student. Where possible, notification will also be provided by telephone if the school has been provided with a telephone number(s) for the purpose of contacting parents/persons in parental relation.

However, such notification will not be required where there are no other public schools within the District at the same grade level or a transfer to a safe public school within the School District is otherwise impossible. Similarly, procedures for such notification of parents/persons in parental relation to students who are victims of violent criminal offenses will not be required where the School District has only one (1) public school within the District or only one (1) public school at each grade level.

Designation of Safe Public School

It will be the responsibility of the School District, based on objective criteria, to designate a safe public school or schools within the District to which students may transfer. However, the District is not required to designate a safe public school where there are no other public schools within the District at the same grade level or transfer to a safe public school within the District is otherwise impossible. Similarly, if the District has only one (1) public school within the School System or only one (1) public school at each grade level, the School District will not be required to designate a safe public school.

Any student who transfers to a safe public school, in accordance with the provisions of this policy and applicable law and regulation, will be enrolled in the classes and other activities of the public school to which such student transfers in the same manner as all other students at the public school. The receiving school will be identified by the District and must be at the same grade level as the school from which the student is transferring. To the extent possible the School District will allow transferring students to transfer to a school that is making adequate yearly progress and has not been identified as requiring school improvement, corrective action, or restructuring. The District will provide transportation for any student permitted to transfer to the safe public school within the District designated by the School System within the transportation limits established pursuant to Education.
SUBJECT: SAFE PUBLIC SCHOOL CHOICE OPTION TO STUDENTS WHO ARE VICTIMS OF A VIOLENT CRIMINAL OFFENSE

Law Sections 3635 and 4401(4). Any student who transfers to a safe public school will be permitted to remain in such safe public school until the student has completed the highest grade level in the school transferred to, or for such other period prescribed by the U.S. Department of Education, whichever is less.

While the parents/persons in parental relation to the student must be offered the opportunity to transfer their child, they may elect to have the child remain at the school he/she currently attends.

Elementary and Secondary Education Act of 1965, as amended by the No Child Left Behind Act of 2001, Section 9532
Education Law Section 2802(7)
8 New York Code of Rules and Regulations (NYCRR) Section 120.5

Adopted: 4/28/09
SUBJECT: DISTRICT WELLNESS POLICY

The District is committed to providing a school environment that promotes and protects children's health, well-being, and the ability to learn, by fostering healthy eating and physical activity before, during, and after the school day.

Wellness Committee

The District has established a Wellness Committee that meets at least four times per year to establish goals for, and oversee the development of the District's Local Wellness Policy. The Committee will make policy recommendations for review and adoption by the Board. The District's Wellness Committee may include, but is not limited to, representatives from each of the following groups:

a) Board Member(s) when available
b) Parents and Caregivers;
c) Students
d) Physical Education Teachers
e) Teachers
f) School Health Professionals;
g) School Administrator(s);
i) Members of the Public

The District Wellness Committee will also be responsible for assessing current activities, programs, and policies available in the District, and for providing mechanisms for implementation, evaluation, and revision of the Policy. In so doing, the Wellness Committee will evaluate and make recommendations which reflect the specific needs of the District and its students.

The Superintendent will designate a District Wellness Coordinator to convene the District Wellness Committee in order to facilitate the development of, and any proposed updates to, the District’s Wellness Policy, and will also ensure the District’s compliance with this policy.

Goals to Promote Student Wellness

The District seeks to ensure all of its students obtain the knowledge and skills necessary to make nutritious food selections and enjoy life-long physical activity. To this end, the District sets forth the following goals relating to nutrition promotion and education, physical activity, and other school-based activities.
SUBJECT: DISTRICT WELLNESS POLICY

Nutrition Promotion and Education:

The District will model and encourage healthy eating to all students by engaging in nutrition education and promotion by:

a) Nutrition education will be integrated within the comprehensive health education curriculum and other instructional areas, as appropriate, and taught at every grade level, K through 12. Nutrition education will follow applicable New York State Standards and be designed to help students acquire:

- Nutrition knowledge, including, but not limited to: the benefits of healthful eating, essential nutrients, nutritional deficiencies; principles of healthy weight management; the use and misuse of dietary supplements; and safe food storage, handling, and preparation.

- Nutrition-related skills, including, but not limited to: planning healthy meals; understanding and using food labels; critically evaluating nutrition information, misinformation, and commercial food advertising; assessing personal eating habits; and setting and achieving goals related to these concepts.

b) Marketing and Promotion

- The District will promote nutrition education activities that involve parents, students, and the community.

- The District will promote school and community awareness of this policy through various means.

- Marketing and advertising of foods and beverages on school campuses during the school day will be consistent with nutrition education and health promotion. As such, schools will restrict food and beverage marketing to the promotion of those foods and beverages that meet the nutrition standards set forth by the Healthy, Hunger-Free Kids Act’s “Smart Snacks in Schools” Rule and that are consistent with this policy.

- The District is cognizant of the fact that certain scoreboards, signs, and other durable equipment it employs may market foods and beverages in a way that is inconsistent with the aims of this Policy. While the immediate replacement of this equipment is not required, the District will replace this equipment over time to ensure the message it delivers to students regarding nutrition, health and well-being is consistent. As the District reviews existing contracts, or considers new contracts, resulting decisions should reflect the marketing guidelines established by this Policy.
SUBJECT: DISTRICT WELLNESS POLICY

c) Additional provisions

- School personnel are strongly discouraged from using food as a reward; teachers and other appropriate school staff will be provided with a list of alternative ways to reward students.
- Withholding food as punishment is not permitted under any circumstances.
- District staff will be encouraged to model healthy eating, drinking, and physical activity behaviors for students.

Physical Activity:

a) The District will provide opportunities for every student to participate in physical education and activities. In doing so, the District aims to promote among students, staff, and community members the development of knowledge and skills for specific physical activities, the maintenance of physical fitness, regular participation in physical activity, and an understanding of the short-term and long-term benefits from a physically active and healthy lifestyle. Physical activity opportunities will be in addition to, not in lieu of, physical education and will not be used as a punishment for students, but rather another means by which students may develop or maintain a healthy and active lifestyle.

b) The District will ensure that the following standards are met to achieve its goals relative to physical education and physical activity:

   The District will have a Board-approved Physical Education Plan on file with the New York State Education Department that meets or exceeds the requirements set forth in Section 135.4 of the Commissioner’s regulations.

1. The District recognizes the importance of physical education classes in providing students with meaningful opportunities for physical exercise and development. Consequently, the District will ensure:

   a) All physical education classes are taught or supervised by a certified physical education teacher;

   b) All physical education staff receive professional development relevant to physical education on a yearly basis;

   c) Interscholastic sports, intramural sports, and recess do not serve as substitutes for a quality physical education program;
**SUBJECT: DISTRICT WELLNESS POLICY**

d) Students are afforded the opportunity to participate in moderate to vigorous activity in physical education class time;

e) It provides adequate space and equipment for physical education and conforms to all applicable safety standards;

f) An age-appropriate, sequential physical education curriculum consistent with national and state standards for physical education is implemented, with a focus on students’ development of motor skills, movement forms, and health-related fitness;

g) A physical and social environment is provided that encourages safe and enjoyable activity for all students;

h) Activities or equipment are adapted to meet the needs of students who are temporarily or permanently unable to participate in the regular program of physical education. In doing so, the District will abide by specific provisions in 504 Plans and/or individualized education programs (IEP). To that end, the Committee on Special Education (CSE) will ensure that a certified physical education teacher participates in the development of a student’s IEP, if the student may be eligible for adapted physical education;

i) All students, including students in need of adaptive physical education, will be encouraged to participate in physical fitness programs and competitions.

3. All students will be required to fulfill the physical education requirements set forth in the regulations of the Commissioner of Education as a condition of graduating from the District's schools.

   a) All classroom teachers, and particularly those engaged in the instruction of K through 5 students, are strongly encouraged to incorporate into the school day short breaks for students that include physical activity, especially after long periods of inactivity. Teachers are encouraged to incorporate kinesthetic learning approaches into core learning subjects when possible so as to limit sedentary behavior during the schools day. Additionally, all elementary students will be offered one daily period of recess for a minimum of twenty (20) minutes. This requirement will not apply on days where students arrive late, leave early, or are otherwise on campus for less than a full day. Outdoor recess is strongly encouraged and will be offered when weather permits. In the event that indoor recess is necessary, it will be offered in a place that accommodates moderate to vigorous physical activity when possible.

   b) Physical activity during the school day, including, but not limited to, recess or classroom activity breaks will not be withheld for disciplinary action unless the student is a danger to him/herself or others and requires administrative approval. Recess, physical education or other physical activity time will not be cancelled for instructional make up time.
SUBJECT: DISTRICT WELLNESS POLICY

Other School-based Activities:

The District is committed to establishing a school environment that is conducive to physical activity for all. The District will, therefore, adopt the following standards:

a) **Community Access to District Facilities for Physical Activities**
   School grounds and facilities will be available to students, staff, community members and organizations, and agencies offering physical activity and nutrition programs consistent with District policy, including provisions regarding conduct on school grounds and administrative approval of use by outside organizations.

b) **Community Partnerships**
   The District will, *enhance*, or relationships with community partners in support of the implementation of this Policy. Existing and new community partnerships will be evaluated to ensure they are consistent with this policy and its goals.

c) **Community Involvement, Outreach, and Communications**
   The District will use its official website, along with other electronic and non-electronic means, to notify parents and the public, in culturally and linguistically appropriate ways, about the content, implementation of, and updates to this policy as well as how to become involved and support this Policy. The District will use these same means to inform the community about the availability of the annual and triennial reports relative to this policy.

d) **Before and After School Activities**
   The District will offer opportunities for students to participate in physical activity or after the school day through various methods, such as physical activity clubs, and interscholastic sports.

**Implementation and Evaluation of the Wellness Policy**

a) The District will establish an implementation and evaluation plan for this policy in order to monitor its effectiveness and the possible need for modification over time. To this end, the District has designated the following staff member as District Wellness Coordinator(s) to ensure that the District meets the goals and mandates of this Policy:

   Director of Health, Physical Education, Athletic Director

b) This designated Wellness Coordinator will also serve as liaison with community agencies in providing outside resources to help in the development of nutritional education programs and promotion of physical activities.
The District will annually report on the progress each of its schools has made toward meeting the goals of this policy. This report will include:

1. The website address for the wellness policy and/or information on how the public can access a copy;
2. A description of each school's progress in meeting the wellness policy goals;
3. A summary of each school's local school wellness events or activities;
4. Contact information for the leader of the Wellness Committee; and
5. Information on how individuals can get involved in the Wellness Committee's work.

The District will retain records relative to compliance with the requirements of this policy.

**Annual Notification**

The District will inform families and the general public each year (via the District’s website) of information about this Policy, including, but not limited to, its content as well as any updates. The District will endeavor to share as much information as possible about its schools’ nutrition environment, including a summary of school events or activities relative to this policy implementation. Each year, the District will also publicize the name and contact information of the District’s official leading and coordinating the Wellness Committee as well as how the community may get involved with the wellness committee.

- National School Lunch Act, 42 USC, section 1758(b)
- National School Lunch Program and School Breakfast Program regulations, 7CFR, section 210.11
- Local School Wellness Policy Implementation Under the Healthy, Hunger-free Kids Act of 2010; 79 FR 10693
- Education Law, Section 915
- 8 NYCRR, Section 135.4

**Adopted:** 4/28/09  
**Revised and Re-Adopted:** 9/11/12  
**Revised and Re-Adopted:** 9/26/17
Subject: Special Education: District Plan

A District plan will be developed describing the Special Education program in the Shoreham-Wading River Central School District. The District plan will include the following:

a) A description of the nature and scope of special education programs and services currently available to students residing in the District, including but not limited to descriptions of the District's resource room programs and each special class program provided by the District in terms of group size and composition.

b) Identification of the number and age span of students (school age and preschool) to be served by type of disability and recommended setting.

c) The method to be used to evaluate the extent to which the objectives of the program have been achieved.

d) A description of the policies and practices of the Board to ensure the allocation of appropriate space within the District for special education programs that meet the needs of students and preschool children with disabilities.

e) A description of the policies and practices of the Board to ensure that appropriate space will be continually available to meet the needs of resident students and preschool students with disabilities who attend special education programs provided by Boards of Cooperative Educational Services.

f) A description of how the District intends to ensure that all instructional materials to be used in the schools of the District will be made available in a usable alternative format for each student with a disability at the same time as such instructional materials are available to non-disabled students. The alternative format must meet the National Instructional Materials Accessibility Standard defined in federal law.

g) The estimated budget to support such plan.

h) The date on which such plan was adopted by the Board.

i) A description of how the District plan is consistent with the special education space requirements plan for the region as developed by the Board of Cooperative Educational Services.

The District plan, with personally identifiable student information deleted, will be filed and available for public inspection and review by the Commissioner.

20 United States Code (USC) 1474(e)(3)(B)
8 New York Code of Rules and Regulations (NYCRR)
Part 155 and Section 200.2(c)

Adopted: 4/28/09
Revised and Adopted: January 10, 2012
This policy has been replaced by Policy #4321: Programs for Students with Disabilities, which can be found in Board Docs ➔ Policies
SUBJECT: GROUPING BY SIMILARITY OF NEEDS

The Board will provide appropriate special education and related services to students with disabilities. For those students for whom an appropriate education requires that they be placed together for purposes of special education, the following guidelines will apply:

a) That each student with a disability will be identified, evaluated and placed as determined by the Committee on Special Education (CSE).

b) The Committee will determine written goals including academic functional goals for each student with a disability by considering the special and individual needs of each student with a disability. Short-term instructional objectives and/or benchmarks will be created for each preschool student with a disability and for students who take New York State alternate assessments.

c) The Committee will recommend to the Board appropriate educational programs and services for each student with a disability based upon the CSE evaluation.

d) The CSE will provide information to those teachers and professionals who arrange instructional groups for students with disabilities. Information will include physical, psychological and social information as well as achievement test results.

e) The curriculum and instruction provided to students with disabilities who are grouped by similarity of needs will be consistent with the individual needs of each student in the group.

f) Students with disabilities may be grouped according to:

1) Academic achievement, functional performance and learning characteristics;
2) Social development;
3) Physical development; and
4) Management needs.

g) When grouping students by similarity of needs, the social needs or physical development of a student will not be the sole determinant for placement of a student in a special education program.

h) The management needs of such students may vary, provided that environmental modifications, adaptations, or human or material resources required to meet the needs of any one student in the group are provided and do not consistently detract from the opportunities of other students in the group to benefit from instruction.

8 New York Code of Rules and Regulations (NYCRR) Sections 200.1(ww), 200.2(b)(3), 200.4(d) and 200.6(a)(3)

Adopted: 4/28/09
SUBJECT: THE ROLE OF THE BOARD IN IMPLEMENTING A STUDENT'S INDIVIDUALIZED EDUCATION PROGRAM

The Board will establish at least one (1) Committee on Special Education and one (1) Committee on Preschool Special Education. The Board will also establish, as necessary, Subcommittees on Special Education to ensure timely evaluation and placement of students with disabilities.

Committee on Special Education

The Board will, upon completion of its review of the recommendations of the CSE, arrange for the appropriate special education programs and services to be provided to a student with a disability. The Board will notify the parent/guardian of its action in accordance with federal and state law and regulations.

For a student not previously identified as having a disability, the CSE will provide a recommendation to the Board which will arrange for the appropriate special education programs and services to be provided within sixty (60) school days of the date of receipt of consent to evaluate. For a student with a disability referred for review, a recommendation will be provided to the Board which will arrange for the appropriate special education programs and services to be provided within sixty (60) school days of the referral for review. However, if such recommendation of the CSE is for placement in an approved in-state or out-of-state private school, the Board will arrange for such special education programs and services for students with disabilities within thirty (30) days of the Board's receipt of the recommendation of the CSE.

If on review of the recommendation of the CSE, the Board disagrees with such recommendation, the Board will follow one (1) of the following procedures:

a) The Board may remand the recommendation to the CSE with a statement of the Board's objections or concerns and a request that a timely meeting be held to review and consider such objections or concerns. The CSE will consider the Board's objections or concerns, revise the IEP where appropriate, and resubmit a recommendation to the Board. If the Board continues to disagree with the recommendation of the CSE, the Board may continue to remand the recommendation to the original committee for additional reviews of its objections or concerns, or establish a second CSE to develop a new recommendation in accordance with the following paragraph, provided that the Board arranges for the programs and services in accordance with the student's IEP within the timelines as outlined above; or, in the alternative,

b) The Board may establish a second CSE to develop a new recommendation for the student. If the Board disagrees with such new recommendation, the Board may remand the recommendation to the second CSE with a statement of the Board's objections or concerns and a request that a timely meeting be held to review and consider such objections or
SUBJECT: THE ROLE OF THE BOARD IN IMPLEMENTING A STUDENT'S INDIVIDUALIZED EDUCATION PROGRAM

concerns. The second CSE will consider the Board's objections or concerns, revise the IEP where appropriate, and resubmit a recommendation to the Board. If the Board continues to disagree with the recommendation of the second CSE, the Board may continue to remand the recommendation for additional reviews of its objections or concerns by the second CSE, provided that the Board arranges for the programs and services in accordance with the student's IEP, as developed by the second CSE, within the timelines as outlined above.

Pursuant to Commissioner's Regulations, the Board may not select the recommendation of the original CSE once it has established a second CSE.

The Board will provide the student's parents/guardians with written notice and a copy of the statement of its objections or concerns and notice of due process rights in accordance with Section 200.5 of the Regulations of the Commissioner.

Committee on Preschool Special Education

Upon receipt of the recommendation of the Committee on Preschool Special Education (CPSE), the Board will arrange for the preschool student with a disability to receive such appropriate programs and services in accordance with the student's IEP, commencing with the July, September or January starting date for the approved program, unless such services are recommended by the CPSE less than thirty (30) school days prior to, or after, the appropriate starting date selected for the preschool student with a disability; in that case, such services will be provided no later than thirty (30) days from the recommendation of the CPSE.

If the Board disagrees with the recommendation of the CPSE, the Board will send the recommendation back to the CPSE with notice of the need to schedule a timely meeting to review the Board's concerns and to revise the IEP as deemed appropriate. The Board will provide such notice as required by federal and state law and regulations.

Subcommittee on Special Education

The number of Subcommittees on Special Education will be determined by the CSE and the CSE will be responsible for the oversight and monitoring of the activities of each subcommittee to assure compliance with the requirements of applicable state and federal laws and regulations.

Each Subcommittee may perform the functions for which the CSE is responsible, except:

a) When a student is considered for initial placement in a special class; or

b) When a student is considered for initial placement in a special class outside of the student's school of attendance; or
SUBJECT: THE ROLE OF THE BOARD IN IMPLEMENTING A STUDENT'S INDIVIDUALIZED EDUCATION PROGRAM

c) When a student is considered for placements in a school primarily serving students with disabilities or a school outside the District.

Subcommittees will report annually to the CSE regarding the status of each student with a disability within its jurisdiction. Upon receipt of a written request from the parent or person in parental relation to a student, the Subcommittee will refer to the CSE any matter in which the parent disagrees with the Subcommittee's recommendation concerning a modification or change in the identification, evaluation, educational placement or provision of a free appropriate education to the student.

Education Law Sections 4402 and 4410
8 New York Code of Rules and Regulations (NYCRR)
Sections 200.2(d)(1), 200.4(c), 200.4(d), 200.5 and 200.16(e)

NOTE: Refer also to Policies #7631 -- Appointment and Training of Committee on Special Education (CSE)/Subcommittee on Special Education Members
#7632 -- Appointment and Training of Committee on Preschool Special Education (CPSE) Members

Adopted: 4/28/09
SUBJECT: PRESCHOOL SPECIAL EDUCATION PROGRAM

This policy has been replaced by Policy #4321.13: Preschool Special Education, which can be found in Board Docs ➔ Policies
SUBJECT: LEAST RESTRICTIVE ENVIRONMENT

This policy has been replaced by Policy #4321.01: Provision of Special Education Services in the Least Restrictive Environment, which can be found in Board Docs ➔ Policies
SUBJECT: PREREFERRAL INTERVENTION STRATEGIES

This policy has been replaced by Policy #4321.02: School-Wide Pre-Referral Approaches and Intervention, which can be found in Board Docs ➔ Policies
 SUBJECT: DECLASSIFICATION OF STUDENTS WITH DISABILITIES

The School District will establish and implement a plan for the appropriate declassification of students with disabilities which must include:

   a) The regular consideration for declassifying students when appropriate;

   b) A reevaluation of the student prior to declassification; and

   c) The provision of educational and support services to the student upon declassification.

Eligibility Determinations

The School District must evaluate a student with a disability prior to determining that a student is no longer a student with a disability as defined in accordance with Commissioner's Regulations, and the District will provide a copy of the evaluation report and the documentation of eligibility to the student's parent at no cost to the parent. The results of any reevaluations must be addressed by the Committee on Special Education (CSE) in a meeting to review and, as appropriate, revise the student's individualized education program (IEP).

Prior to the reevaluation, the School District will obtain informed written parental consent unless otherwise authorized pursuant to law and/or regulation. Parental consent need not be obtained if the District can demonstrate that it has taken reasonable measures to obtain that consent, and the student's parents fail to respond. The District must have a record of its attempts to obtain parental consent. Should the student's parents refuse consent for the reevaluation, the District may continue to pursue the reevaluation by using mediation and/or due process procedures.

The District will take whatever action is necessary to ensure that the parent understands the proceedings at the meeting of the CSE, including arranging for an interpreter for parents with deafness or whose native language is other than English.

Graduation/Aging Out

The District is not required to conduct a reevaluation of a student before the termination of a student's eligibility due to graduation with a local high school or Regents diploma or exceeding the age eligibility for a free appropriate public education. However, the District must provide the student with a summary (Student Exit Summary see website: http://www.p12.nysed.gov/specialed/idea/studentexit.htm) of the student's academic achievement and functional performance, including recommendations on how to assist the student in meeting his/her post secondary goals. In addition, parents must receive prior written notice indicating that the student is not eligible to receive a free appropriate public education after graduation with the receipt of the local high school or Regents diploma.

In accordance with Commissioner's Regulations, before a student's graduation from high school with a Skills and Achievement (SA) Commencement Credential or Career Development and Occupational Studies Commencement Credential (CDOS), parents must receive prior written notice indicating that the student continues to be eligible for a free appropriate public education until the end of the school year in which the student turns twenty-one (21) or until receipt of a regular high school diploma.
SUBJECT: DECLASSIFICATION OF STUDENTS WITH DISABILITIES

However, New York State Law does not grant a child who has reached the age of majority all rights previously granted to parents under IDEA.

Recommendation for Declassification

If the student has been receiving special education services, but it is determined by CSE that the student no longer needs special education services and can be placed in a regular educational program on a full-time basis, the recommendation will:

a) Identify the declassification support services, if any, to be provided to the student; and/or the student's teachers; and

b) Indicate the projected date of initiation of such services, the frequency of provision of such services, and the duration of these services, provided that such services will not continue for more than one (1) year after the student enters the full-time regular education program.

Declassification Support Services

Declassification support services means those services provided to the student or the student's teacher(s) to aid in the student's transition from special education to full-time regular education. These services are provided by persons certified or licensed in the appropriate area of service pursuant to Commissioner's Regulations Part 80. Such services include:

a) For the student: psychological services, social work services, speech and language improvement services, non-career counseling, and other appropriate support services; and

b) For the student's teacher(s): the assistance of supplementary school personnel and consultations with appropriate personnel.

When appropriate, the District will provide declassification support services to students who have moved from special education to a full-time regular educational program in accordance with the recommendation of the CSE.

Procedural Safeguards Notice

The District will use the procedural safeguards notice prescribed by the Commissioner of Education. The District will further ensure that the procedural safeguards notice is provided in the native language of the parent or other mode of communication used by the parent, unless it is clearly not feasible to do so. If the native language or other mode of communication of the parent is not a written language, the District will take steps to ensure that the notice is translated orally or by other means to the parent in his/her native language or other mode of communication; that the parent understands the content of the
SUBJECT: DECLASSIFICATION OF STUDENTS WITH DISABILITIES

notice; and that there is written evidence that all due process procedures, pursuant to law and/or regulation, have been met.

Individuals with Disabilities Education Improvement Act of 2004 [Public Law 108-446] Individuals with Disabilities Education Act (IDEA), 20 USC Section 1400 et seq. 34 CFR Part 300 Education Law Sections 4401-4410-a 8 NYCRR Sections 100.2(u), 100.6, 200.1(ooo), 200.2(b)(8), 200.4(b)(4), 200.4(b)(5), 200.4(c)(3), 200.4(c)(4), 200.4(d)(1) and 200.5(a)

NOTE: Refer also to Policy #7641 -- Transition Services

Adoption Date: 4/28/09
Revised and Re-Adopted: 3/4/14
SUBJECT: RESPONSE TO INTERVENTION (RtI) PROCESS

Response to Intervention (RtI) is a multi-tiered early prevention and intervention system designed to improve outcomes for all students. In accordance with Commissioner's Regulations, the School District has established administrative practices and procedures for implementing District-wide initiatives that address a Response to Intervention (RtI) process applicable to all students. For students suspected of having a potential learning disability, the District will provide appropriate RtI services pursuant to Commissioner's Regulations prior to a referral to the Committee on Special Education (CSE) for evaluation.

The New York State Education Department has released a guidance document to assist school districts in designing and implementing an effective RtI process. This document includes, but is not limited to, information regarding regulatory requirements, quality indicators, staff development, tools to assist districts in selecting a specific model and procedures for the use of RtI data in determining if a student has a learning disability. This guidance document is available at: http://www.p12.nysed.gov/specialed/RtI/guidance/cover.htm

The District has established procedures for identifying students with learning disabilities that use a research-based RtI process prior to, or as part of, an individual evaluation to determine whether a student has a learning disability. An RtI process is required for all students in grades kindergarten through grade 4 suspected of having a learning disability in the area of reading. RtI cannot be utilized as a strategy to delay or deny a timely initial evaluation of a student suspected of having a disability under the Individuals with Disabilities Education Act (IDEA).

This policy will be reviewed by the Board of Education, on a bi-annual basis, at a minimum.

Minimum Requirements of District's RtI Program

The District's RtI process shall include the following minimum requirements:

a) Scientific, research-based instruction in reading and mathematics provided to all students in the general education class by qualified personnel. Instruction in reading, per Commissioner's Regulations, shall mean scientific, research-based reading programs that include explicit and systematic instruction in phonemic awareness, phonics, vocabulary development, reading fluency (including oral reading skills) and reading comprehension strategies;

b) Screenings shall be provided to all students in the class to identify those students who are not making academic progress at expected rates;

   Grade K through 5, three (3) screening assessments per year

c) Scientific, research-based instruction matched to student need with increasingly intensive levels of targeted interventions for those students who do not make satisfactory progress in their levels of performance and/or in their rate of learning to meet age or grade level standards;
SUBJECT: RESPONSE TO INTERVENTION (RtI) PROCESS

d) Repeated assessments of student achievement which should include curriculum based measures to determine if interventions are resulting in student progress toward age or grade level standards;

e) The application of information about the student's response to intervention to make educational decisions about changes in goals [i.e., goals for all students, not just Individualized Education Program (IEP) goals], instruction and/or services and the decision to make a referral for special education programs and/or services;

f) Written notification to the parents when the student requires an intervention beyond that provided to all students in the general education classroom that provides information about:

1. The amount and nature of student performance data that will be collected and the general education services that will be provided as enumerated in Commissioner's Regulations;

2. Strategies for increasing the student's rate of learning; and

3. The parents' right to request an evaluation for special education programs and/or services.

Structure of Response to Intervention Program

The District's RtI program will consist of multiple tiers of instruction/assessments to address increasingly intensive levels of targeted intervention to promote early identification of student performance needs and/or rate of learning, and to help raise achievement levels for all students.

A Response to Intervention (RtI) Team, whose members may include, but are not limited to, regular education teachers, special education personnel, the school psychologist, designated administrators, and other individuals deemed appropriate by the District, will be available for each building/grade level classification to address the implementation of the District's RTI process.

The RtI Team’s responsibilities shall include, but are not limited to, the following:

a) Determining the level of interventions/student performance criteria appropriate for each tier of the RtI model;

b) Analyzing information/assessments concerning a student's response to intervention and making educational decisions about changes in goals, instruction and/or services;

c) Determining whether to make a referral for special education programs and/or services.
SUBJECT: RESPONSE TO INTERVENTION (RtI) PROCESS

Criteria for Determining the Levels of Intervention to be Provided to Students

The grade levels/assessment guidelines for targeted areas of student performance in accordance with Commissioner's Regulations to identify students who do not make satisfactory progress in their levels of performance and/or in their rate of learning to meet age or grade level standards, are described in the District's RtI/AIS plan.

The assessment measures/tools and the corresponding scores or levels of proficiency below which students shall be considered for increasingly intensive levels of targeted intervention and instruction (i.e., multi-tiered RtI model), are also described in the District's RtI/AIS plan.

Types of Interventions

The District will provide multiple tiers of increasingly intensive levels of targeted intervention and instruction for those students who do not make satisfactory progress in their levels of performance and/or in their rate of learning to meet age or grade level standards.

It is expected that use of the Tier Level of instruction will be specific to each student's needs and will be an ongoing process, with students entering and exiting tiers of intervention according to the analysis of student performance data and progress monitoring.

Tier One Instruction

Tier One instruction is provided to all students in the general education setting. The use of scientific, research based instruction in the areas of reading and math will be provided by the general education teacher and/or other qualified personnel as appropriate, and will emphasize proactive, preventative core instructional strategies in the classroom setting. Group and/or individualized instruction, assessment and reinforcement activities will be provided as deemed appropriate by the classroom teacher.

The analysis of Tier One student performance data will be used to identify those students who need additional intervention at the Tier Two Level of instruction.

Tier Two Instruction

In general, Tier Two instruction will consist of small group, targeted interventions for those students identified as being "at risk" who fail to make adequate progress in the general education classroom. Tier Two instruction will include programs and intervention strategies designed to supplement Tier One interventions provided to all students in the general education setting.

Tier Two instruction may be provided by specialized staff such as reading and math teachers, tutors, speech therapists, school psychologists and/or school counselors as determined by the Response to Intervention Team.
SUBJECT: RESPONSE TO INTERVENTION (RtI) PROCESS

At the conclusion of Tier Two instruction, the Response to Intervention Team will review the student's progress and make a determination as to whether existing Tier Two interventions should be maintained; the student returned to the general education classroom if satisfactory progress is shown, or referred for more intensive Tier Three instruction.

Progress monitoring on a continuous basis is an integral part of Tier Two; and the student's response to the intervention process will determine the need/level of further intervention services and/or educational placement.

Tier Three Instruction

Tier Three instruction is the provision of more intensive instructional interventions, tailored to the needs of the individual student; and is provided to those students who do not achieve adequate progress after receiving interventions at the Tier Two level. Tier Three instruction may include longer periods of intervention program and services than those provided in the first two (2) Tiers based upon the significant needs of the student.

Tier Three instruction will be provided by those specialists, as determined by the Response to Intervention Team, best qualified to address the individual student's targeted area(s) of need. If deemed appropriate by the Team, and in accordance with applicable law and regulation, a referral of the student may be made to the Committee on Special Education.

Progress monitoring on a continuous basis is an integral part of Tier Three; and the student's response to the intervention process will determine the need/level of further intervention services and/or educational placement.

Amount and Nature of Student Performance Data to be Collected

The RtI Team will determine the amount and nature of student performance data that will be collected to assess, on an ongoing basis, student performance results and address ongoing academic needs as warranted. Such data collection will reflect the Tier Level of intervention provided to the student. Student performance data will also be used to review the District's RtI program and make modifications to the program as deemed necessary.

Manner and Frequency for Progress Monitoring

The RtI Team shall monitor the progress of those students receiving intervention services beyond that provided to all students in the general education classroom. The Team shall meet with the student's teacher(s) and will determine if further adjustments need to be made to the student's current instructional program and/or a change made to the Tier Level of intervention provided. Monitoring of student progress shall be an ongoing part of the RtI program from the initial screening to completion of the RtI process as applicable. Parents may also request that the progress of their child be reviewed by the RtI Team.
SUBJECT: RESPONSE TO INTERVENTION (RtI) PROCESS

Fidelity measures (e.g., an observational checklist of designated teaching behaviors in accordance with the RtI process being implemented) will also be completed by Team members to assess whether the intervention was implemented as intended and uniformly applied. Clear benchmarks will be established for student performance and performance charts will be plotted at the completion of the instructional period/intervention process.

Staff Development

All staff members involved in the development, provision and/or assessment of the District's RtI program, including both general education and special education instructional personnel, shall receive appropriate training necessary to implement the District's RtI program. Staff development will include the criteria for determining the levels of intervention provided to students, the types of interventions, collection of student performance data, and the manner and frequency for monitoring progress.

34 Code of Federal Regulations (CFR) Sections 300.309 and 300.311
Education Law Sections 3208, 4002, 4401, 4401-a, 4402, 4402, and 4410
8 New York Code of Rules and Regulations (NYCRR) Sections 100.2(ii), 200.2(b)(7), 200.4(a), 200.4(j)(3)(i), and 200.4(j)(5)(i)(g)

Adopted: 4/28/09
Revised and Re-Adopted 8/21/18
SUBJECT: STUDENTS WITH DISABILITIES PARTICIPATING IN SCHOOL DISTRICT PROGRAMS

This policy has been replaced by Policy #4321: Programs for Students with Disabilities, which can be found in Board Docs ➔ Policies
SUBJECT: SECTION 504 OF THE REHABILITATION ACT OF 1973

This policy has been replaced by Policy #4321.14: Programs for Students with Disabilities, which can be found in Board Docs ➔ Policies
SUBJECT: APPOINTMENT AND TRAINING OF COMMITTEE ON SPECIAL EDUCATION (CSE)/SUBCOMMITTEE ON SPECIAL EDUCATION MEMBERS

This policy has been replaced by Policy #4321.14: Programs for Students with Disabilities, which can be found in Board Docs ➔ Policies
SUBJECT: APPOINTMENT AND TRAINING OF COMMITTEE ON PRESCHOOL SPECIAL EDUCATION (CPSE) MEMBERS

Committee on Preschool Special Education (CPSE) Membership

The Board will appoint a Committee on Preschool Special Education (CPSE) whose membership will include, but not be limited to, the following members:

a) The parent(s) of the preschool child. To ensure that one or both parents are present at each CPSE meeting, the District and the parent(s) may agree to use alternative means of participation such as video conferences or conference phone calls;

b) Not less than one (1) regular education teacher of such child (if the child is, or may be, participating in the regular education environment);

c) Not less than one (1) special education teacher of the child or, where appropriate, not less than one (1) special education provider (i.e., related service provider) of such child;

d) A representative of the School District who is qualified to provide, or supervise the provision of, special education and who is knowledgeable about the general education curriculum and about the availability of preschool special education programs and services and other resources of the District and the municipality (who will serve as Chairperson of the CPSE);

e) An individual who can interpret the instructional implications of evaluation results, who may be a member of the team selected from the regular education teacher, the special education teacher or provider, the school psychologist, the School District representative described above, or a person having knowledge or special expertise regarding the student as determined by the District;

f) At the discretion of the parent or the District, other individuals who have knowledge or special expertise regarding the child, including related services personnel as appropriate. The determination of knowledge or special expertise will be made by the party (parents or School District) who invited the individual to be a member of the committee;

g) An additional parent of a child with a disability who resides in the School District or a neighboring school district, and whose child is enrolled in a preschool or elementary level education program provided that such parent will not be employed by or under contract with the School District; and provided further that such parent will not be a required member unless the parents of the child or a member of the CPSE request, in writing at least seventy-two (72) hours prior to such meeting, that the additional parent member participate in the meeting. The parents or other person in parental relation will receive proper written notice of their right to have an additional parent attend any meeting of the committee regarding the student along with a statement, prepared by NYSED, explaining the role of having the additional parent attend the meeting;
SUBJECT: APPOINTMENT AND TRAINING OF COMMITTEE ON PRESCHOOL SPECIAL EDUCATION (CPSE) MEMBERS

h) For a child's smooth transition from early intervention programs and services (Infant and Toddler Programs), at the request of the parent/person in parental relation, the appropriate professional designated by the agency that has been charged with the responsibility for the preschool child; and

i) A representative from the municipality of the preschool child's residence. Attendance of the appointee of the municipality is not required for a quorum.

j) Non-members of the Committee, such as advocates, are always welcome.

However, in the case of special purposes for a CPSE meeting, except for the parents/persons in parental relation and the appointee from the municipality (a) and i) above), a member of the CPSE is not required to attend a meeting of the team in whole or in part if the parent/person in parental relation and the District agree in writing that the attendance is not necessary because the member's area of the curriculum or related services is not being modified or discussed at that meeting.

Additionally, a member as described in letters b) through h) of this subheading may be excused from attending the CPSE meeting, in whole or in part, if the parent/person in parental relation to the student with a disability and the School District agree, in writing to the excusal not less than five (5) calendar days prior to the meeting date, that the attendance of the member is not necessary because:

a) The member's area of the curriculum or related services is being modified or discussed in the meeting but, not less than five (5) calendar days prior to the meeting, the excused member has submitted to the parents/persons in parental relation and the CSE written input into the development of the IEP, particularly with respect to their area of curriculum or related services; or

b) The committee member is unable to attend due to an emergency or unavoidable scheduling conflict and the District submits the written input listed in a) above to the parents/persons in parental relation within a reasonable time prior to the meeting and prior to obtaining written consent to the excusal by the parents/persons in parental relation.

Training

The training of qualified personnel is essential to the effective implementation of the Regulations of the Commissioner of Education regarding the education of all students with disabilities.

The Director of Special Education will be responsible to the Superintendent for establishing administrative practices and procedures for training all District personnel responsible for carrying out the provisions of Part 200 of the Commissioner's Regulations as well as members of the Committee on Preschool Special Education.
SUBJECT: APPOINTMENT AND TRAINING OF COMMITTEE ON PRESCHOOL SPECIAL EDUCATION (CPSE) MEMBERS

Alternative Means of Meeting

When conducting a meeting of the Committee on Preschool Special Education (CPSE), the parent and the representative of the District appointed to the CPSE may agree to use alternative means of meeting participation, such as videoconferences and conference calls.

Individually with Disabilities Education Act (IDEA) 20 USC Section 1400 et seq.
34 CFR Part 300
Education Law Section 4410
8 NYCRR Sections 200.2(b)(3) and 200.3

NOTE: Refer also to Policies #7613 -- The Role of the Board in Implementing a Student's Individualized Education Program
#7614 -- Preschool Special Education Program
#7631 -- Committee on Special Education/Subcommittee on Special Education Members

Adopted: 4/28/09
Revised and Re-Adopted: 3/4/14
SUBJECT: STUDENT INDIVIDUALIZED EDUCATION PROGRAM (IEP): DEVELOPMENT AND PROVISION

This policy has been replaced by Policy #4321.05: Confidentiality, Accessibility, Development, and Provision to Individualized Education Services Programs and Service Plans, which can be found in BoardDocs ➔ Policies
SUBJECT: TRANSITION SERVICES

Beginning not later than the first IEP to be in effect when the student is age fifteen (15) (and at a younger age, if determined appropriate), and updated annually, the student's IEP must include:

a) A statement of the student's needs taking into account the student's strengths, preferences and interests as they relate to transition from school to post-school activities;

b) Appropriate measurable postsecondary goals based upon age appropriate transition assessments relating to training, education, employment and, where appropriate, independent living skills;

c) A statement of transition service needs that focuses on the student's courses of study, such as participation in advanced-placement courses or a vocational educational program;

d) Needed activities to facilitate the student's movement from school to post-school activities, including instruction, related services, community experiences, the development of employment and other post-school adult living objectives and, when appropriate, acquisition of daily living skills and functional vocational evaluation; and

e) A statement of the responsibilities of the District and participating agencies, when applicable, for the provision of such services and activities, before the student leaves the school setting, that promote movement from school to post-school opportunities.

In accordance with the Code of Federal Regulations, the District must invite a child with a disability to attend the child's CSE meeting if a purpose of the meeting will be the consideration of the postsecondary goals for the child and the transition services needed to assist the child in reaching those goals. If the child does not attend the CSE meeting, the District must take other steps to ensure that the child's preference and interests are considered. To the extent appropriate, with the consent of the parent or a child who has reached the age of majority, the District must also invite a representative of any participating agency that is likely to be responsible for providing or paying for transition services.

As defined by the Commissioner's Regulations, transition services means a coordinated set of activities for a student with a disability, designed within a results-oriented process that is focused on improving the academic and functional achievement of the child with a disability to facilitate movement from school to post-school activities. Post-school activities include, but are not limited to, post-secondary education, vocational training, integrated competitive employment (including supported employment), continuing and adult education, adult services, independent living, or community participation. The coordinated set of activities must be based on the individual student's needs, taking into account the student's strengths, preferences and interests and will include needed activities in the following areas:
SUBJECT: TRANSITION SERVICES

a) Instruction;

b) Related services (the term "related services" does not include a medical device that is surgically implanted, the optimization of the device's functioning (e.g., mapping), maintenance of, or the replacement of such device);

c) Community experiences;

d) The development of employment and other post-school adult living objectives; and

e) When appropriate, acquisition of daily living skills and functional vocational evaluation.

Individuals with Disabilities Education Improvement Act of 2004 [Public Law 108-446 Section 614(a)]
Individuals with Disabilities Education Act (IDEA)
20 United States Code (USC) Sections 1400 et seq.
34 Code of Federal Regulations (CFR) Sections 300.343, 300.347 and 300.348
Education Law Section 4401
8 New York Code of Rules and Regulations (NYCRR)
Sections 200.1(qq), 200.1(ff), 2004.(d)(2)(ix), and 200.5(c)(2)(vii)

NOTE: Refer also to Policy #7617 – Declassification of Students with Disabilities

Adopted: 4/28/09
SUBJECT: EXTENDED SCHOOL YEAR (JULY/AUGUST) SERVICES AND/OR PROGRAMS

The School District will provide, directly or by contract, special services and/or programs during July and August (i.e., extended school year) to those students whose disabilities are severe enough to exhibit the need for a structured learning environment of twelve (12) months duration in order to prevent substantial regression as determined by the Committee on Special Education (CSE)/Committee on Preschool Special Education (CPSE).

The CSE/CPSE must determine whether a student requires extended school year special education services and/or programs in order to prevent substantial regression. Substantial regression would be indicated by a student's inability to maintain developmental levels due to a loss of skill, set of skill competencies or knowledge during the months of July and August. In accordance with Commissioner's Regulations, students must be considered for twelve (12) month special services and/or programs to prevent substantial regression if they are:

- Students whose management needs are determined to be highly intensive and require a high degree of individualized attention and intervention and who are placed in special classes; or,

  Preschool students whose management needs are determined to be highly intensive and require a high degree of individualized attention and intervention;

- Students with severe multiple disabilities, whose programs consist primarily of habilitation and treatment and are placed in special classes; or

  Preschool students with severe multiple disabilities, whose programs consist primarily of habilitation and treatment;

- Students who are recommended for home and/or hospital instruction whose special education needs are determined to be highly intensive and require a high degree of individualized attention and intervention or who have severe multiple disabilities and require primarily habilitation and treatment; or

  Preschool students whose special education needs are determined to be highly intensive and require a high degree of individualized attention and intervention or who have severe multiple disabilities and require primarily habilitation and treatment in the home; or

- Students, including preschool students, whose needs are so severe that they can be met only in a seven (7) day residential program; or

- Students who are not in programs as described in subparagraphs (a) through (d) above during the period from September through June and who, because of their disabilities, exhibit the need for a twelve (12) month special service and/or program provided in a structured learning environment of up to twelve (12) months duration in order to prevent substantial regression as determined by the CSE; or

  Preschool students who are not described in subparagraphs (a) through (d) above whose disabilities are severe enough to exhibit the need for a structured learning environment of
SUBJECT: EXTENDED SCHOOL YEAR (JULY/AUGUST) SERVICES AND/OR PROGRAMS

twelve (12) months duration to prevent substantial regression as determined by the Preschool Committee on Special Education (CPSE).

For students eligible for twelve (12) month service and/or program, the student’s Individualized Education Program (IEP) will indicate the identity of the provider of services during the months of July and August, and, for preschool students determined by the CPSE to require a structured learning environment of twelve (12) months duration to prevent substantial regression, a statement of the reasons for such recommendation.

The IEP will indicate the projected date of the review of the student's need for such services and will indicate the recommended placement.

The State Education Department (SED) is authorized to approve programs and to establish State Aid reimbursement rates for all special services and programs provided during July and August, both public and private. Therefore, if the School District plans to operate a July/August program, the District must first apply to SED for approval in accordance with SED guidelines/procedures.

Individuals with Disabilities Education Improvement Act of 2004, Public Law 108-446 Section 614(a)
Individuals with Disabilities Education Act (IDEA), 20 United States Code (USC) Section 1400 et seq.
Education Law Section 4408
8 New York Code of Rules and Regulations (NYCRR) Part 110 and Sections 200.1(qq), 200.4(d)(2)(x), 200.5(b)(1)(iii), 200.6(j), and 200.16(i)(3)(v)

Adopted: 4/28/09
Revised and Re-Adopted: 11/18/14
SUBJECT: TRANSFER STUDENTS WITH DISABILITIES

To facilitate the transition of students with disabilities transferring into or out of the District the District will:

a) As the district of origin take reasonable steps to promptly respond to all requests from the new school district.

b) As the new school district take reasonable steps to promptly obtain the student's records from the previous school, including the IEP, supporting documents and any other records relating to the provision of special education services.

c) Provide to a student with a disability (as defined in Section 200.1(zz) of Commissioner's Regulations) who transfers school districts within the same academic year a free appropriate education including services comparable to those described in the student's previous IEP.

1. For transfers within New York State, the previously held IEP will be followed in consultation with the parents until the District adopts the previously held IEP or develops, adopts and implements a new IEP consistent with federal and State law and regulation.

2. For transfers from outside New York State, in consultation with the parents the previously held IEP will be followed until the District conducts an evaluation and, if appropriate, develops a new IEP consistent with federal and State law and regulation.

Individuals with Disabilities Education Improvement Act of 2004 [Public Law 108-446 Section 614(a)]
Individuals with Disabilities Education Act (IDEA)
20 United States Code (USC) Sections 1400 et seq.
8 New York Code of Rules and Regulations (NYCRR)
Section 200.4(e)(8)

Adopted: 4/28/09
SUBJECT: IDENTIFICATION AND REGISTER OF CHILDREN WITH DISABILITIES (CHILD FIND)

The District will locate, identify, and evaluate all students with disabilities who reside within its boundaries, including homeless children, children who are wards of the state, home-schooled children, and children attending private schools. Further, it is the policy of the Board to conduct a census in order to locate and identify all children with disabilities within the District under the age of twenty-one (21), including those children as described above, and to establish a register of such students entitled to attend school or receive preschool services.

The Committee on Special Education (CSE) or Committee on Preschool Special Education (CPSE) will maintain and annually revise the register of such students and others referred to the committee as possibly having a disability, as appropriate. In addition, census data will be reported by October 1 to the CSE or CPSE as appropriate.

The District understands that its Child Find obligations have been expanded to include notification to every parent or person in parental relation, upon enrollment of their child in the District, of their rights regarding referral and evaluation for the purposes of special education services or programs pursuant to applicable federal and state laws. The notification will contain the name and contact information for the chairperson of the District's CSE or other individual who is charged with processing referrals to the committee in the District. The District may, in its discretion, provide such notice by directing parents or persons in parental relation to obtain information located on the State Education Department's website relating to a parent's guide to special education in New York State for children ages three (3) through twenty-one (21).

Any student suspected of having a disability should be referred to the applicable CSE or CPSE for evaluation and possible identification as a student with a disability.

Non-public School Students with Disabilities Who are Parentally Placed

If the District boundaries encompass a non-public school, the District, as the district of location, must develop and implement methods to identify, locate, and ensure the identification and evaluation of students with disabilities who have been, or are going to be, parentally placed in such nonpublic school.

The child find activities must be similar to those for students with disabilities in public schools and must be completed in a time period comparable to that for other students attending public schools in the School District.

As the district of location, the District must also consult with the appropriate representatives of the non-public schools and parents of parentally placed non-public school students to determine an accurate count of students with disabilities attending such schools and receiving special education services.

These requirements only pertain to students with disabilities parentally placed in elementary and secondary nonpublic schools, not to parental placements of preschool children with disabilities in private day care or preschool programs; or to CSE placements of students with disabilities in approved private schools, Special Act School Districts, state-supported or state-operated schools; or to charter schools.
SUBJECT: IDENTIFICATION AND REGISTER OF CHILDREN WITH DISABILITIES (CHILD FIND)

Individuals with Disabilities Education Act (IDEA), 20 USC Section 1400 et seq. 
34 CFR Part 300
Education Law Sections 3240-3242, 3602-c(2)(a), 4401-a, 4402, 4404, 4405 and 4410-6
8 NYCRR Sections 200.2(a) and 200.4

NOTE: Refer also to Policies #7130 -- Entitlement to Attend - Age and Residency
     #7140 -- School Census

Adoption Date: 4/28/09
Revised and Re-Adopted: 7/28/15
SUBJECT: PARENT INVOLVEMENT FOR CHILDREN WITH DISABILITIES

The Board recognizes the rights of the parent/guardian to be fully informed of all information relevant to the identification, or change in identification, evaluation and educational placement of a child with a disability.

All due process procedures for parents/guardians and children in the Commissioner's Regulations will be observed by the School District.

Definition of Parent

Parent means a birth or adoptive parent, a legally appointed guardian generally authorized to act as the child's parent or authorized to make educational decisions for the child, a person in parental relation to the child as defined in Education Law Section 3212, an individual designated as a person in parental relation pursuant to General Obligations Law Title 15-A including an individual so designated who is acting in the place of a birth or adoptive parent (including a grandparent, stepparent or other relative with whom the child resides), or a surrogate parent who has been appointed in accordance with Section 200.5(n) of Commissioner's Regulations. The term does not include the State if the student is a ward of the State.

A foster parent may act as a parent unless State law, regulations or contractual obligations with a State or local entity prohibit the foster parent from acting as a parent.

Unless a judicial decree identifies a specific person(s) to act as the parent or make educational decisions for the student, if one or more parties is qualified to act as a parent, the birth or adoptive parent is presumed to be the parent unless they do not have the legal authority to do so.

Surrogate Parents

In the event that no parent or guardian for a child with a disability can be identified; or after reasonable efforts the whereabouts of the parent or guardian cannot be determined; or the student is an unaccompanied homeless youth; or the child with a disability is a ward of the State and does not have a "parent" as defined above; or the rights of the parent to make educational decisions have been subrogated by a judge in accordance with State law; the Board will assign an individual from a list of willing and eligible persons to act as a surrogate for the parents or guardians. This determination will be completed within a reasonable time following the receipt of a referral for an initial evaluation or re-evaluation; alternatively, the surrogate parent may be appointed by a judge overseeing the child's case.

The person selected as a surrogate will have no interest that conflicts with the interest of the child he/she represents, and will have knowledge and skills that ensure adequate representation of the child.

Prior Written Notice (Notice of Recommendation)

Prior written notice (notice of recommendation) must be given to parents of a student with a disability a reasonable time before the District proposes to, or refuses to, initiate or change the identification, evaluation, educational placement of the student or the provision of a free appropriate public education to the student. Prior written notice must also be provided informing the parents when no additional data is required to determine the student's educational needs, the reasons for this determination and
SUBJECT: PARENT INVOLVEMENT FOR CHILDREN WITH DISABILITIES

their right to request an assessment. Written notice will also be provided prior to the student's graduation with a local or Regents diploma, stating that such student will no longer be entitled to receive a Free Appropriate Public Education (FAPE) after graduation. Additionally, prior written notice will be provided upon the student's receipt of any other exiting credential, including but not limited to a Skills and Achievement Commencement Credential or a Career Development and Occupational Studies Commencement Credential, provided the student has not already earned a local or Regents diploma. Such notice will state that the student continues to be eligible for FAPE until the school year in which the student turns age twenty-one (21), or until the receipt of a local or Regents high school diploma, whichever is earlier.

If the prior written notice relates to a proposed action that also requires parental consent, the District must give notice at the same time it requests parental consent. The prior written notice will contain all elements required by Commissioner's Regulations.

A parent may elect to receive prior written notice and other required notifications by electronic mail (email) communication if the District makes this option available.

Parent Participation in Meetings

The School District must take steps to ensure that one or both of the parents of a child with a disability are present at each Committee on Special Education (CSE)/Committee on Preschool Special Education (CPSE) meeting or are afforded the opportunity to participate in a mutually agreed upon time and place. The School District must document its attempts to involve parents, such as:

a) Detailed records of telephone calls made or attempted and the results of these calls;

b) Copies of correspondence sent to the parents and any responses received; and

c) Detailed records of visits made to the parent's home or place of employment and the results of those visits.

A meeting may be conducted without a parent in attendance if the School District is unable to convince the parents that they should attend.

Additionally, the School District must take whatever action is necessary to ensure the parent understands the proceedings of this meeting including arranging for an interpreter for parents with deafness or whose native language is other than English.

Parental Consent

In accordance with due process, a parent (as defined in Commissioner's Regulations Section 200.1(l)) of a special education student or a student suspected of having a disability must provide informed consent before the School District can take certain actions. The District will make reasonable efforts to obtain written informed consent and will maintain a detailed record of its attempts and the results of the attempts.
SUBJECT: PARENT INVOLVEMENT FOR CHILDREN WITH DISABILITIES

Parents with custodial rights - whether sole or joint - may exercise decision-making authority with respect to the student's education. Absent a court order or custody agreement to the contrary, a non-custodial parent may not control educational decisions for the student, though he/she may participate in the child's education.

Consent for Evaluations

The parent or guardian must provide informed consent to the initial evaluation, or reevaluations in accordance with law and/or regulations. If a parent does not provide consent for an initial evaluation, the School District may pursue the evaluation by commencing a due process hearing to override the refusal to provide consent.

Parental consent for a reevaluation is not needed if the District can demonstrate that it has taken reasonable measures to obtain consent, but the parents or guardians have failed to respond.

Consent for the Initial Provision of Services

Parental consent is also required for the initial provision of special education services. Consent for an initial evaluation does not constitute consent for the initial provision of services. If a parent does not provide consent for the initial provision of services, the School District will not provide the special education programs and services to the student and will not use the due process procedures to challenge the parent's refusal to consent. The School District will not be considered to be in violation of the requirements to provide a free appropriate public education (FAPE), will not be required to convene a meeting of the committee on special education or develop an individualized education program (IEP).

Consent to Access Public Benefits or Insurance (e.g., Medicaid)

A School District must notify the child's parent in writing prior to accessing the child's or parent's public benefits or insurance for the first time and annually thereafter. The written notification must explain the protections afforded to parents so that parents are fully informed of their rights before the District accesses their or their child's Medicaid or other public benefits or insurance to pay for services under the IDEA. Furthermore, this notice must be in a language understandable to the general public and in the parent's native language or the mode of communication used by the parent.

A School District must obtain a one-time written consent from the parent, after providing the written notification (as described above), before accessing the child's or parent's public benefits or insurance (e.g., Medicaid) for the first time. The consent must state that the parent understands and agrees that the School District may access the child's or parent's public benefits or insurance to pay for special education or related services. The consent must also specify:

a) The personally identifiable information that may be disclosed (this can include records or information about the services that will be provided to the student);
SUBJECT: PARENT INVOLVEMENT FOR CHILDREN WITH DISABILITIES

b) The purpose of the disclosure; and

c) The agency to which the disclosure may be made (Medicaid).

Merely providing the Medicaid application does not meet the IDEA parent consent requirements. A sample Medicaid Consent Form may be found at: http://www.p12.nysed.gov/specialed/publications/sampleconsent.htm.

Consent for an Unaccompanied Homeless Youth

Consent may be provided by a surrogate parent. However, until a surrogate parent is appointed, consent may be provided on a temporary basis by an employee of a temporary housing facility operated or approved by a local social services district or a residential facility for runaway and homeless youth.

Consent for a Ward of the State

A ward of the State means a child or youth under the age of twenty-one (21):

a) Who has been placed or remanded pursuant to Social Services Law or the Family Court Act or freed for adoption pursuant to Social Services Law; or

b) Who is in the custody of the Commissioner of Social Services or the Office of Children and Family Services; or

c) Who is a destitute child under Social Services Law.

In the event that a child is a ward of the State, the School District will make reasonable efforts to obtain the informed consent from the parent of the child for an initial evaluation to determine whether the child is a child with a disability.

The School District is not required to obtain informed consent if:

a) Despite reasonable efforts to do so, the School District cannot discover the whereabouts of the parent of the student, including consulting with the agency responsible for the care of the student; or

b) The rights of the parents of the student have been terminated in accordance with State law; or

c) The rights of the parent to make educational decisions have been subrogated by a judge in accordance with State law and consent for an initial evaluation has been given by an individual appointed by the judge to represent the student.
SUBJECT: PARENT INVOLVEMENT FOR CHILDREN WITH DISABILITIES

Consent for a Student Who is Home Instructed or Parentally Placed in a Private School at the Parent's Expense

If a parent of a student who is home instructed or placed in a private school by their parents at their own expense does not provide consent for an initial evaluation or reevaluation, or the parent fails to respond to a request to provide consent, the District may not continue to pursue those evaluations by using the due process procedures and the District is not required to consider the student as eligible for special education services.

Parental Revocation of Consent

Parental revocation of consent for continued provision of special education and related services must be in writing. When the parent revokes such consent, the District still must provide the parent with the usual written notice of its intentions with respect to the child.

If the parent of a student with a disability revokes his/her consent in writing for the continued provision of special education and related services to the student at any time subsequent to the initial provision of special education and related services, the District:

a) Will not continue to provide special education and related services to the student, but must provide prior written notice to the parent before ceasing the provisions of special education and related services;

b) Will not use due process procedures (i.e., mediation, resolution meeting, and/or impartial due process hearing) in order to obtain agreement or a ruling that the services may be provided to the student without parental consent;

c) Will not be considered to be in violation of the requirement to make a free and appropriate public education (FAPE) available to the student because of the failure to provide the student with further special education and related services following revocation of consent;

d) Is not required to convene a meeting of the Committee on Special Education or develop an IEP for the student for further provision of special education programs and related services upon receipt of written revocation of consent; and

e) Is not required to amend the student's education records to remove any references to the student's receipt of special education programs and services because of the revocation of consent.

Procedural Safeguards Notice

The School District will provide the procedural safeguards notice prescribed by the Commissioner of Education to the parents of a student with a disability at least one time per year and also:

a) Upon initial referral or parental request for evaluation;
SUBJECT: PARENT INVOLVEMENT FOR CHILDREN WITH DISABILITIES

b) Upon the first filing of a due process complaint notice to request mediation or an impartial due process hearing;

c) Upon request by a parent;

d) Upon a decision to impose a suspension or removal that constitutes a disciplinary change in placement; and

e) Upon first receipt of a State complaint.

NOTE: Refer also to Policy #7260 -- Designation of Person in Parental Relation

Adopted: 4/28/09
Revised and Re-Adopted: 3/4/14
Revised and Re-Adopted: 3/21/17
This policy has been replaced by Policy #4321.08: Impartial Hearings and Impartial Hearing Officer Appointment and Compensation, which can be found in Board Docs ➔ Policies
SUBJECT: INDEPENDENT EDUCATIONAL EVALUATIONS

The Board of Education recognizes the right of parents or guardians of a student who has or is thought to have a disability to receive an independent evaluation (IEE) at public expense if they disagree with the evaluation obtained by the Committee on Special Education (CSE) or the Committee on Preschool Special Education (CPSE) under Federal and State regulations.

The independent examination shall be conducted by a qualified examiner who is not employed by the Shoreham-Wading River School District. Upon request, parents will be provided with a list of public and private agencies and professional resources where independent evaluations may be obtained. These publicly-funded independent evaluations shall be limited to the same geographic and fiscal limitations as used by the district when it initiates an evaluation.

A parent is entitled to only one (1) IEE at public expense each time the District conducts an evaluation with which the parent disagrees. The District has the right to initiate an impartial hearing to demonstrate that its evaluation is appropriate. If the hearing office determines that the District’s evaluation was appropriate, a parent or guardian is not entitled to reimbursement at public expense.

The Superintendent of School will establish maximum allowable fees for specific tests.

(NYSSBA) Cross-ref: 4321, Programs for Students with Disabilities

Ref: 20 USC §1415(d)(2)(A)
34 CFR §300.502
8 NYCRR §§200.1(z); 200.5(a); 200.5(b); 200.5(c); 200.5(g)

34 Code of Federal Regulations (CFR)
Sections 300.12 and 300.503
8 New York Code of Rules and Regulations (NYCRR)
Sections 200.1(z) and 200.5(g)

Adopted: 4/28/09
Revised: 3/24/2021
SUBJECT: SPECIAL EDUCATION MEDIATION

The District will offer mediation to resolve any disputes involving any matter for which an impartial due process hearing may be brought, including matters arising prior to the filing of a due process complaint notice.

Such mediation will be conducted by mediators approved by New York State Dispute Resolution Association. The mediators may not be employees of any school or State agency that is involved in the education or care of the student who is the subject of the mediation process. Mediators may not have a personal or professional interest which would conflict with their objectivity in the mediation process and should be knowledgeable in laws and regulations relating to the provision of special education services.

Parents or persons in parental relation to students suspected of or having disabilities will receive written notice of the availability of the mediation program each time they receive notice of their entitlement to the impartial hearing procedures in accordance with Federal and State law and regulations. If the parent and District agree, alternative means of meeting participation may be utilized, such as video conferences and conference calls.

Discussions during the mediation process must be confidential and may not be used as evidence in any subsequent due process hearing or civil proceedings. The parties may be required to sign a confidentiality pledge prior to the commencement of the process.

If resolution to the complaint is reached through mediation, the parent and the representative of the District who has the authority to bind the District will execute a legally binding written agreement specifying the resolution and stating that all discussions occurring during the mediation process are confidential and may not be used as evidence in any subsequent due process hearing or civil proceeding of any Federal or State court. If the written agreement is inconsistent with the student's current IEP, the IEP must be immediately amended to reflect the mediation agreement.

The mediation process is voluntary and will not operate to diminish or limit any rights provided for in law, including the right of the parent or person in parental relation to request an impartial hearing subsequent to mediation. Parents or persons in parental relation to students suspected of or having disabilities continue to have full access to all rights, including due process procedures, provided for in federal and state laws and regulations. Similarly, mediation will not be construed to limit a parent or person in parental relation from requesting an impartial hearing without having first utilized mediation procedures set forth in Education Law.

Individuals with Disabilities Education Improvement Act of 2004 (Public Law 108-446) Section 614(a)
Individuals with Disabilities Education Act (IDEA)
20 United States Code (USC) Section 1400 et seq.
SUBJECT: SPECIAL EDUCATION MEDIATION

34 Code of Federal Regulations (CFR) Part 300
Education Law Sections 4005, 4202 and 4404-a
Judiciary Law Section 849a
8 New York Code of Rules and Regulations (NYCRR)
Sections 200.1 and 200.5

Adopted: 4/28/09
Shoreham-Wading River Central School District

CURRICULUM (GENERAL)

1.1 Curriculum Development, Resources and Evaluation ........................................... 8110
1.3 Equal Educational Opportunities ........................................................................... 8130

ELEMENTARY AND SECONDARY INSTRUCTION

2.1 Safety Conditions and Programs .......................................................................... 8210
  2.1.1 Prevention Instruction .................................................................................... 8211
2.2 Career and Technical (Occupational) Education .................................................. 8220
  2.4.1 Patriotism, Citizenship and Human Rights Education .................................. 8241
  2.4.2 Civility, Citizenship and Character Education/Interpersonal Violence Prevention Education .................................................. 8242
2.5 Evaluation of the Instructional Program ................................................................ 8250
2.6 Title I Parent Involvement Policy ......................................................................... 8260
2.7 Instructional Technology ....................................................................................... 8270
  2.7.1 The Children's Internet Protection Act: Internet Content Filtering/ Safety Policy .......................................................... 8271
2.8 Instruction for English Language Learners or Students with Limited English Proficiency .......................................................... 8280
2.9 Animals in the Schools (Instructional Purposes) .................................................... 8281

INSTRUCTIONAL MATERIALS

3.1 Purposes of Instructional Materials ....................................................................... 8310
3.2 Selection of Library and Audiovisual Materials ...................................................... 8320
  3.3 Objection to Instructional Materials .................................................................... 8330
    3.3.1 Controversial Issues ..................................................................................... 8331
3.4 Textbooks/Workbooks/Calculators/Instructional Computer Hardware ............... 8340
3.5 Use of Copyrighted Materials ............................................................................... 8350

INSTRUCTIONAL ARRANGEMENTS

4.1 School Calendar and School Day .......................................................................... 8410
4.2 Opening Exercises ............................................................................................... 8420
4.3 Independent Study for Transfer Credit .................................................................. 8430
4.4 Homework ............................................................................................................ 8440
4.5 Home Tutoring (Temporary Instruction) ............................................................... 8450
4.6 Field Trips ............................................................................................................. 8460
4.7 Home Instruction (Home Schooling) .................................................................... 8470
4.8 Class Size in the High School .............................................................................. 8480
SUBJECT: CURRICULUM DEVELOPMENT, RESOURCES AND EVALUATION

This policy has been replaced by Policy #4200: Curriculum Management, which can be found in Board Docs ➔ Policies
SUBJECT: EQUAL EDUCATIONAL OPPORTUNITIES

This policy has been replaced by Policy #0100: Non-Discrimination, Anti-Harassment, and Equal Opportunity, which can be found in Board Docs Policies.
SUBJECT: SAFETY CONDITIONS AND PROGRAMS

The practice of safety will be considered an integral part of the instructional program through fire prevention, emergency procedures and drills, driver education, and traffic and pedestrian safety.

Each Principal will be responsible for the supervision of a safety program for his/her school.

The safety program may include, but not be limited to, in-service training, plant inspection, fire prevention, accident recordkeeping, driver and vehicle safety programs, emergency procedures and drills, and traffic safety programs relevant to students, employees and the community.

It will be the duty of the Board to provide inspections and supervision of the health and safety aspects of the school facilities.

Eye Safety/Student Use of Hand-Held Laser Pointers

Eye safety devices are to be provided by the School District for the protection of employees, students and visitors, and worn in the technology education classes and labs when activities present a potential eye hazard. The Superintendent or his/her designee will ensure that these devices are properly repaired, cleaned and stored to prevent the spread of germs or diseases after individuals use them.

Each classroom teacher is responsible for the safe and proper use of all instructional materials and equipment by students in his/her classroom. Laser pointers are to be used by students only when such use is approved and supervised by the classroom instructor.

Students will be advised not to stare directly into the beam from a laser pointer or direct the beam at the eyes of another individual. Students are not to aim the pointer into the audience. Students are to be made aware of the hazards associated with the particular type of laser pointer used.

Education Law Sections 409, 409-a, 807-a and 906
8 New York Code of Rules and Regulations (NYCRR)
Part 136 and Section 141.10

Adopted: 4/28/09
SUBJECT: PREVENTION INSTRUCTION

Acquired Immune Deficiency Syndrome (AIDS) Instruction in Health Education

The Board of Education will provide a health education program that will include appropriate instruction for all students concerning Acquired Immune Deficiency Syndrome (AIDS). Accurate information concerning the nature of the disease, methods of transmission, and means of prevention shall be provided in an age-appropriate manner and shall be consistent with community values and will stress that abstinence is the most appropriate and effective premarital protection against AIDS.

The District’s Curriculum Development Committee, a representative community advisory group consisting of appropriate school personnel, School Board members, parents, religious representatives, and other community members shall serve as the AIDS Advisory Council and will make recommendations for curriculum content, implementation, and evaluation of an AIDS instructional program. Appropriate training will be provided for instructional staff.

No student shall be required to receive instruction concerning the methods of AIDS prevention if his/her parent or legal guardian files with the Principal a written request that the student not participate in such instruction, with an assurance that the student will receive this instruction at home.

AIDS instruction in the elementary grades shall be taught by the regular classroom teachers, while this instruction in the middle and high school grades shall be a part of the required health education curriculum.

Hands-Only Cardio Pulmonary Resuscitation and Automated External Defibrillator Instruction

High school students will be provided instruction in hands-only cardiopulmonary resuscitation and the use of an automated external defibrillator. Standards for this instruction will be based on a nationally recognized instructional program that utilizes the most current guidelines for cardiopulmonary resuscitation and emergency cardiovascular care issued by the American Heart Association or a substantially equivalent organization, that are and be consistent with the requirements of the programs adopted by the American Heart Association or the American Red Cross, and that will incorporate instruction designed to:

a) Recognize the signs of a possible cardiac arrest and to call 911;

b) Provide an opportunity to demonstrate the psychomotor skills necessary to perform hands-only compression cardiopulmonary resuscitation; and

c) Provide awareness in the use of an automated external defibrillator.

The Committee on Special Education or a Multidisciplinary Team, in accordance with Section 504 of the Rehabilitation Act, may determine, on an individual student basis, if a student with a disability should be excused from the requirement for instruction in hands-only CPR and the use of AEDs.
SUBJECT: PREVENTION INSTRUCTION

Substance Abuse - Prevention Instruction

The Board of Education recognizes the need to educate students on the hazards of alcohol, tobacco and drug abuse. An educationally sequential health prevention program, utilizing as appropriate community, staff and student input, will be developed to inform students of:

a) Causes for substance abuse;

b) Physical and psychological damage associated with substance abuse;

c) Avoidance of alcohol, tobacco and drugs;

d) Dangers of driving while under the influence of alcohol or drugs.

Environmental Conservation Instruction

The Board of Education supports and encourages the development of a District-wide, articulated curriculum of environmental conservation integrated into other program disciplines.

Fire and Arson Prevention/Injury Prevention/Life Safety Education

The Board of Education directs the administration to provide instruction in fire and arson prevention, injury prevention and life safety education relating to protection against injury or death and property loss or damage as a result of criminally initiated or other preventable fire.

This instruction shall include materials to educate children on the dangers of falsely reporting a criminal incident, an impending explosion or fire emergency involving danger to life or property, an impending catastrophe, or a life safety emergency.

The Board of Education directs the administration to provide this instruction for all students for a period of not less than forty-five 45 minutes in each month that school is in session.

Student Safety

Instruction in courses in technology education, science, home and career skills, health, and safety, physical education, and art shall include and emphasize safety and accident prevention.

Safety instruction shall precede the use of materials and equipment by students in applicable units of work in the courses listed above, and instructors shall teach and enforce all safety procedures relating to the particular courses. These shall include wearing protective eye devices during appropriate activities.
SUBJECT: PREVENTION INSTRUCTION

Emergency Planning

The District shall maintain updated plans and operating procedures to be followed in the event of natural or manmade disasters or enemy attack. Students shall be provided instruction to respond effectively in emergency situations.

Instruction on Prevention of Child Abduction

All students in grades K through 8 in District schools shall receive instruction designed to prevent the abduction of children. This instruction shall be provided by or under the direct supervision of regular classroom teachers and the Board of Education shall provide appropriate training and curriculum materials for the regular classroom teachers who provide this instruction. However, at the Board's discretion, this instruction may be provided by any other public or private agency.

The Commissioner of Education will provide technical assistance to assist in curricula for this courses of study which must be age appropriate and developed according to the needs and abilities of students at successive grade levels in order to provide awareness skills, information, self-confidence, and support to aid in the prevention of child abduction.

For purposes of developing such courses of study, the District’s Curriculum Development Committee will make recommendations concerning the content and implementation of these courses.

Instruction on Child Development and Parenting Skills

Instruction regarding child development and parenting skills may be offered by the District. The curriculum shall include instruction on the consequences and prevention of shaken baby syndrome, which may include the viewing of a video presentation for students in secondary schools.

AIDS Instruction:
8 New York Code of Rules and Regulations (NYCRR) Sections 135.3(b)(2) and 135.3(c)(2)

Automated External Defibrillators:
Education Law Section 804-d

Civil Preparedness:
New York State Office of Disaster Preparedness

Fire and Arson/Injury Prevention/Life Safety:
Education Law Section 808

8 New York Code of Rules and Regulations (NYCRR) Section 100.2(c)(5)

Prevention of Child Abduction:
Education Law Section 803-a

Student Safety:
Education Law Section 808
SUBJECT: PREVENTION INSTRUCTION

8 New York Code of Rules and Regulations (NYCRR) Sections 107 and 155
Substance Abuse:
Education Law Section 804
8 New York Code of Rules and Regulations (NYCRR) Section 135.3(a)
Instruction on Child Development and Parenting Skills
Education Law Section 804(3)(6)

NOTE: Refer also to Policies #3410 -- Code of Conduct on School Property
#5640 -- Smoking/Tobacco/Electronic Cigarette Use
#7320 -- Alcohol, Tobacco, Drugs and Other Substances (Students)
District Code of Conduct on School Property

Adopted: 4/28/09
Revised and Re-Adopted on 5/1/18
SUBJECT: CAREER AND TECHNICAL (OCCUPATIONAL) EDUCATION

The Board recognizes the need for career and technical education and reaffirms its policy of strengthening the local high school career and technical education program through utilization of any available federal and state funds for that purpose and of supporting the BOCES program.

Equal Opportunity

The Board prohibits discrimination on the basis of sex, sexual orientation, race, color, creed, religion, national origin, political affiliation, age, marital status, military status, disability or use of a recognized guide dog, hearing dog or service dog in any career and technical education program or activity of this District.

The career and technical education program and/or activities will be readily accessible to students with disabilities.

Public Notification

Prior to the beginning of each school year or academic semester, the District will issue an appropriate public announcement which advises students, parents, employees and the general public that career and technical education opportunities will be offered without regard to sex, sexual orientation, race, color, creed, religion, national origin, political affiliation, age, marital status, military status, disability or use of a recognized guide dog, hearing dog, or service dog. Included in such announcement will be the name, address, and telephone number of the person designated to coordinate Title IX/Section 504/ADA activities.

Grievance Procedure

Grievance procedures for resolving complaints regarding discrimination will be disseminated to adequately inform students, parents and employees of the existence of these procedures.

Local Advisory Council

In accordance with Education Law, the Board will appoint a Local Advisory Council for Career Education. The Board may, with BOCES approval, utilize the BOCES Advisory Council as its Local Advisory Council.

Civil Rights Law Section 40-c
Education Law Article 93
Executive Law Section 290 et seq.
8 New York Code of Rules and Regulations (NYCRR) Sections 100.2(h) and 141 et seq.

Adopted: 4/28/09
SUBJECT: PATRIOTISM, CITIZENSHIP AND HUMAN RIGHTS EDUCATION

This policy has been replaced by Policy #4311: Civic Mission of Schools, which can be found in Board Docs ➔ Policies
SUBJECT: CIVILITY, CITIZENSHIP AND CHARACTER EDUCATION/INTERPERSONAL VIOLENCE PREVENTION EDUCATION

This policy has been replaced by Policy #4312: Civility, Citizenship, and Character Education/Interpersonal Violence Prevention Education, which can be found in Board Docs ⇒ Policies
SUBJECT: EVALUATION OF THE INSTRUCTIONAL PROGRAM

Evaluation may be concerned with the extent to which:

a) Each student achieves in accordance with his/her ability;

b) Each staff member performs at full potential;

c) The total learning environment, including instructional processes, physical facilities, and the educational program, remains consistent with the needs of students and the larger society and contributes to the accomplishment of the goals of the school.

The Board expects staff members to maintain a continual program of evaluation at every level to determine the extent of progress toward the schools' objectives. The Board will periodically request the Superintendent to present factual information that it considers necessary to evaluate the effectiveness of the School System.

8 New York Code of Rules and Regulations (NYCRR)
Section 100.2(m)

Adopted: 4/28/09
SUBJECT: TITLE I PARENT AND FAMILY ENGAGEMENT

This policy has been replaced by Policy #1900: Parent and Family Engagement, which can be found in Board Docs ➔ Policies
SUBJECT: INSTRUCTIONAL TECHNOLOGY

The Board recognizes its responsibility to further the District's educational goals through the use of appropriate and high quality technological materials and equipment. For the purpose of this policy, technology refers to computers, interactive videodiscs, Compact Disc-Read Only Memory (CD-ROM) devices, local area networks, satellite transmission and other telecommunications equipment.

Continuing advances in technology are bringing about changes that have an increasing impact on the way we obtain, process, evaluate and use information. Therefore, the District is committed to:

a) A comprehensive staff development program to ensure appropriate and effective use of technology.

b) The preparation of students to utilize multiple types of technology.

c) The integration of technology within and across all curriculum areas.

d) The equitable distribution and access to technological equipment and materials for all students.

e) The promotion of technology as an alternative to traditional methods of gathering, organizing and synthesizing information.

f) The provision of sufficient funds, within the budgetary constraints of the Board, for the implementation of technology instruction.

The Board directs the Superintendent or his/her designee to assess the technological needs of the District's instructional program, research and review current materials and make recommendations to the Board.

Adopted: 4/28/09
SUBJECT: THE CHILDREN'S INTERNET PROTECTION ACT: INTERNET CONTENT FILTERING/SAFETY POLICY

In compliance with The Children's Internet Protection Act (CIPA) and Regulations of the Federal Communications Commission (FCC), the District has adopted and will enforce this Internet safety policy that ensures the use of technology protection measures (i.e., filtering or blocking of access to certain material on the Internet) on all District computers with Internet access. Such technology protection measures apply to Internet access by both adults and minors with regard to visual depictions that are obscene, child pornography, or, with respect to the use of computers by minors, considered harmful to such students. Further, appropriate monitoring of online activities of minors, as determined by the building/program supervisor, will also be enforced to ensure the safety of students when accessing the Internet.

Further, the Board's decision to utilize technology protection measures and other safety procedures for staff and students when accessing the Internet fosters the educational mission of the schools including the selection of appropriate teaching/instructional materials and activities to enhance the schools' programs; and to help ensure the safety of personnel and students while online.

However, no filtering technology can guarantee that staff and students will be prevented from accessing all inappropriate locations. Proper safety procedures, as deemed appropriate by the applicable administrator/program supervisor, will be provided to ensure compliance with the CIPA.

In addition to the use of technology protection measures, the monitoring of online activities and access by minors to inappropriate matter on the Internet and World Wide Web may include, but will not be limited to, the following guidelines:

a) Ensuring the presence of a teacher and/or other appropriate District personnel when students are accessing the Internet including, but not limited to, the supervision of minors when using electronic mail, chat rooms, and other forms of direct electronic communications. As determined by the appropriate building administrator, the use of e-mail and chat rooms may be blocked as deemed necessary to ensure the safety of such students;

b) Monitoring logs of access in order to keep track of the web sites visited by students as a measure to restrict access to materials harmful to minors;

c) In compliance with this Internet Safety Policy as well as the District's Acceptable Use Policy, unauthorized access (including so-called "hacking") and other unlawful activities by minors are prohibited by the District; and student violations of such policies may result in disciplinary action; and

d) Appropriate supervision and notification to minors regarding the prohibition as to unauthorized disclosure, use and dissemination of personal information regarding such students.
SUBJECT: THE CHILDREN'S INTERNET PROTECTION ACT: INTERNET CONTENT FILTERING/SAFETY POLICY

The determination of what is "inappropriate" for minors will be determined by the District and/or designated school official(s). It is acknowledged that the determination of such "inappropriate" material may vary depending upon the circumstances of the situation and the age of the students involved in online research.

The terms "minor," "child pornography," "harmful to minors," "obscene," "technology protection measure," "sexual act," and "sexual contact" will be as defined in accordance with CIPA and other applicable laws/regulations as may be appropriate and implemented pursuant to the District's educational mission.

Under certain specified circumstances, the blocking or filtering technology measure(s) may be disabled for adults engaged in bona fide research or other lawful purposes. The power to disable can only be exercised by an administrator, supervisor, or other person authorized by the School District.

The School District will provide certification, pursuant to the requirements of CIPA, to document the District's adoption and enforcement of its Internet Safety Policy, including the operation and enforcement of technology protection measures (i.e., blocking/filtering of access to certain material on the Internet) for all School District computers with Internet access.

Internet Safety Instruction

In accordance with New York State Education Law, the School District may provide, to students in grades K through 12, instruction designed to promote the proper and safe use of the internet. The Commissioner will provide technical assistance to assist in the development of curricula for such course of study which will be age appropriate and developed according to the needs and abilities of students at successive grade levels in order to provide awareness, skills, information and support to aid in the safe usage of the internet.

Notification/Authorization

The District's Acceptable Use Policy and accompanying Regulations will be disseminated to parents and students in order to provide notice of the school's requirements, expectations, and student's obligations when accessing the Internet.

Student use of the District's computer system (DCS) is conditioned upon written agreement by all students and their parents/guardians that student use of the DCS will conform to the requirements of this policy and any regulations adopted to ensure acceptable use of the DCS. All such agreements will be kept on file in the District Office.
SUBJECT: THE CHILDREN'S INTERNET PROTECTION ACT: INTERNET CONTENT FILTERING/SAFETY POLICY

The District has provided reasonable public notice and has held at least one (1) public hearing or meeting to address the proposed Internet Content Filtering/Safety Policy prior to Board adoption. Furthermore, appropriate actions will be taken to ensure the ready availability to the public of the District's Internet Content Filtering/Safety Policy, as well as any other District policies relating to the use of technology.

47 United States Code (USC) Sections 254(h) and 254(l)
47 Code of Federal Regulations (CFR) Part 54

Adopted: 4/28/09
SUBJECT: INSTRUCTION FOR ENGLISH LANGUAGE LEARNERS

The Board recognizes its responsibility to ensure that students of foreign birth or ancestry, who are identified as English Language Learners (ELL), are provided with an appropriate bilingual education or of English as a New Language (ENL) program.

The District has developed a comprehensive plan to meet the educational needs of ELLs. The plan will be kept on file in the District and submitted to the Commissioner of Education prior to the start of each school year. The plan includes:

a) The District's philosophy for the education of ELL;
b) Administrative practices and procedures to screen, identify, and place ELLs in appropriate programs;
c) The District’s plan to provide parents and other persons in parental relation with information about all bilingual education and ENL programs available in the District and notices regarding program placement and the rights of parents or persons in parental relation in a language they best understand;
d) The District’s system to annually measure and track the academic progress and English language proficiency of ELLs and use of data to drive instruction;
e) A description of the District’s curricular and extracurricular services provided to ELL;
f) The District’s administrative practices to annually evaluate ELLs;
g) The District’s procedure to identify support services for ELLs;
h) The District’s policies and procedures regarding ELLs who are students with disabilities;
i) The District’s procedures to exit ELLs including those students with inconsistent interrupted formal education;
j) The District’s services to support former ELLs.

Additionally, the District will provide professional development to all teachers, level III teaching assistants, and administrators that specifically addresses the needs of ELLs.

The Superintendent will ensure that all data, including plans, assurances, and reports as required by the Commissioner's Regulations is submitted to the State Education Department in a timely manner.

Title I of the Elementary and Secondary Education Act of 1965, as amended by the No Child Left Behind Act of 2001, Sections 1112(g) and 3302(a)
Education Law Sections 207, 215, 2117, 3204(2)(2-a), 3602, and 3713
8 New York Code of Rules and Regulations (NYCRR) Section 100.2(g) and Parts 117 and 154

Adopted: 4/28/09
Revised and Re-Adopted: 3/21/17
SUBJECT: ANIMALS IN THE SCHOOL (INSTRUCTIONAL PURPOSES)

Observation and experimentation with living organisms and animals gives students unique perspectives of life processes. Animals and animal materials should be used respectfully and for the purpose of meeting course objectives.

The Board, in recognizing the educational uses of animals in the classroom, requires that permission be obtained from the Building Principal before animals are brought into the school or classrooms. It is the Principal's responsibility to ensure that there is an appropriate educational purpose if any animal is housed in a classroom. Animals are not to be transported on school buses with the exception of animals certified to assist persons with disabilities.

Study and Care of Live Animals

It will be the responsibility of the Principal or his/her designee to develop a plan of care for those animals housed in school in the event of an emergency school closing or in the event the animals remain in the classroom on days when school is not in session.

Dissection of Animals

Any student expressing a moral or religious objection to the performance or witnessing of the dissection of an animal, either wholly or in part, will be provided the opportunity to undertake and complete an alternative project approved by the student's teacher; provided, however, that such objection is substantiated in writing by the student's parent or legal guardian. An alternate activity clearly related to and of comparable rigor will be assigned in lieu of laboratory dissection. Some examples of alternate activities include the use of computer simulations or research. Students who perform alternative projects will not be penalized.

Effective July 1, 2011, the District will give reasonable notice to all students enrolled in a course that includes the dissection of an animal and students' parent(s)/legal guardian(s) about their rights to seek an alternate project to dissection. Such notice will be made available upon request at the school and distributed to parents and students enrolled in a course that includes dissection at least once at the beginning of the school year.

Instruction in the Humane Treatment of Animals

Students in elementary school must receive instruction in the humane treatment and protection of animals and the importance of the part they play in the economy of nature as well as the necessity of controlling the proliferation of animals that are subsequently abandoned and caused to suffer extreme cruelty. Such instruction will be for a period of time as specified by the Board of Regents and may be joined with work in literature, reading, language, nature study, or ethnology.

Americans with Disabilities Act, 42 United States Code (USC) Section 12101 et. seq.  
Education Law Section 809  
8 New York Code of Rules and Regulations (NYCRR) Section 100.2(c)(8)

Adopted: October 4, 2011
SUBJECT: PURPOSES OF INSTRUCTIONAL MATERIALS

The purpose of instructional materials will be to implement, enrich, and support the educational program of the school.

Instructional materials should contribute to the development of positive social and intellectual values of the students.

The Board will provide the faculty and students in the District with such instructional materials as are educationally needed and financially feasible to make the instructional program meaningful to students of all levels of ability. In addition, the Board will ensure that all instructional materials will be made available in a usable alternative format for each student with a disability at the same time as such instructional materials are available to non-disabled students. The alternative format must meet the National Instructional Materials Accessibility Standard (NIMAS) defined in federal law.

20 United States Code (USC) Section 1474(e)(3)(B)
Education Law Section 701 et seq.
8 New York Code of Rules and Regulations (NYCRR) Parts 155 and 200.2

Adopted: 4/28/09
SUBJECT: SELECTION OF LIBRARY AND AUDIOVISUAL MATERIALS

The Board, as the policy-making and governing body of the School District, is legally responsible for the selection and approval of all printed and published materials used in the schools. In fulfilling its responsibilities, the Board adopts this policy for use as a guideline for the selection of materials for the schools' libraries.

Responsibility for Selection

a) The school library's professional staff should select materials for the library in consultation with the administration, faculty and students.

b) Final decision on purchase should remain with the professional staff subject to approval of the Board.

General Objectives and Principles of Selection

The Board agrees that the responsibility of the school library is:

a) To provide materials that will enrich and support the curriculum, taking into consideration the varied interests, abilities and maturity levels of the students served.

b) To provide materials that will stimulate growth in factual knowledge, literary appreciation, aesthetic values and ethical standards.

c) To provide a background of information that will enable students to make intelligent judgments in their daily lives.

d) To provide materials on opposing sides of controversial issues so that young citizens may develop, under guidance, the practice of critical reading and thinking.

e) To provide materials representative of the many religious, ethnic, and cultural groups and their contribution to our American heritage.

f) To place principle above personal opinion and reason above prejudice in the selection of materials of the highest quality in order to assure a comprehensive collection appropriate for the users of the library.

In interpreting these principles, the following will apply:

a) Broad and varied collections will be developed systematically by the librarian and the audiovisual specialist, based on recommendations of the professional staff and suggestions of students and parents. Final approval will be made by the Building Principal.
SUBJECT:  SELECTION OF LIBRARY AND AUDIOVISUAL MATERIALS

b) Qualitative standards of selection involving factual accuracy, authoritativeness, artistic quality and appeal will be applied by librarians and audiovisual specialists before purchases are made.

c) Materials will not be excluded because of the race, nationality, political opinions or religious views of the author.

d) Materials will be continuously re-evaluated in relation to changing curriculum and instructional needs. Worn out, out-dated materials will be discarded.

8 New York Code of Rules and Regulations (NYCRR)
Section 21.4

Adopted: 4/28/09
SUBJECT: OBJECTION TO INSTRUCTIONAL MATERIALS

This policy has been replaced by Policy #1420: Complaints about Curricula or Instruction Materials, which can be found in Board Docs ➔ Policies
SUBJECT: CONTROVERSIAL ISSUES

Controversial issues may be studied as part of the curriculum and teachers will present these issues in their classrooms in an impartial and objective manner.

Teachers wishing to call upon outside speakers in the presentation of controversial issues are required to obtain the approval of the Principal who will keep in mind the obligation for presenting opposing views as well, and who will inform the Superintendent prior to the presentation.

It is recognized that parents and citizens of the community have a right to protest to the school administration when convinced that unfair and biased presentations are being made by the teacher. In considering such protests, the Superintendent will provide for a hearing so that both parties may fairly express their views. If requested, the Superintendent's decision may be appealed to the Board.

Adopted: 4/28/09
SUBJECT: TEXTBOOKS/WORKBOOKS/ CALCULATORS/ INSTRUCTIONAL COMPUTER HARDWARE

Textbooks

The term "textbook" will refer to a book supplied to a student for a fixed period of time for his/her personal use and basic to the study of a subject. The Board will make provision for funds to be budgeted for the purchase of textbooks and related instructional materials.

Upon the recommendation of the Superintendent, the Board will designate the textbooks to be used. Textbooks, once designated, cannot be superseded within a period of five (5) years except by a three-fourths (3/4) vote of the Board.

Each school district has the option of participating in the National Instructional Materials Access Center (NIMAC). Whether a district does or does not participate in NIMAC, the district will be responsible to ensure that each student who requires instructional materials in an alternate format will receive it in a timely manner and in a format that meets NIMAS standards [8 NYCRR Section 200.2(b)(10)].

Students will be required to pay for lost books or for excessive damage to books.

Textbooks for Resident Students Attending Private Schools

Resident students attending private schools will be supplied non-sectarian textbooks in accordance with the requirements of Education Law.

Workbooks

The term "workbook" will refer to the type of book that provides spaces to write in and is consumed each year. It is usually paper-covered and designed to be used in connection with a textbook. The Board will approve the expenditure of funds for the purchase of workbooks and manuals.

Calculators

The District can require students to provide their own "supplies" (defined as something which is consumed in use, loses its appearance and shape in use, expendable, and inexpensive). Examples include pencils, pens, paper, etc. Calculators do not fall into this category and must be considered like classroom teaching materials for which the District is authorized to levy a tax. In addition, the District may purchase, and must still provide, calculators even if operating under a contingent budget if the calculators are required for participation in an educational program.
SUBJECT: TEXTBOOKS/WORKBOOKS/CALCULATORS/INSTRUCTIONAL COMPUTER HARDWARE

The New York State Education Department requires the use of calculators for intermediate and high school level mathematics and science assessments. To the extent that calculators are a necessary part of the educational program, the District must provide them. Under no circumstances should students be charged for a calculator or otherwise required to purchase one in order to participate in an educational program of the District.

Instructional Computer Hardware

Loan to Students Attending Nonpublic Schools in the District

The School District will loan, upon request of an individual or a group of individual students, to all students legally attending nonpublic elementary or secondary schools located in the School District, instructional computer hardware which is designated for use in any public elementary or secondary schools of the State or is approved by any school authorities as such term is defined in Education Law Section 2(12).

Such instructional computer hardware is to be loaned free to such children, subject to such rules and regulations as are or may be prescribed by the Board of Regents and school authorities and will be required for use as a learning aid in a particular class or program. Instructional computer hardware containing computer software programs which are religious in nature or content will not be purchased or loaned by the School District.

The School District will not be required to loan instructional computer hardware to nonpublic school students in excess of that acquired pursuant to Education Law Section 753 and will be loaned on an equitable basis to children attending nonpublic schools in the District and to students with disabilities residing in the District who attend programs under the provisions of Education Law Sections 4401(2)(c),(2)(e),(2)(g),(2)(i), and (2)(l). However, the School District will not be required to loan instructional computer hardware purchased with local or federal funds or with State funds, other than Instructional Computer Hardware Aid funds.

School authorities will specify a date by which written requests for the purchase and loan of instructional computer hardware must be received by the District. Such date will not be earlier than the first day of June of the school year prior to that for which such instructional computer hardware is being requested. For a child not attending a nonpublic school prior to June first, the parent/guardian may submit a written request for instructional computer hardware within thirty (30) days after such child is enrolled in the nonpublic school. In no event, however, will a request made later than the times otherwise provided pursuant to Education Law Section 754 be denied where a reasonable explanation is given for the delay in making the request. All nonpublic schools in the School District will be notified of the specified date.
SUBJECT: TEXTBOOKS/WORKBOOKS/calculators/instructional
    computer hardware

The form of request used by a lending District may provide for a guarantee by a parent or guardian for
the return of such hardware or, in the case of loss or damage, for payment of the value thereof.

20 United States Code (USC) Section 1474(e)(3)(B)
Education Law Sections 2(12), 701 et seq., 753, 754, 3602(6), 3602(26), 4401(2)(c), 4401(2)(e), 4401(2)(g),
4401(2)(i) and 4401(2)(l)
8 New York Code of Rules and Regulations (NYCRR) Sections 21.3, 100.12, 155.1(a)(4) and 175.25

Adopted: 4/28/09
SUBJECT: USE OF COPYRIGHTED MATERIALS

It is the intent of the Board to abide by the provisions of the United States Copyright Law (Title 17 United States Code Section 101 et seq.).

All employees and students are prohibited from copying materials not specifically allowed by the copyright law, fair use guidelines, licenses or contractual agreements, or the permission of the copyright proprietor.

Any person who willfully disregards the copyright policy will be in violation of Federal Copyright Laws and District policy and will assume all liability.

A copyright officer may be appointed by the Superintendent to provide information for all personnel regarding current copyright law and to maintain copyright records. The copyright officer will also serve as the designated agent registered with the U.S. Copyright Office to expeditiously respond to any notices of claimed copyright infringement.

Regulations and procedures will be developed by the administration detailing what can and cannot be copied. Appropriate copyright notices will be placed on or near all equipment used for duplication.

Digital Millennium Copyright Act (DMCA)
17 United States Code (USC) Sections 101 et seq., 512 and 1201 et seq.
34 Code of Federal Regulations (CFR) Part 201

Adopted: 4/28/09
SUBJECT: SCHOOL CALENDAR AND SCHOOL DAY

School Calendar

The Superintendent will be responsible for the preparation of a school calendar to be presented to the Board for adoption.

School Day

The school day will be set by the Superintendent with approval of the Board.

Education Law Sections 3204(4) and 3604(7)(8)
8 New York Code of Rules and Regulations (NYCRR)
Section 175.5

Adopted: 4/28/09
SUBJECT: OPENING EXERCISES

The Board directs the administration to include the Pledge of Allegiance as part of the opening exercises in all the schools. Under certain circumstances, such as religious conviction, individuals may be excused from this requirement as a protection of their Constitutional rights.

Education Law Section 802
8 New York Code of Rules and Regulations (NYCRR)
Section 108.5

Adopted: 4/28/09
SUBJECT: INDEPENDENT STUDY

Independent study, for credit, will be available to meet the individual needs of students in grades 9 through 12.

Students enrolled in the District, may earn a maximum of three (3) units of elective credit towards a Regents diploma through independent study. The student's participation in independent study will be approved by a school-based panel consisting of, at a minimum, the Principal, a teacher in the subject area for which independent credit is sought, and a guidance director or other administrator.

Credit for independent study may be awarded for elective courses only and will not be awarded for courses required for the Regents diploma as specified in Commissioner's Regulations. The Principal, after consultation with relevant faculty, will award credit to the student based on successful completion of the independent study and demonstrated mastery of the learning outcomes of the subject.

8 New York Code of Rules and Regulations (NYCRR) Section 100.5(d)(9)

Adopted: 4/28/09
Revised and Re-Adopted 6/7/11
SUBJECT: HOMEWORK

The Board of Education acknowledges the educational validity of homework as an adjunct to and extension of the instructional program of the schools. For purposes of this policy, homework will refer to those assignments to be prepared by the student outside of school or independently while in attendance at school.

Teachers are encouraged to consider students’ time constraints when assigning homework. They are also encouraged to assign homework, which reflects careful planning. Instructional staff should carefully monitor the amount of homework assigned so that it is appropriate to students' age and does not take too much time away from other home activities. Homework should foster positive attitudes toward school and self, and communicate to students the idea that learning takes work at home as well as in school.

Homework, when given, shall be assigned according to these guidelines:

a. Homework should be a properly planned part of the curriculum extending and reinforcing the learning experience of the school and should be designed so that students can complete it successfully. Departments and grade level teams are encouraged to collaborate to promote consistency in assignments between classrooms.

b. Homework should help students learn by providing practice in the mastery of skills, experience in data gathering, development of good study habits, practicing a skill or process that students can do independently but not fluently, elaborating on information that has been addressed in class to deepen students' knowledge, and providing opportunities for students to explore topics of their own interest.

c. Homework should help improve the student’s sense of responsibility by providing opportunities for the development of skills necessary for independent work, organization and judgment.

d. The number, frequency, and degree of difficulty of homework assignments should be based upon the abilities, activities, and needs of the student. Flexible due dates may apply for some students. Ample time should be allowed for large projects and assignments.

e. As a valid educational tool, purposeful homework should be clearly assigned and its product carefully reviewed with appropriate feedback.

f. Students should be accountable for all homework assignments. Responses to incomplete homework assignments should be developmentally appropriate, developed carefully with building administrative support and align with Board of Education policy.
SUBJECT: HOMEWORK

The Board of Education believes a strong home school connection is essential to making homework an integral part of the educational program. Parents or person(s) in parental relationship to a student are expected to encourage and monitor homework assignments and provide conditions that are conducive to their successful completion. It is important that students feel capable and successful when completing homework; as such, parents or person(s) in parental relationship to a student are encouraged to communicate and collaborate with their teachers when their children are unsuccessful with homework assignments.

Adopted: 4/28/09
Revised and Re-Adopted: 11/7/17
SUBJECT: HOME TUTORING (HOMEBOUND INSTRUCTION)

Resident children attending public or nonpublic schools who are unable to attend school because of physical, mental or emotional illness or injury as substantiated by a licensed physician are eligible to be instructed at home or in a hospital by an appropriately certified teacher provided by the School District. These students will be provided with such instruction in accordance with New York State Education Law and Commissioner's Regulations.

Procedures for students requiring home tutoring shall be developed under the direction of the Superintendent or his/her designee.

Education Law Sections 1604(20), 1709(24), 3202 and 4401
8 NYCRR Section 175.21

Adoption Date: 10/02
Revised and Re-Adopted: 11/02
Revised and Re-Adopted: 12/07
Revised and Re-Adopted: 12/13
Revised and Re-Adopted: 11/20
SUBJECT: FIELD TRIPS

The Board recognizes that field trips are an educationally sound and important ingredient in the instructional program of the schools.

A field trip is defined as any school sponsored activity exclusive of athletic competitions that takes place in a location other than on school grounds. The primary purpose of field trips is to provide educational enrichment. Factors relevant in consideration of approval of such field trips may include the relationship to the curriculum, the distance of the trip, availability of transportation, the cost involved, weather conditions, and full utilization of transportation. All field trips, therefore, will be related to the curriculum and instructional programs under study by students. All rules of behavior and conduct are in effect throughout the field trip. Consequences regarding violation of school rules will be consistent with disciplinary codes of the school and school district.

The District will obtain written parental/guardian permission for students going on school-sponsored field trips. All overnight and/or out-of-state field trips must be approved by the Board.

The Superintendent will prepare procedures for the operation of a field trip activity. Field trip support will be determined annually by the Board during its budget deliberations. Regardless of the fiscal support for field trips, the rules of the School District for approval and conduct of such trips will apply.

The Superintendent/designee and/or the Board may cancel previously approved field trips due to extenuating circumstances.

NOTE: Refer also to Policies #3410 -- Code of Conduct on School Property
#5730 -- Transportation of Students
#7310 -- School Conduct and Discipline
District Code of Conduct on School Property

Revised and Adopted: February 7, 2011
SUBJECT: HOME INSTRUCTION (HOME SCHOOLING)

This policy has been replaced by Policy #1741: Home Schooled Students, which can be found in Board Docs ➔ Policies
SUBJECT: CLASS SIZE IN THE HIGH SCHOOL

It is recognized that the District values providing a wide range of curricular options for students of all ability levels. In difficult financial times, it may be necessary to place restrictions on class sizes.

Therefore, every High School course is to begin with an average of fifteen (15) students. Exceptions to this include:

a) A combination of two (2) or more courses taught during the same period by the same teacher;

b) Special Education courses or classes;

c) Courses needed to reach a required sequence for graduation; and

d) Special courses such as science research.

The Superintendent may ask the Board to make an exception other than those listed above.

Adopted: 4/28/09
<table>
<thead>
<tr>
<th>Topic</th>
<th>Page(s)</th>
</tr>
</thead>
<tbody>
<tr>
<td>Abolishing an Administrative Position</td>
<td>4220</td>
</tr>
<tr>
<td>Absences</td>
<td></td>
</tr>
<tr>
<td>Family and Medical Leave Act</td>
<td>6551</td>
</tr>
<tr>
<td>Staff Leave and Absences</td>
<td>6550</td>
</tr>
<tr>
<td>Student Absences and Excuses</td>
<td>7110</td>
</tr>
<tr>
<td>Absentee Ballots</td>
<td>1640</td>
</tr>
<tr>
<td>Academic Intervention Services (AIS)</td>
<td>7616</td>
</tr>
<tr>
<td>Acceptable Use Policy (Staff)</td>
<td>6470, 7315</td>
</tr>
<tr>
<td>Acceptance of Gifts, Grants and Bequests to the School District</td>
<td>5230</td>
</tr>
<tr>
<td>Accepting Gifts</td>
<td>5230, 6110</td>
</tr>
<tr>
<td>Access to Records -- Public</td>
<td>3310</td>
</tr>
<tr>
<td>Accidents and Medical Emergencies</td>
<td>7520</td>
</tr>
<tr>
<td>Accountability</td>
<td>2130, 5571-5573</td>
</tr>
<tr>
<td>Accounting of Fixed Assets</td>
<td>5621</td>
</tr>
<tr>
<td>Accounting of Funds</td>
<td>5510</td>
</tr>
<tr>
<td>Acquired Immune Deficiency Syndrome</td>
<td>5692</td>
</tr>
<tr>
<td>Administration</td>
<td></td>
</tr>
<tr>
<td>Abolishing Positions</td>
<td>4220</td>
</tr>
<tr>
<td>Administrative Authority during Absence of the Superintendent</td>
<td>4230</td>
</tr>
<tr>
<td>Administrative Latitude in the Absence of Board Policy</td>
<td>4240</td>
</tr>
<tr>
<td>Administrative Line Responsibility</td>
<td>4211</td>
</tr>
<tr>
<td>Administrative Organization and Operation</td>
<td>4210</td>
</tr>
<tr>
<td>Administrative Personnel</td>
<td>4110</td>
</tr>
<tr>
<td>Administrative Regulations</td>
<td>1420</td>
</tr>
<tr>
<td>Administrative Staff-Evaluation</td>
<td>4260</td>
</tr>
<tr>
<td>Administrative Tenure</td>
<td>4260</td>
</tr>
<tr>
<td>Use of Committees</td>
<td>4250</td>
</tr>
<tr>
<td>Administrators</td>
<td>4310-4320</td>
</tr>
<tr>
<td>Admission of Foreign Exchange Students</td>
<td>7133</td>
</tr>
<tr>
<td>Advertising in the Schools</td>
<td>3272</td>
</tr>
<tr>
<td>Advisory Councils (BOCES) – Career and Technical (Vocational) Education</td>
<td>8220</td>
</tr>
<tr>
<td>AEDs (Automated External Defibrillators)</td>
<td>5682</td>
</tr>
<tr>
<td>Age of School Entrance</td>
<td>7120</td>
</tr>
<tr>
<td>Topic</td>
<td>Page Numbers</td>
</tr>
<tr>
<td>----------------------------------------------------------------------</td>
<td>---------------------------------------</td>
</tr>
<tr>
<td>AGENDA FORMAT</td>
<td>1511</td>
</tr>
<tr>
<td>AGES OF ATTENDANCE</td>
<td>7130</td>
</tr>
<tr>
<td>AHERA (ASBESTOS HAZARD EMERGENCY RESPONSE ACT)</td>
<td>1330, 5630</td>
</tr>
<tr>
<td>AIDES -- EMPLOYMENT OF</td>
<td>6320</td>
</tr>
<tr>
<td>AIDS -- ACQUIRED IMMUNE DEFICIENCY SYNDROME</td>
<td>5692</td>
</tr>
<tr>
<td>AIDS INSTRUCTION IN HEALTH EDUCATION</td>
<td>8211</td>
</tr>
<tr>
<td>ALCOHOL / BREATHALYZER</td>
<td>7321</td>
</tr>
<tr>
<td>ALCOHOL AND DRUG TESTING FOR SCHOOL BUS DRIVERS AND OTHER SAFETY-SENSITIVE EMPLOYEES</td>
<td>5761</td>
</tr>
<tr>
<td>ALCOHOL, TOBACCO, DRUGS AND OTHER SUBSTANCES</td>
<td>6150, 7320</td>
</tr>
<tr>
<td>ALLEGATIONS OF FRAUD</td>
<td>5571</td>
</tr>
<tr>
<td>ALLERGIES</td>
<td>7521</td>
</tr>
<tr>
<td>ALLOCATION OF TITLE I, PART A FUNDS IN THE DISTRICT</td>
<td>5551</td>
</tr>
<tr>
<td>ALTERNATIVE FORMAT OF INSTRUCTIONAL MATERIALS</td>
<td>5412, 5410, 7610, 8310, 8340</td>
</tr>
<tr>
<td>ALTERNATIVE TESTING</td>
<td>7210</td>
</tr>
<tr>
<td>AMERICAN RED CROSS</td>
<td>6550</td>
</tr>
<tr>
<td>ANIMALS IN THE SCHOOLS (INSTRUCTIONAL PURPOSES)</td>
<td>8281</td>
</tr>
<tr>
<td>ANNUAL DISTRICT ELECTION -- BUSINESS OF</td>
<td>1611</td>
</tr>
<tr>
<td>ANNUAL DISTRICT MEETING AND ELECTION/BUDGET VOTE</td>
<td>1610</td>
</tr>
<tr>
<td>ANNUAL FINANCIAL STATEMENT -- PUBLICATION OF</td>
<td>5540</td>
</tr>
<tr>
<td>ANNUAL ORGANIZATIONAL MEETING -- TIME</td>
<td>1620</td>
</tr>
<tr>
<td>ANNUAL PROFESSIONAL PERFORMANCE REVIEW (APPR)</td>
<td>6130</td>
</tr>
<tr>
<td>ANTI-DISCRIMINATION</td>
<td>3420, 6120-6122, 7550, 7551, 7620, 7621, 8130, 8220</td>
</tr>
<tr>
<td>ANTI-HARASSMENT IN THE SCHOOL DISTRICT</td>
<td>3420, 6121, 7551</td>
</tr>
<tr>
<td>APPAREL AND SPORTS EQUIPMENT PURCHASES</td>
<td>5410</td>
</tr>
<tr>
<td>Topic</td>
<td>Page Numbers</td>
</tr>
<tr>
<td>---------------------------------------------------------</td>
<td>--------------</td>
</tr>
<tr>
<td>APPOINTMENT AND TRAINING OF CSE AND CPSE MEMBERS</td>
<td>7631, 7632</td>
</tr>
<tr>
<td>APPOINTMENT OF SUPPORT STAFF</td>
<td>6310</td>
</tr>
<tr>
<td>ASSIGNMENTS AND TRANSFERS OF CERTIFIED PERSONNEL</td>
<td>6210</td>
</tr>
<tr>
<td>ATHLETIC PROGRAM</td>
<td></td>
</tr>
<tr>
<td>Safety</td>
<td>7420</td>
</tr>
<tr>
<td>Student Injuries</td>
<td>7420</td>
</tr>
<tr>
<td>Supervision</td>
<td>7570</td>
</tr>
<tr>
<td>ATHLETIC PLACEMENT PROCESS</td>
<td>7421</td>
</tr>
<tr>
<td>ATTENDANCE</td>
<td>7110, 7130,</td>
</tr>
<tr>
<td></td>
<td>7131, 7132,</td>
</tr>
<tr>
<td></td>
<td>7133, 7134</td>
</tr>
<tr>
<td>ATTENDANCE -- CHILDREN OF ACTIVATED RESERVE MILITARY</td>
<td>7130</td>
</tr>
<tr>
<td>PERSONNEL</td>
<td></td>
</tr>
<tr>
<td>ATTENDANCE ENTITLEMENT -- AGE AND RESIDENCY</td>
<td>7130, 7131</td>
</tr>
<tr>
<td>ATTENDANCE – HOMELESS (TEMPORARY HOUSING) CHILDREN AND</td>
<td>1330, 7130,</td>
</tr>
<tr>
<td>YOUTH</td>
<td></td>
</tr>
<tr>
<td>ATTENDANCE -- NON-RESIDENT STUDENTS</td>
<td>7132, 7133,</td>
</tr>
<tr>
<td></td>
<td>7134</td>
</tr>
<tr>
<td>ATTENDANCE OF THE BOARD</td>
<td>1510</td>
</tr>
<tr>
<td>ATTENDANCE RECORDS</td>
<td>7110</td>
</tr>
<tr>
<td>AUDIOVISUAL MATERIALS SELECTION</td>
<td>8320</td>
</tr>
<tr>
<td>AUDIT COMMITTEE</td>
<td>2210, 5570,</td>
</tr>
<tr>
<td></td>
<td>5572</td>
</tr>
<tr>
<td>AUDITOR -- CLAIMS</td>
<td>1335</td>
</tr>
<tr>
<td>AUDITOR -- EXTERNAL (INDEPENDENT)</td>
<td>1334</td>
</tr>
<tr>
<td>AUDITOR -- INTERNAL</td>
<td>1339</td>
</tr>
<tr>
<td>AUTOMATED EXTERNAL DEFIBRILLATORS</td>
<td>5682</td>
</tr>
<tr>
<td>AUTOMOTIVE FUEL CHARGE CARDS</td>
<td>5321</td>
</tr>
<tr>
<td>AWARDS AND SCHOLARSHIPS</td>
<td>7430</td>
</tr>
<tr>
<td>BAND INSTRUMENTS</td>
<td>7440</td>
</tr>
<tr>
<td>BEHAVIOR INTERVENTION PLANS</td>
<td>7313, 7640</td>
</tr>
<tr>
<td>BEQUESTS, GRANTS AND GIFTS TO THE SCHOOL DISTRICT --</td>
<td>5230</td>
</tr>
<tr>
<td>ACCEPTANCE OF</td>
<td></td>
</tr>
<tr>
<td>BIDS AND QUOTATIONS</td>
<td>5410</td>
</tr>
<tr>
<td>Section</td>
<td>Page Numbers</td>
</tr>
<tr>
<td>------------------------------------------------------------------------</td>
<td>--------------</td>
</tr>
<tr>
<td>COMMUNITY RELATIONS</td>
<td>3110-3112</td>
</tr>
<tr>
<td>COMPENSATION AND RELATED BENEFITS</td>
<td>4420</td>
</tr>
<tr>
<td>COMPLAINTS</td>
<td></td>
</tr>
<tr>
<td>Complaints and Grievances by Employees</td>
<td>6122</td>
</tr>
<tr>
<td>Complaints and Grievances by Students</td>
<td>7550</td>
</tr>
<tr>
<td>Complaints and Grievances Coordinator</td>
<td>6122, 7550</td>
</tr>
<tr>
<td>Public Complaints</td>
<td>3230</td>
</tr>
<tr>
<td>COMPREHENSIVE PUBLIC SCHOOL BUILDING SAFETY PROGRAM (RESCUE)</td>
<td>5630</td>
</tr>
<tr>
<td>COMPREHENSIVE STUDENT ATTENDANCE POLICY</td>
<td>7110</td>
</tr>
<tr>
<td>COMPULSORY ATTENDANCE AGE</td>
<td>7130</td>
</tr>
<tr>
<td>COMPUTER</td>
<td></td>
</tr>
<tr>
<td>Computer Filtering (Internet Content)</td>
<td>8271</td>
</tr>
<tr>
<td>Computer Hardware – Loan to Students Attending Nonpublic Schools in the District</td>
<td>8340</td>
</tr>
<tr>
<td>Computer Technology</td>
<td>8270</td>
</tr>
<tr>
<td>Computerized Information – Confidentiality of</td>
<td>3320</td>
</tr>
<tr>
<td>Computerized Information Resources – Use of (Staff)</td>
<td>6470, 7315</td>
</tr>
<tr>
<td>District Standards and Guidelines for Web Page Publishing</td>
<td>3160</td>
</tr>
<tr>
<td>Computer Control for Financial Network and District Computer Systems</td>
<td>5684</td>
</tr>
<tr>
<td>CONCussion MANAGEMENT</td>
<td>7522</td>
</tr>
<tr>
<td>CONDITIONAL APPOINTMENTS</td>
<td>6170</td>
</tr>
<tr>
<td>CONDUCT AND DISCIPLINE (STUDENT)</td>
<td>3410, 6410,</td>
</tr>
<tr>
<td></td>
<td>7310, 7313</td>
</tr>
<tr>
<td>CONDUCT ON SCHOOL PROPERTY</td>
<td>3410, 3430,</td>
</tr>
<tr>
<td></td>
<td>7310</td>
</tr>
<tr>
<td>CONFERENCES, CONVENTIONS AND WORKSHOPS -- ATTENDANCE AT</td>
<td>2320, 4410,</td>
</tr>
<tr>
<td></td>
<td>6160, 6161</td>
</tr>
<tr>
<td>CONFIDENTIAL MEDICAID DISCLOSURE POLICY</td>
<td>5574</td>
</tr>
<tr>
<td>CONFIDENTIALITY OF COMPUTERIZED INFORMATION</td>
<td>3320</td>
</tr>
<tr>
<td>CONSERVATION AND RECYCLING</td>
<td>5650</td>
</tr>
<tr>
<td>CONSTITUTIONALLY PROTECTED PRAYER IN THE PUBLIC SCHOOLS</td>
<td>7460</td>
</tr>
<tr>
<td>CONSTRUCTION AND REMODELING OF SCHOOL FACILITIES</td>
<td>5630</td>
</tr>
<tr>
<td>CONTESTS FOR STUDENTS</td>
<td>7430</td>
</tr>
<tr>
<td>CONTINUATION OF MEDICAL INSURANCE COVERAGE AT TERMINATION</td>
<td>6510</td>
</tr>
<tr>
<td>OF EMPLOYMENT (COBRA)</td>
<td></td>
</tr>
<tr>
<td>CONTRACTS FOR GOODS AND SERVICES</td>
<td>5410</td>
</tr>
</tbody>
</table>
Evaluation of Personnel ................................................................. 6130
Evaluation of the Superintendent .................................................. 4260
Self-Evaluation -- Board ............................................................... 2340
Student Evaluation ........................................................................ 7210

EXAMS -- HEALTH ........................................................................ 6140, 7512

EXCUSES FOR STUDENT ABSENCES ........................................... 7110

EXECUTIVE SESSIONS -- BOARD MEETINGS ............................. 1720, 1730

EXPENDITURES OF SCHOOL DISTRICT FUNDS ............................ 5320

EXPENSE REIMBURSEMENT ......................................................... 2320, 5323, 6160, 6161

EXPOSURE CONTROL PROGRAM .................................................. 5690

EXTENDED SCHOOL YEAR (JULY/AUGUST) SERVICE AND/OR PROGRAMS ................................. 7642

EXTERNAL (INDEPENDENT) AUDITOR ........................................ 1334, 5572

EXTRACLASSROOM ACTIVITIES FUNDS ..................................... 1336, 5520

EXTRACURRICULAR ACTIVITIES ................................................. 7410

EXTRACURRICULAR ELIGIBILITY .................................................. 7412

EYE SAFETY/STUDENT USE OF HAND-HELD LASER POINTERS .... 8210

FACILITIES
Capital Facilities Plan ................................................................. 5630
Public Use of School Facilities ..................................................... 3280
Comprehensive Public School Building Safety Program (RESCUE) .... 5630
Construction and Remodeling ..................................................... 5630
Inspection, Operation and Maintenance ...................................... 5630
School Facility Report Cards ....................................................... 5630
Structural Safety Inspections ...................................................... 5630
Standard Operating Procedures for Two-Way Radios ................... 5632

FALSE REPORTING OF AN INCIDENT AND/OR PLACING A FALSE BOMB ..................... 7311

FAMILY AND MEDICAL LEAVE ACT .......................................... 6551

FEDERAL PREPAREDNESS FUNDS .............................................. 5681

FEDERAL FUNDS -- USE OF FOR POLITICAL EXPENDITURES ......... 5560

FERPA (FAMILY EDUCATIONAL RIGHTS AND PRIVACY ACT) .................. 3320, 7121, 7240, 7242

FIDUCIARY RESPONSIBILITY ....................................................... 2130, 5570-5572

FIELD TRIPS
Field Trips ................................................................................... 8460
<table>
<thead>
<tr>
<th>Topic</th>
<th>Page Numbers</th>
</tr>
</thead>
<tbody>
<tr>
<td>Parental Permission for Field Trips</td>
<td>8460</td>
</tr>
<tr>
<td>FILTERING (INTERNET CONTENT)</td>
<td>8271</td>
</tr>
<tr>
<td>FINANCIAL ACCOUNTABILITY</td>
<td>2130, 5570-5572</td>
</tr>
<tr>
<td>FINGERPRINTING</td>
<td>6170</td>
</tr>
<tr>
<td>FIRE AND ARSON PREVENTION INSTRUCTION</td>
<td>8211</td>
</tr>
<tr>
<td>FIRE DRILLS</td>
<td>5683</td>
</tr>
<tr>
<td>FIREARMS IN SCHOOL</td>
<td>3411, 7360</td>
</tr>
<tr>
<td>FISCAL EFFORT -- MAINTENANCE OF (TITLE I PROGRAMS)</td>
<td>5550</td>
</tr>
<tr>
<td>FIXED ASSETS</td>
<td>5621</td>
</tr>
<tr>
<td>FLAG DISPLAY</td>
<td>3140</td>
</tr>
<tr>
<td>FOOD DISTRIBUTION</td>
<td>5693</td>
</tr>
<tr>
<td>FOIL (FREEDOM OF INFORMATION LAW)</td>
<td>3310</td>
</tr>
<tr>
<td>FOREIGN EXCHANGE STUDENTS</td>
<td>7133</td>
</tr>
<tr>
<td>FOREIGN STUDENTS</td>
<td>7132</td>
</tr>
<tr>
<td>FOSTER CARE, EDUCATION OF STUDENTS IN</td>
<td>7134</td>
</tr>
<tr>
<td>FRATERNIZATION</td>
<td>6180</td>
</tr>
<tr>
<td>FRAUD -- ALLEGATIONS OF</td>
<td>5571</td>
</tr>
<tr>
<td>FUNCTIONAL BEHAVIORAL ASSESSMENT</td>
<td>7313, 7640</td>
</tr>
<tr>
<td>FUND BALANCE POLICY</td>
<td>5575</td>
</tr>
<tr>
<td>FUNDRAISING</td>
<td>3271, 3273, 7450</td>
</tr>
<tr>
<td>FUNDRAISING BY STUDENTS</td>
<td>7450, 3271</td>
</tr>
<tr>
<td>FUNDS</td>
<td></td>
</tr>
<tr>
<td>- Accounting of Funds</td>
<td>5510</td>
</tr>
<tr>
<td>- Borrowing of Funds</td>
<td>5340</td>
</tr>
<tr>
<td>- Expenditures of School District Funds</td>
<td>5320</td>
</tr>
<tr>
<td>- Extraclassroom Activities Fund</td>
<td>5520</td>
</tr>
<tr>
<td>- GASB 34</td>
<td>5621</td>
</tr>
<tr>
<td>- Petty Cash Funds</td>
<td>5530</td>
</tr>
<tr>
<td>- School Activities Funds</td>
<td>5520</td>
</tr>
<tr>
<td>- Use of Federal Funds for Political Expenditures</td>
<td>5560</td>
</tr>
<tr>
<td>GIFTS</td>
<td>5230, 6110</td>
</tr>
</tbody>
</table>
GOODS AND SERVICES -- PROCUREMENT OF .................................................................5410

GRADUATION
   Early Graduation .............................................................................................................7221
   Graduation Requirements .................................................................................................7220
   I.E.P. Diplomas for Students with Disabilities ...............................................................7222

GRANTS, GIFTS AND BEQUESTS TO THE SCHOOL DISTRICT -- ACCEPTANCE OF ...............5230

GRIEVANCES ......................................................................................................................3230, 6121, 7550, 7621

GROUPING BY SIMILARITY OF NEEDS -- CHILDREN WITH DISABILITIES .........................7612

GUARDIANS AD LITEM -- USE OF AT IMPARTIAL HEARINGS .............................................7670

GUIDE DOG..........................................................................................................................3420, 6120, 6122, 7550, 8130, 8220

GUIDELINES FOR THE ELECTION OF SCHOOL BOARD MEMBERS RESCINDED 5/1/18 ....1221

GUN-FREE SCHOOLS ............................................................................................................7360

HANDLING OF TOXIC SUBSTANCES BY EMPLOYEES ......................................................5631

HARASSMENT IN THE SCHOOL DISTRICT ............................................................................3420, 6121, 7551, 7552

HARASSMENT -- SEXUAL .....................................................................................................6121, 7551

HAZARD COMMUNICATION STANDARD ..........................................................................5680

HAZARDOUS WASTE MATERIALS -- STORAGE AND DISPOSAL .......................................5631

HAZING AND BULLYING ......................................................................................................7552

HEALTH
   Health Examinations ........................................................................................................6140, 7512
   Health Insurance ...............................................................................................................6510
   Health Records ..................................................................................................................7514
   Health Services (Student) .................................................................................................7511-7514

HEALTH AND SAFETY COMMITTEE ....................................................................................5630

HEARING DOG .....................................................................................................................3420, 6120, 6122, 7550, 8130, 8220

HIGH SCHOOL GRADUATION REQUIREMENTS ..................................................................7220

HIV-RELATED ILLNESSES .....................................................................................................5692

HOME INSTRUCTION (HOME SCHOOLING) ..........................................................................8470
<table>
<thead>
<tr>
<th>Topic</th>
<th>Page Numbers</th>
</tr>
</thead>
<tbody>
<tr>
<td>JUVENILE DELINQUENCY</td>
<td>1330, 3410, 7313, 7360</td>
</tr>
<tr>
<td>LAB-R (LANGUAGE ASSESSMENT BATTERY –REVISED)</td>
<td>8280</td>
</tr>
<tr>
<td>LASER POINTERS/EYE SAFETY</td>
<td>8210</td>
</tr>
<tr>
<td>LAW ENFORCEMENT OFFICIALS</td>
<td>7330</td>
</tr>
<tr>
<td>LEARNING DISABILITY</td>
<td>7640</td>
</tr>
<tr>
<td>LEAST RESTRICTIVE ENVIRONMENT -- CHILDREN WITH DISABILITIES</td>
<td>7611, 7615</td>
</tr>
<tr>
<td>LEAVES OF ABSENCE</td>
<td>6550-6552</td>
</tr>
<tr>
<td>LEGAL QUALIFICATIONS OF VOTERS AT SCHOOL DISTRICT MEETINGS</td>
<td>1630</td>
</tr>
<tr>
<td>LIBRARY MATERIALS</td>
<td>8320</td>
</tr>
<tr>
<td>LIFE THREATENING ALLERGIES (STUDENTS)</td>
<td>7521</td>
</tr>
<tr>
<td>LIMITED ENGLISH PROFICIENCY -- INSTRUCTION FOR STUDENTS</td>
<td>8280</td>
</tr>
<tr>
<td>LIMITED OPEN FORUM</td>
<td>7410</td>
</tr>
<tr>
<td>LINE RESPONSIBILITY OF ADMINISTRATORS</td>
<td>4211</td>
</tr>
<tr>
<td>LOCKERS</td>
<td>7330</td>
</tr>
<tr>
<td>LOSS OR DESTRUCTION OF DISTRICT PROPERTY OR RESOURCES</td>
<td>7311</td>
</tr>
<tr>
<td>MAINTAINING DISCIPLINE AND CONDUCT</td>
<td>6410</td>
</tr>
<tr>
<td>MAINTENANCE OF FISCAL EFFORT (TITLE I PROGRAMS)</td>
<td>5550</td>
</tr>
<tr>
<td>MAINTENANCE OF ORDER ON SCHOOL PROPERTY</td>
<td>3410</td>
</tr>
<tr>
<td>MANIFESTATION DETERMINATION</td>
<td>7313</td>
</tr>
<tr>
<td>MARRIED STUDENTS</td>
<td>7150</td>
</tr>
<tr>
<td>MATERIALS AND EQUIPMENT (SCHOOL-OWNED) -- USE OF</td>
<td>3281</td>
</tr>
<tr>
<td>MATRICULATION POLICY</td>
<td>7230</td>
</tr>
<tr>
<td>MEAL EXPENSES</td>
<td>5323</td>
</tr>
<tr>
<td>MEDIA</td>
<td>3111</td>
</tr>
<tr>
<td>MEDIATION -- SPECIAL EDUCATION</td>
<td>7690</td>
</tr>
<tr>
<td>MEDICAL EMERGENCIES AND ACCIDENTS</td>
<td>7520</td>
</tr>
<tr>
<td>MEDICATIONS</td>
<td>7513</td>
</tr>
</tbody>
</table>
MEETINGS

Agenda Format ................................................................................................................................1511
Annual District Meeting and Election/Budget Vote .................................................................1610
Annual Organization Meeting .................................................................................................. 1620
Business of the Annual District Election .................................................................................. 1611
Committee Meetings of the Board .......................................................................................... 2210
Expenses .......................................................................................................................................... 5323
Executive Sessions of the Board .................................................................................................. 1730
Minutes of Board Meetings ........................................................................................................ 1720
Notification of Regular Board Meetings ...................................................................................... 1510
Public Expression ........................................................................................................................ 3220
Public Sessions ........................................................................................................................... 1510
Quorum ............................................................................................................................................... 1710
Regular Board Meetings ............................................................................................................ 1510
Special Board Meetings ............................................................................................................... 1520

MEGAN'S LAW ....................................................................................................................................... 7560

MENTORING FOR FIRST YEAR TEACHERS ..................................................................................... 6160

MERCURY ........................................................................................................................................... 5650

MILITARY LEAVE ................................................................................................................................... 6550, 6552

MILITARY RECRUITERS ACCESS TO SECONDARY SCHOOL STUDENTS AND INFORMATION ON STUDENTS ................................................................................................................ 7243

MILITARY SPOUSES ........................................................................................................................ 6550

MILITARY STATUS ........................................................................................................................... 3420, 6120,

6122, 7130, 7550, 8130, 8220

MINUTES OF BOARD MEETINGS ....................................................................................................... 1720

MUNICIPAL GOVERNMENTS -- RELATIONS WITH ....................................................................... 3120

MUSICAL INSTRUMENTS .................................................................................................................. 7440

NATIONAL INCIDENT MANAGEMENT SYSTEM (NIMS) .............................................................. 5681

NATIONAL INSTRUCTIONAL MATERIALS ACCESSIBILITY STANDARD (NIMAS) ................ 5410, 7610,

8310, 8340

NEGLECT/MALTREATMENT (CHILD ABUSE) .................................................................................. 7530

NEGOTIATIONS ...................................................................................................................................... 6440

NIMAS (NATIONAL INSTRUCTIONAL MATERIALS ACCESSIBILITY STANDARD) ........ 5410, 7610,

8310, 8340

NIMS (NATIONAL INCIDENT MANAGEMENT SYSTEM) .......................................................... 5681
PARENTALLY PLACED/SPECIAL EDUCATION/NON PUBLIC SCHOOL ................................................. 5730, 7611, 7650
PARENTING SKILLS .......................................................................................................................... 8211
PARENTS ORGANIZATIONS ............................................................................................................. 3250
PARLIAMENTARY PROCEDURES ................................................................................................. 2120
PATRIOTISM, CITIZENSHIP AND HUMAN RIGHTS EDUCATION ................................................ 8241
PAYROLL ........................................................................................................................................... 5350
PAYROLL DEDUCTIONS .................................................................................................................... 6530
PEER ABUSE IN THE SCHOOLS (BULLYING) ................................................................................ 7552
PERSONNEL
Certified Personnel .......................................................................................................................... 6210
Code of Ethics .................................................................................................................................. 6110
Evaluation of Personnel .................................................................................................................. 6130
Recruitment ..................................................................................................................................... 6211
Release of Personnel Information .................................................................................................. 6420
Safety of Personnel .......................................................................................................................... 5680
Staff -- Separation ............................................................................................................................ 6216
Support Staff -- Appointment ......................................................................................................... 6310
Teacher Aides -- Employment of .................................................................................................... 6320
Temporary Personnel ....................................................................................................................... 6220
PETTY CASH FUNDS ........................................................................................................................ 5530
PHYSICAL EXAMINATIONS OF STUDENTS ................................................................................... 7250, 7512
PLEDGE OF ALLEGIANCE ............................................................................................................... 8420
POLICIES
Execution of Policy: Administrative Regulations ........................................................................... 1420
Formulation, Adoption and Dissemination of Policy ....................................................................... 1410
Policy Review and Evaluation .......................................................................................................... 1410
POLITICAL
Staff Participation in Political Activities ........................................................................................... 6430
Use of Federal Funds for Political Expenditures .............................................................................. 5560
POSITIONS
Abolishing a Position ....................................................................................................................... 4220
POST INCIDENT RESPONSE ........................................................................................................... 5681
PRAYER IN SCHOOL ........................................................................................................................ 7460
PREGNANT STUDENTS .................................................................................................................... 7150
PREREFERRAL INTERVENTION STRATEGIES IN GENERAL EDUCATION (PRIOR TO A REFERRAL FOR SPECIAL EDUCATION) .................................................................................. 7616
PRESCHOOL SPECIAL EDUCATION ..................................................................................................7614
PRESCRIPTIVE MEDICATION .............................................................................................................7513
PREVENTION INSTRUCTION ............................................................................................................8211
PREVENTION OF CHILD ABDUCTION -- INSTRUCTION ON ...........................................................8211
PRIVACY (STUDENT), PARENTAL ACCESS TO INFORMATION, AND ADMINISTRATION OF CERTAIN PHYSICAL EXAMINATIONS TO MINORS ...................7250
PROBATION
Certificated Staff Probation and Tenure ..........................................................................................6214
PROCUREMENT OF GOODS AND SERVICES .................................................................................5411
PROFESSIONAL DEVELOPMENT OPPORTUNITIES ...........................................................................4410, 6160
PROFESSIONAL STAFF
Assignments and Transfers .............................................................................................................6210
Certification .......................................................................................................................................6212
Development Opportunities ............................................................................................................4410, 6160
Probation and Tenure ......................................................................................................................6214
Recruiting ........................................................................................................................................6211
Separation ..........................................................................................................................................6216
PROGRAM ACCESSIBILITY -- CHILDREN WITH DISABILITIES ..................................................7621
PROGRAMS AND PROJECTS FUNDED BY TITLE I ........................................................................ 8260
PROHIBITION OF RETALIATION .......................................................................................................3420, 5571, 6120-6122, 7550-7552, 8130
PROJECT SAVE ......................................................................................................................................3410, 3430, 5681, 6170, 7313, 7530, 8242
PROMOTION, PLACEMENT AND RETENTION ...............................................................................7210
PROPERTY TAX EXEMPTION .............................................................................................................5240
PROPERTY TAX REPORT CARD .........................................................................................................5110, 5120
PROPOSITIONS .......................................................................................................................................1650
PROSTATE CANCER SCREENING-- LEAVE OF ABSENCE .............................................................6550
PROTECTION OF PUPIL RIGHTS AMENDMENT (PPRA) ...............................................................7250
PROVISION OF SPECIAL EDUCATION SERVICES TO NON PUBLIC SCHOOL STUDENTS WITH DISABILITIES WHO ARE PARENTALLY PLACED ...................................................5720, 7611, 7650
REGISTRATION AND PROFESSIONAL DEVELOPMENT ................................. 6218
REIMBURSEMENT OF EXPENSES ............................................................. 2320, 6160
REIMBURSEMENT OF STUDENTS PARTICIPATING IN STATE AND NATIONAL HONORS ............................................................. 7470
RELATIVES OF THE BOARD .................................................................. 6217
RELATED SERVICES .............................................................................. 7611, 7615
RELEASE OF INFORMATION TO THE NON-CUSTODIAL PARENT ............ 7240
RELEASE OF PERSONNEL INFORMATION .......................................... 6420
RELEASED TIME OF STUDENTS ............................................................ 7111
RELIGIOUS BELIEFS ............................................................................ 7460, 8330
REMODELING AND CONSTRUCTION OF SCHOOL FACILITIES ............. 5630
REPORTING OF INFORMATION REGARDING ILLEGAL OR INAPPROPRIATE FINANCIAL PRACTICES .................................................... 5571
REPORTING TO PARENTS ..................................................................... 7210
REQUEST FOR DISTRICT BOUNDARY CHANGES .................................. 3113
REQUIREMENTS FOR NEW BUS DRIVERS .......................................... 5760
RESCUE (COMPREHENSIVE PUBLIC SCHOOL BUILDING SAFETY PROGRAM) .................................................................................. 5630
RESIDENCY (STUDENT) ....................................................................... 7130
RESIGNATIONS -- STAFF ..................................................................... 6216
RESPONSE TO INTERVENTION (RTI) ..................................................... 7618
RETAILIATION – PROHIBITION OF RETALIATORY BEHAVIOR ............ 3420, 5571, 6120-6122, 7550, 7551, 8130
RETENTION OF RECORDS .................................................................... 5670
RETIRED PERSONS (EMPLOYMENT OF) .............................................. 6561
REVENUES
   Revenues .......................................................................................... 5210
   Revenues from District Investments .................................................. 5220
   Revenues from Sale of School Property ............................................. 5250
RIGHTS OF NON-CUSTODIAL PARENTS .............................................. 7270
"RIGHT-TO-KNOW" LAW ..................................................................... 5680
RULES OF ORDER .................................................................................................................................2120

SAFE PUBLIC SCHOOL CHOICE................................................................................................................7580

SAFE SCHOOLS AGAINST VIOLENCE IN EDUCATION ACT .............................................................3410, 3430, 5681, 6170, 7313, 7530, 8242

SAFETY
Athletic Program Safety ..........................................................................................................................7420
Bullying .................................................................................................................................................7552
Code of Conduct on School Property ..................................................................................................3410
Defibrillators (AED) .................................................................................................................................5682
Internet Content Filtering/Safety Policy ...............................................................................................8271
Safe Public School Choice ....................................................................................................................7580
Safety and Security ...............................................................................................................................5680-5683
Safety Conditions and Programs ...........................................................................................................8210
Safety of Students (Conditional Appointments/Emergency Conditional Appointments) ..................6170
School Bus Safety Program .....................................................................................................................5750
School Safety Plans .................................................................................................................................5681
Structural Safety Inspections ..................................................................................................................5630
Student Safety .......................................................................................................................................5680, 6170, 7552, 7580, 8210
Uniform Violent and Disruptive Incident System ..................................................................................3430

SAFETY NET FOR STUDENTS WITH DISABILITIES ........................................................................7222
SAFETY-SENSITIVE EMPLOYEES -- DRUG AND ALCOHOL TESTING ...........................................5761
SALE AND DISPOSAL OF SCHOOL DISTRICT PROPERTY ...............................................................5250

SCHEDULES
School Bus Scheduling and Routing .......................................................................................................5720

SCHOLARSHIPS AND AWARDS ............................................................................................................7430

SCHOOL
Attorney ..................................................................................................................................................1337
Board Elections ......................................................................................................................................1220
Board Legal Status .................................................................................................................................1110
Bus Program .........................................................................................................................................5710
Bus Safety Program .................................................................................................................................5750
Bus Scheduling and Routing ..................................................................................................................5720
Bus Idling on School Grounds ..................................................................................................................5731
Calendar ..................................................................................................................................................8410
Census ...................................................................................................................................................7160, 7650
Closings -- Emergency .............................................................................................................................3510
Community Relations with the Municipal Governments .......................................................................3120
Conduct and Discipline ...........................................................................................................................3410, 7310
Day .........................................................................................................................................................8410
District Legal Status .................................................................................................................................1110
District Report Card ...............................................................................................................................5110, 5120
<table>
<thead>
<tr>
<th>Topic</th>
<th>Page Numbers</th>
</tr>
</thead>
<tbody>
<tr>
<td>Health Services</td>
<td>7510</td>
</tr>
<tr>
<td>Physician</td>
<td>1338</td>
</tr>
<tr>
<td>Safety Plans</td>
<td>5681</td>
</tr>
<tr>
<td>School Bus Idling on School Grounds</td>
<td>5731</td>
</tr>
<tr>
<td>School-Community Associations</td>
<td>3250</td>
</tr>
<tr>
<td>Sponsored Media</td>
<td>3111</td>
</tr>
<tr>
<td>Trips</td>
<td>8460</td>
</tr>
<tr>
<td>Volunteers</td>
<td>3150</td>
</tr>
<tr>
<td>SCREENING OF NEW SCHOOL ENTRANTS</td>
<td>7121</td>
</tr>
<tr>
<td>SEARCHES AND INTERROGATIONS OF STUDENTS</td>
<td>7330</td>
</tr>
<tr>
<td>SECTION 504 OF THE REHABILITATION ACT OF 1973</td>
<td>3420, 6122,</td>
</tr>
<tr>
<td></td>
<td>7550, 7616,</td>
</tr>
<tr>
<td></td>
<td>7621</td>
</tr>
<tr>
<td>SECURITY/SAFETY</td>
<td>5680, 5681</td>
</tr>
<tr>
<td>SELECTION CLASSIFICATION - ATHLETIC PLACEMENT PROCESS</td>
<td>7421</td>
</tr>
<tr>
<td>SELECTION OF LIBRARY AND AUDIOVISUAL MATERIALS</td>
<td>8320</td>
</tr>
<tr>
<td>SENIOR CITIZENS</td>
<td>3130, 5240</td>
</tr>
<tr>
<td>SERVICE DOG</td>
<td>3420, 6120,</td>
</tr>
<tr>
<td></td>
<td>6122, 7550,</td>
</tr>
<tr>
<td></td>
<td>8130, 8220</td>
</tr>
<tr>
<td>SEX OFFENDERS -- NOTIFICATION OF PAROLED</td>
<td>7560</td>
</tr>
<tr>
<td>SEXUAL HARASSMENT</td>
<td>6121, 7551</td>
</tr>
<tr>
<td>SEXUAL ORIENTATION</td>
<td>3260, 3420,</td>
</tr>
<tr>
<td></td>
<td>6120, 6122,</td>
</tr>
<tr>
<td></td>
<td>7550, 8130,</td>
</tr>
<tr>
<td></td>
<td>8220</td>
</tr>
<tr>
<td>SICKLE CELL ANEMIA</td>
<td>7512</td>
</tr>
<tr>
<td>SIGN INTERPRETATION FOR PARENTS WHO ARE HEARING IMPAIRED</td>
<td>7211</td>
</tr>
<tr>
<td>SILENT RESIGNATIONS</td>
<td>7530</td>
</tr>
<tr>
<td>SMOKING/TOBACCO/ELECTRONIC CIGARETTES USE</td>
<td>3280, 5640,</td>
</tr>
<tr>
<td></td>
<td>6560, 7320,</td>
</tr>
<tr>
<td></td>
<td>8211</td>
</tr>
<tr>
<td>SOLICITATIONS</td>
<td></td>
</tr>
<tr>
<td>Advertising in the Schools</td>
<td>3272</td>
</tr>
<tr>
<td>Solicitation of Charitable Donations from Students</td>
<td>3271</td>
</tr>
<tr>
<td>Solicitations by Staff Personnel</td>
<td>6430</td>
</tr>
<tr>
<td>Soliciting Funds from School Personnel</td>
<td>3273</td>
</tr>
<tr>
<td>SPECIAL EDUCATION PROGRAMS AND SERVICES</td>
<td></td>
</tr>
<tr>
<td>Alternative Testing for Students with Disabilities</td>
<td>7210</td>
</tr>
<tr>
<td>Subject</td>
<td>Page Numbers</td>
</tr>
<tr>
<td>-----------------------------------------------------------------------</td>
<td>--------------</td>
</tr>
<tr>
<td>Athletic Injuries</td>
<td>7420</td>
</tr>
<tr>
<td>Attendance</td>
<td>7110</td>
</tr>
<tr>
<td>Awards and Scholarships</td>
<td>7430</td>
</tr>
<tr>
<td>Bullying</td>
<td>7552</td>
</tr>
<tr>
<td>Cell Phones and Electronic Devices</td>
<td>7316</td>
</tr>
<tr>
<td>Contests</td>
<td>7430</td>
</tr>
<tr>
<td><strong>Dignity for All Students Act</strong></td>
<td><strong>7553</strong></td>
</tr>
<tr>
<td>Directory Information</td>
<td>7242</td>
</tr>
<tr>
<td>Discipline</td>
<td>3410, 6410, 7310, 7313</td>
</tr>
<tr>
<td>Dress Code</td>
<td>7312</td>
</tr>
<tr>
<td>Dress Code for Physical Education</td>
<td>7312.1</td>
</tr>
<tr>
<td>Evaluation</td>
<td>7210</td>
</tr>
<tr>
<td>Extracurricular Eligibility</td>
<td>7412</td>
</tr>
<tr>
<td>Grading Information Systems</td>
<td>5673</td>
</tr>
<tr>
<td>Hazing</td>
<td>7552</td>
</tr>
<tr>
<td>Health Conditions</td>
<td>7521</td>
</tr>
<tr>
<td>Health Services</td>
<td>7510-7514</td>
</tr>
<tr>
<td>Identification -- Children with Disabilities</td>
<td>7650</td>
</tr>
<tr>
<td>Immunization</td>
<td>7511</td>
</tr>
<tr>
<td>Life Threatening Allergies</td>
<td>7521</td>
</tr>
<tr>
<td>Military</td>
<td>7243</td>
</tr>
<tr>
<td>Non-Resident</td>
<td>7132</td>
</tr>
<tr>
<td>Parental Access to Information</td>
<td>7250</td>
</tr>
<tr>
<td>Participation</td>
<td>3240</td>
</tr>
<tr>
<td>Photos</td>
<td>7242</td>
</tr>
<tr>
<td>Physicals/Physical Examinations</td>
<td>7250, 7512</td>
</tr>
<tr>
<td>Placement, Promotion and Retention</td>
<td>7210</td>
</tr>
<tr>
<td>Prayer</td>
<td>7460</td>
</tr>
<tr>
<td>Privacy</td>
<td>7250</td>
</tr>
<tr>
<td>Production of Goods and Services</td>
<td>3240</td>
</tr>
<tr>
<td>Publications and Censorship</td>
<td>7411</td>
</tr>
<tr>
<td>Records</td>
<td>7240-7243</td>
</tr>
<tr>
<td>Release Time</td>
<td>7111</td>
</tr>
<tr>
<td>Residency</td>
<td>7130</td>
</tr>
<tr>
<td>Safety</td>
<td>5680-5683, 6170, 7580, 8210, 8271</td>
</tr>
<tr>
<td>Suspension</td>
<td>7313</td>
</tr>
<tr>
<td>Teachers</td>
<td>6220</td>
</tr>
<tr>
<td>Transportation to Nonpublic Schools/Parentally Placed</td>
<td>5730</td>
</tr>
<tr>
<td>Vehicles on School Property</td>
<td>3290</td>
</tr>
<tr>
<td>With Disabilities Participating In School District Programs</td>
<td>7620</td>
</tr>
<tr>
<td>With Limited English Proficiency</td>
<td>8280</td>
</tr>
<tr>
<td>Withdrawal and Transfer</td>
<td>7140</td>
</tr>
<tr>
<td>STUDENT TEACHERS</td>
<td>6220</td>
</tr>
<tr>
<td>SUBMISSION OF QUESTIONS AND PROPOSITIONS AT ANNUAL ELECTIONS/ SPECIAL DISTRICT MEETINGS</td>
<td>1650</td>
</tr>
<tr>
<td>Topic</td>
<td>Page</td>
</tr>
<tr>
<td>----------------------------------------------------------------------</td>
<td>------</td>
</tr>
<tr>
<td>Substance Abuse -- Prevention Curriculum</td>
<td>8211</td>
</tr>
<tr>
<td>Substitute Teachers</td>
<td>6220</td>
</tr>
<tr>
<td>Suicide</td>
<td>7540</td>
</tr>
<tr>
<td>Superintendent</td>
<td></td>
</tr>
<tr>
<td>Board-Superintendent Relationship</td>
<td>4320</td>
</tr>
<tr>
<td>Evaluation of the Superintendent</td>
<td>4260</td>
</tr>
<tr>
<td>Superintendent</td>
<td>4310</td>
</tr>
<tr>
<td>Supervision of Family Members</td>
<td>6130</td>
</tr>
<tr>
<td>Supervision of Students</td>
<td>5730, 7570</td>
</tr>
<tr>
<td>Supplementary School Personnel</td>
<td>6320, 7640</td>
</tr>
<tr>
<td>Support Staff Appointment</td>
<td>6310</td>
</tr>
<tr>
<td>Surrogate Parents -- Children with Disabilities</td>
<td>7660</td>
</tr>
<tr>
<td>Surveillance Cameras in the School District and on School Buses</td>
<td>5685</td>
</tr>
<tr>
<td>Surveys -- Student</td>
<td>7250</td>
</tr>
<tr>
<td>Suspension</td>
<td></td>
</tr>
<tr>
<td>Student Suspension -- In-School</td>
<td>7313</td>
</tr>
<tr>
<td>Suspension from BOCES Activities</td>
<td>7313</td>
</tr>
<tr>
<td>Suspension from BOCES Classes</td>
<td>7313</td>
</tr>
<tr>
<td>Suspension of Students with Disabilities</td>
<td>7313</td>
</tr>
<tr>
<td>Tax Collector -- Duties of</td>
<td>1333</td>
</tr>
<tr>
<td>Tax Exemption for Senior Citizens</td>
<td>5241</td>
</tr>
<tr>
<td>Teacher Aides</td>
<td>6320</td>
</tr>
<tr>
<td>Teaching Assistants</td>
<td>6320</td>
</tr>
<tr>
<td>Technical and Career (Occupational) Education</td>
<td>8220</td>
</tr>
<tr>
<td>Temporary Housing, Education of Students In</td>
<td>7131</td>
</tr>
<tr>
<td>Temporary Personnel</td>
<td>6220</td>
</tr>
<tr>
<td>Termination -- Due Process</td>
<td>6216</td>
</tr>
<tr>
<td>Testing Misconduct and Mandatory Reporting Requirements</td>
<td>6111</td>
</tr>
<tr>
<td>Testing Program</td>
<td>7210</td>
</tr>
<tr>
<td>Textbooks/Workbooks/Calculators/Instructional Computer Hardware</td>
<td>8340</td>
</tr>
<tr>
<td>Textbooks for Resident Students Attending Private Schools</td>
<td>8340</td>
</tr>
</tbody>
</table>
THEFT OF SERVICES OR PROPERTY ........................................................................................................6450

THREATS OF VIOLENCE IN SCHOOL .........................................................................................................3412

TITLE I PARENT INVOLVEMENT POLICY .....................................................................................................8260

TITLE I PROGRAMS AND PROJECTS ............................................................................................................8260, 8280

TITLE I PROGRAMS -- MAINTENANCE OF FISCAL EFFORT ........................................................................5550

TITLE VII -- EQUAL EMPLOYMENT OPPORTUNITY .......................................................................................6120

TITLE VIII -- SEXUAL HARASSMENT (PERSONNEL) .....................................................................................6121

TITLE IX – ATHLETICS ....................................................................................................................................7420

TITLE IX/SECTION 504/ADA COMPLAINTS ......................................................................................................6122, 7550, 7551, 8220

TITLE IX -- SEXUAL HARASSMENT (STUDENTS) ..............................................................................................7551

TOBACCO USE/SMOKING ..............................................................................................................................3280, 5640, 6560, 7320, 8211

TOXIC SUBSTANCES -- HANDLING OF .........................................................................................................5631

TRANSFER OF STUDENTS (INVOLUNTARY) ..................................................................................................7140

TRANSFER STUDENTS ....................................................................................................................................7643

TRANSITION SERVICES .....................................................................................................................................7641

TRANSPORTATION
  Safety Program .............................................................................................................................................5750
  Scheduling and Routing ...............................................................................................................................5720
  School Buses Stopped on School Property ..................................................................................................5750
  Supervision of Students ...............................................................................................................................5730
  Transportation of Parentally Placed Nonpublic School Students with Disabilities .....................................5730
  Transportation Program ...............................................................................................................................5710
  Transportation of Non-Resident Students ...................................................................................................5730
  Transportation of Students ..........................................................................................................................5730
  Transportation of Students with Disabilities ...............................................................................................5730
  Transportation to School Sponsored Events ...............................................................................................5730
  Transporting an Ill or Injured Student ..........................................................................................................7520

TRAVEL EXPENSE/REIMBURSEMENT ............................................................................................................2320, 6160, 6161

TRUANCY .......................................................................................................................................................7110

TWELVE MONTH SPECIAL SERVICES AND/OR PROGRAMS .....................................................................7642

UNIFORM VIOLENT AND DISRUPTIVE INCIDENT SYSTEM ........................................................................3430
UNIFORMED SERVICES EMPLOYMENT AND RE-EMPLOYMENT RIGHTS ACT (USERRA)/MILITARY LEAVES OF ABSENCE .............................................................6552

UNLAWFUL POSSESSION OF A WEAPON UPON SCHOOL GROUNDS .........................................................3411, 7360

USE OF
- Buses by Community Groups **RESCINDED 6/16/09** .................................................................5740
- Committees.......................................................................................................................................4250
- Copyrighted Materials.......................................................................................................................8350
- Electronic Communication When Corresponding with Students ..................................................6480
- Email in the School District ..........................................................................................................6411
- Recording Equipment at I.E.P. Meetings .......................................................................................7640
- School Facilities ............................................................................................................................7311
- School-Owned Materials and Equipment .....................................................................................3280
- Service Animals ............................................................................................................................3281
- Surveillance Cameras in the School District and on School Buses ..............................................5685
- Facilities by the Boy Scouts of America and Patriotic Youth Groups ........................................3282

VANDALISM...........................................................................................................................................7311

VEHICLES ON DISTRICT PROPERTY .................................................................................................3290

VICTIMS OF VIOLENT CRIMINAL OFFENSE .....................................................................................7580

VIOLENCE PREVENTION.......................................................................................................................8242

VIOLENCE (THREATS OF) IN SCHOOL ............................................................................................3412

VISION SCREENING ..........................................................................................................................7121

VISITORS TO THE SCHOOL ................................................................................................................3210

VOCATIONAL (CAREER AND TECHNICAL) EDUCATION ............................................................................8220

VOLUNTEER FIREMEN .......................................................................................................................5241

VOLUNTEERS -- SCHOOL ..................................................................................................................3150

VOTERS -- LEGAL QUALIFICATIONS OF (AT SCHOOL DISTRICT MEETINGS) .................................1630

WARD OF THE STATE ..........................................................................................................................7660

WEAPONS IN SCHOOL .........................................................................................................................3411, 7360

WEB PAGE PUBLISHING – SCHOOL DISTRICT STANDARDS AND GUIDELINES ..............................3160

WEBSITE ACCESSIBILITY...................................................................................................................3170

WEIGHT STATUS CATEGORY ...............................................................................................................7512

WELLNESS POLICY ............................................................................................................................7590

"WHISTLE BLOWER" PROTECTION ....................................................................................................3420, 5571, 6120-6122,
WORKBOOKS .........................................................................................................................................8340

WORKERS' COMPENSATION ..............................................................................................................6520