

COMMUNITY RELATIONS GOALS

The Board of Education strives to conduct district affairs by way of a continuing, open dialogue between the community and the schools. The Board believes that:

1. the public schools belong to the people who created them by consent, and support them by taxation;
2. the schools are only as strong as the intelligent and informed support of the people of the community, and never any stronger; and
3. it is important that the support of the people be based upon their knowledge of, their understanding about, and their participation in the aims and efforts of the public schools.

Given district residents' high level of interest in the education of children, the Board wishes to maintain its high level of sensitivity to the needs and desires of the community and to act expeditiously to meet changing needs and conditions. To this end, the Board establishes the following goals for community involvement:

1. to provide a variety of means whereby residents of the school district may have the opportunity to contribute their best thinking to the orderly planning of education for children in the district. This may include advisory committees or public participation at Board meetings;
2. to understand community attitudes and aspirations for the schools;
3. to encourage contributions from the parent-teacher associations of the district so that school personnel and parents cooperate to advance the educational welfare of the children;
4. to handle all complaints from the public by the administrative officer in charge of the unit of the school district organization closest to the complainant. However, such complaints may be carried to the Superintendent of Schools and/or the Board if the problem cannot be solved at that level;
5. to promote a spirit of cooperation among the Board, the schools, and the community;
6. to develop and maintain the confidence of the community in the Board and the school district staff;
7. to expand the public understanding of every aspect of the school system, and stimulate public interest in the school;
8. to facilitate dissemination of information to the community concerning issues and activities in the school;
9. to ascertain the community's opinions and desires with respect to the operations of the school system, and to incorporate that knowledge into its actions;

10. to develop arrangements among civic and community organizations for sharing of resources, especially in the creation of programs designed to benefit students; and
11. to develop and maintain an effective means of communication with the people of the district.

Notwithstanding the above, the final decisions in these areas will rest with the Board.

Adoption date: January 17, 2007

POLICY



No. 1050

ANNUAL DISTRICT ELECTION AND BUDGET VOTE

WESTBURY UNION FREE SCHOOL DISTRICT BOARD OF EDUCATION

The district shall hold an annual election and budget vote at which the district's authorized voters will elect members of the Board of Education and vote on the district budget for the coming school year. The annual district election and budget vote will be held on the third Tuesday in May, unless, due to a conflict with religious observance, the Board requests that the Commissioner approve changing the election date to the second Tuesday in May. The request is due to the Commissioner by March 1st.

The District Clerk shall publish a notice of the time and place of the annual election and budget vote at least four times within the seven weeks prior to the election, in two newspapers having general circulation within the district. The first publication of the notice shall be at least 45 days, but no sooner than 49 days prior to the election. The notice shall also contain notice of any other matter required by law.

Copies of the budget to be voted upon at the annual election and budget vote will be available upon request in each district school building, at the school district offices, and at any public library or free association library within the district, for district residents at the time of the annual election and budget vote and the 14 days preceding (other than Saturday, Sunday and holidays), as well as on the school district's internet website, www.westburyschools.org.

The Board shall appoint assistant clerks and election inspectors necessary for the annual election and budget vote at a Board meeting held before the annual election and budget vote.

A majority of votes cast determines passage of the budget.

Propositions

The Board has the authority, under the Education Law, to adopt reasonable rules and regulations concerning the submission of petitions to the Board to place propositions on the ballot which may amend the budget. Pursuant to those provisions, the Board establishes the following guidelines:

1. Unless otherwise provided by the Education Law, petitions for the submission of a proposition must contain a minimum of 25 signatures of qualified voters of the district or 5 percent of the eligible voters who voted in the previous annual election of the members of the Board of Education, whichever is greater.
2. Petitions must be filed with the District Clerk at least 30 days prior to the annual election, except for petitions relating to a proposition which must be included in the notice of the annual election (e.g., changing the number of board members). Such petitions must be submitted 70 days in advance of the annual election to facilitate the preparation and printing of the ballots.

3. Propositions must include the specific appropriations necessary for the purposes listed.
4. Wording of a petition must comply with legal requirements. If the wording does not comply, it may be changed or altered by the Board, or the Board may reject a petition for failure to comply.

Propositions received in accordance with these specifications will be placed on the ballot as amendments and will be voted upon by the voters in the same manner as the proposed budget, except that the Board shall not be required to place any proposition on the ballot which is within the exclusive province of the Board, or otherwise forbidden by law. No proposition involving the budget may be submitted to the voters more than twice within a twelve-month period.

The Board may also, on its own motion, submit propositions.

Improper Advocacy

The district may provide informational material to the voters concerning budgets, propositions, or other matters before the electorate. However, school district funds and resources may not be used to exhort voters to support a particular position. For example, the district will not engage in activities including, but not limited to, sending flyers supporting the budget home with students, providing mailing labels for materials supporting a proposition or using the district e-mail to deliver promotional material for candidates.

Ref: Education Law §§416(3); 1608(2); 1716(2) 1804(4); 1906(1); 2002(1); 2003(1)(2); 2004(1)-(7); 2009; 2021;2022(1), (4)-(5); 2035(2); 2601-a(2)

General Construction Law §60

Phillips v. Maurer, 67 N.Y.2d 672 (1986)

Appeal of the Bd. of Educ. of the Greenwood Lake UFSD, 47 EDR 446 (2008)

Matter of Hebel, 34 EDR 319 (1994)

Matter of Martin, 32 EDR 567 (1993)

Matter of Como, 30 EDR 214 (1990)

Adoption date: January 17, 2007

Revised: May 9, 2019

PUBLIC INFORMATION PROGRAM

The people in this community are interested in their schools as an extension of their homes, and an extension which exists to furnish a special form of aid in the development of their children. Therefore, every attempt shall be made by the board to:

1. keep the public informed regarding the policies, administrative operation, objectives, educational program, and successes or failures of the schools
2. provide the means for furnishing full and accurate information, favorable and unfavorable, together with interpretation and explanation of the school plans and programs.

This public information program shall be supervised by the Superintendent and implemented and coordinated through the central administration office. The administration shall communicate with the community by the issuance of periodic reports to parents, by news accounts, and by school publications.

Adoption date: January 17, 2017

SCHOOL SPONSORED PUBLICATIONS

Consistent with the goals of the Board of Education for community relations, the Board encourages the use of all available media to keep the goals, program, achievements, and needs of the schools before the public and to generate public support for the schools.

The district shall see that all publications of the schools released to the public meet the standards of good journalism. They shall be attractive, factual and readable by the standards of the community.

Publications of a local nature prepared by a particular school for release to parents of such school shall be the responsibility of the Building Principal. The Principal shall ascertain that the contents of all such publications are factual, in good taste, and in line with the policies of the Board and regulations of the district. Student-produced publications are governed by policy 5220, School-Sponsored Student Publications.

Cross-ref: 5220, School-Sponsored Student Publications
5500, Student Records

Adoption date: January 17, 2007

SCHOOL DISTRICT RECORDS

It is the policy of the Board of Education to inform members of the public about the administration and operation of the public schools in accordance with the Freedom of Information Law of the State of New York.

The Superintendent of Schools shall develop regulations ensuring compliance with the Freedom of Information Law and setting forth the procedures to be followed to obtain access to district records, and submit such regulations to the Board for approval. The Superintendent shall designate, with Board approval, a Records Access and Records Management Officer, pursuant to law.

Retention and Destruction of Records

The Board hereby adopts the Records Retention and Disposition Schedule ED-1 issued pursuant to Article 57-A of the Arts and Cultural Affairs Law, which contains the legal minimum retention periods for district records. In accordance with Article 57-A, the district will dispose of only those records described in the schedule after they have met the minimum retention periods set forth in the schedule. The district will dispose of only those records that do not have sufficient administrative, fiscal, legal or historical value to merit retention beyond the established legal minimum periods.

Ref: Public Officers Law §84 *et seq.* (Freedom of Information Law)
Education Law §2116
Arts and Cultural Affairs Law §57.11
Local Government Records Law, Article 57-A
8 NYCRR Part 185 (Appendix I)

Adoption date: January 17, 2007

SCHOOL DISTRICT RECORDS REGULATION

The following comprises the rules and regulations relating to the inspection and copying of school district records:

I. Designation of Officers

1. The Records Access Officer shall be the School Business Administrator. He/She shall:
 - receive requests for records of the Board of Education and make such records available for inspection or copying when such requests are granted; and
 - compile and maintain a detailed current list by subject matter, of all records in the possession of the Board, whether or not available to the public.
2. The Superintendent of Schools, with the Board's approval, shall designate a Records Management Officer for the district. The Records Management Officer will develop and oversee a program for the orderly and efficient management of district records.

II. Definition of Records

1. A record is defined as any information kept, held, filed, produced or reproduced by, with or for the district in any physical form whatsoever, including but not limited to reports, statements, examinations, memoranda, opinions, folders, files, books, manuals, pamphlets, forms, papers, designs, drawings, maps, photos, letters, microfilms, computer tapes or disks, rules, regulations or codes.
2. The Records Access Officer will have the responsibility for compiling and maintaining the following records:
 - a. a record of the final vote of each member of the Board on any proceeding or matter on which the member votes;
 - b. a record setting forth the name, school or office address, title and salary of every officer or employee of the district; and
 - c. a reasonably detailed current list by subject matter of all records in possession of the district, whether or not available for public inspection and copying.
3. No record for which there is a pending request for access may be destroyed. However, nothing in these regulations shall require the district to prepare any record not possessed or maintained by it except the records specified in II(2), above.

III. Access to Records

1. Time and place records may be inspected: Records may be requested from, and inspected or copied at, the Office of the Records Access Officer, at the district Business Office, during the hours of 8 a.m. to 4 p.m., on any business day on which the district offices are open.
2. Fees: The fee for documents up to 9 x 14 inches is 25 cents per page. For documents larger than 9 x 14 inches, tape or cassette records, or computer printouts, the cost will be based on the cost of reproduction or program utilized. Fees are subject to periodic review and change. However, no fee shall be charged for the search for or inspection of records, certification of documents, or copies of documents which have been printed or reproduced for distribution to the public. The number of such copies given to any one organization or individual may be limited, in the discretion of the Records Access Officer.
3. Procedures: Requests to inspect or secure copies of records shall be submitted in writing, either in person or by mail, to the Records Access Officer.
4. All requests for information shall be responded to within five business days of receipt of the request. If the request cannot be fulfilled within five business days, the Records Access Officer shall acknowledge receipt of the request and advise the approximate date when the request will be granted or denied.
5. Denial of Access: When a request for access to a public record is denied, the Records Access Officer shall indicate in writing the reasons for such denial, and the right to appeal.
6. Appeal: An applicant denied access to a public record may file an appeal by delivering a copy of the request and a copy of the denial to the Superintendent within 30 days after the denial from which such appeal is taken.
7. The applicant and the New York State Committee on Open Government will be informed of the Superintendent's determination in writing within 10 business days of receipt of an appeal. The Superintendent shall transmit to the Committee on Open Government photocopies of all appeals and determinations.

IV. Records Exempted from Public Access

The provisions of this regulation relating to information available for public inspection and copying shall not apply to records that:

1. are specifically exempted from disclosure by state and/or federal statute;

2. if disclosed would constitute an unwarranted invasion of personal privacy;
3. if disclosed would impair present or imminent contract awards or collective bargaining negotiations;
4. are confidentially disclosed to the Board and compiled and maintained for the regulation of commercial enterprise, including trade secrets, or for the grant or review of a license;
5. are compiled for law enforcement purposes and which, if disclosed, would:
 - a. interfere with law enforcement investigations or judicial proceedings;
 - b. deprive a person of a right to a fair trial or impartial adjudication;
 - c. identify a confidential source or disclose confidential techniques or procedures, except routine techniques or procedures; or
 - d. reveal criminal investigative techniques or procedures, except routine techniques and procedures;
6. records which if disclosed would endanger the life or safety of any person;
7. records which are interagency or intra-agency communications, except to the extent that such materials consist of:
 - a. statistical or factual tabulations or data;
 - b. instructions to staff which affect the public;
 - c. final Board policy determinations; or
 - d. external audits, including but not limited to audits performed by the comptroller and the federal government;
8. records which are examination questions or answers that are requested prior to the final administration of such questions;
9. records which are computer access codes.

V. Prevention of Unwarranted Invasion of Privacy

To prevent an unwarranted invasion of personal privacy, the Records Access Officer may delete identifying details when records are made available. An unwarranted invasion of personal privacy includes but shall not be limited to:

1. disclosure of confidential personal matters reported to the Board which are not relevant or essential to the ordinary work of the Board;

2. disclosure of employment, medical or credit histories or personal references of applicants for employment, unless the applicant has provided a written release permitting such disclosures;
3. sale or release of lists of names and addresses in the possession of the Board if such lists would be used for private, commercial or fund-raising purposes;
4. disclosure of information of a personal nature when disclosure would result in economic or personal hardship to the subject party and such records are not relevant or essential to the ordinary work of the Board; or
5. disclosure of items involving the medical or personal records of a client or patient in a hospital or medical facility.

Unless otherwise deniable, disclosure shall not be construed to constitute an unwarranted invasion of privacy when identifying details are deleted, when the person to whom records pertain consents in writing to disclosure, or when upon representing reasonable proof of identify, a person seeks access to records pertaining to him or her.

VI. Listing of Records

Pursuant to Section 87(3)(c) of the Public Officers Law, the current records retention schedule for school districts, published by the Commissioner of Education, shall serve as the list by subject matter of all records in the possession of the school district, whether or not available under the law.

Adoption date: January 17, 2007

NEWS MEDIA RELATIONS

The Board of Education invites and welcomes the active participation of all forms of mass media in promoting the cause of good education within the district and elsewhere.

It is the Board's intent that the school district cooperate with all news media representatives who desire to cover newsworthy happenings. The extent of such cooperation shall be limited only by the need to retain confidential information and the need to protect the students from disruption and unnecessary outside pressures. The Superintendent of Schools shall make the final decisions in cases of appeal.

The Superintendent is designated as the spokesperson for the district. The Board President is designated as the spokesperson for the Board when the Board is making a statement on an issue. No other member of the Board individually will speak for, or in the name of, the Board unless by explicit direction of the Board. Board members should emphasize to the media when asked to speak as a Board member that they can only speak as private citizens unless they have been empowered by the Board to speak for it.

It is the responsibility of the Building Principal of each school to gather news release information which is of concern to that school. The Principal shall forward such information to the district public relations officer for development and dissemination. News of parent-teacher associations, etc., activities should be handled by the individual organizations with the cooperation of the district public relations officer.

Every effort will be made by the district and its schools to announce school meetings and activities early enough to meet publication or broadcast deadlines of the news media.

While it is impossible to know how news releases will be treated by the press, every effort shall be made to obtain coverage of school activities which will demonstrate and maintain a dignified and professionally responsible image for the school district.

The Superintendent may establish all necessary procedures to govern day-to-day interactions between the schools and the news media.

Ref: Arts and Cultural Affairs Law §61.09

Adoption date: January 17, 2007

RELATIONS WITH PARENTS ORGANIZATIONS

The Board of Education welcomes the interest of parents in their children's school life and the assistance that any parent organization can make to upgrading and enhancing the district schools.

The administrative staff and teachers shall cooperate with any such organization where the goals are to assist in obtaining a better education for the students of the district.

Cross-ref: 1800, Gifts from the Public
 1900, Parental Involvement

Adoption date: January 17, 2007

PUBLIC PARTICIPATION AT BOARD MEETINGS

The Board of Education encourages public participation on school related matters at Board meetings. Opportunities for guests to speak are provided both at the beginning and the end of each Board Action meeting. At Board Planning meetings, public participation shall be at the discretion of the Board President.

The Opportunity for Guests at the start of the meeting is limited to 30 minutes unless extended or shortened by the presiding officer, and the discussion should be on issues relating to the night's agenda.

At the conclusion of the business portion of the meeting, the Board will entertain discussion on issues other than those pertaining to the agenda. Each speaker should limit his/her presentation to the Board to no longer than three minutes.

Persons wishing to address the Board shall state the name of the speaker, his/her address, name of organization represented (if any), and a brief description of the topic to be addressed. Any group or organization wishing to address the Board must identify a single spokesperson.

The Board will not permit in public session discussion involving individual district personnel or students. Persons wishing to discuss matters involving individual district personnel or students should present their comments and/or concerns to the Superintendent during regular business hours.

All speakers are to conduct themselves in a civil manner. Obscene language, libelous statements, threats of violence, statements advocating racial, religious, or other forms of prejudice will not be tolerated.

Members of the audience who have pertinent information relevant to any specific topic under discussion by the Board may be called upon to speak during the meeting by and in the sole discretion of the presiding officer before the trustees vote on that topic.

Persons making presentations at a Board meeting will address remarks to the President and may direct questions or comments to Board members or other district officials only upon the approval of the President. Board members and the Superintendent shall have the privilege of asking questions of any person who addresses the Board.

Questions and comments from the public concerning matters which are not on the agenda will be taken under consideration and referred to the Superintendent for appropriate action. Persons wishing to have matters included on the agenda shall contact the Superintendent in accordance with Policy 2342, Agenda Preparation.

The President shall be responsible for the orderly conduct of the meeting and shall rule on such matters as the time to be allowed for public discussion and the appropriateness of the subject being presented. The President shall have the right to discontinue any presentation which violates this policy.

Ref: *Matter of Martin*, 32 EDR 381 (1992)
Appeal of Wittenben, 31 EDR 375 (1992)
Matter of Kramer, 72 EDR 114 (1951)
NYS Department of State, Committee on Open Government,
OML-AO-#2696 (Jan. 8, 1997) and OML-AO-#2717 (Feb. 27, 1997)

Adoption date: January 17, 2007

STAFF PARTICIPATION IN OUTSIDE ACTIVITIES

All district employees are encouraged to join and participate in the organizations, professional or otherwise, of their choice. However, such membership and participation must not conflict with their employment duties, or reflect adversely on the school district.

Political Activities

District employees have the same citizenship rights and responsibilities as all other citizens. Those employees who wish to take an active part in the political activities of the community are encouraged to do so. However, school employees shall not engage in political activities during school hours or use students for political propaganda.

The Board will also not allow biased political activities of any individual or group within the classroom or during the school day. Any discussion of politics in the classroom is to be handled in such a manner as to give unbiased information. The employee shall not impose, or attempt to impose, the employee's point of view or political philosophy upon the students or other employees.

Political activities shall not interfere in any manner whatsoever with the ability of the employees to meet the requirements of their assignments.

Ref: Education Law §414
Melzer v. Board of Educ. of the City Sch. Dist. of City of New York, 336 F.3d 185 (2d Cir. 2003), cert. denied, 124 S.Ct. 1424 (2004)
Marchi v. BOCES, 173 F.3d 469 (2d Cir. 1999), cert. denied, 528 U.S. 869 (1999)).
Jeffries v. Harleston, 52 F.3d 9 (2d Cir.), cert. denied, 516 U.S. 862 (1995);
Waters v. Churchill, 511 U.S. 661 (1994);
Connick v. Myers, 461 U.S. 138 (1983)
Grayned v. City of Rockford, 408 U.S. 104 (1972)
James v. Board of Educ., 461 F.2d 566, cert. den. 409 U.S. 1042 (1972)
Pickering v. Board of Education, 391 U.S. 563 (1968)
Matter of Board of Educ., 24 EDR 99 (1984)

Adoption date: January 17, 2007

PUBLIC COMPLAINTS

The Board of Education recognizes the right of community members to register individual or group concerns regarding instruction, district programs, materials, operations, and/or staff members. The main goal of the district is to resolve such concerns specifically with the parties involved, whenever possible.

Public complaints about the school district will be directed to the proper administrative personnel. Complaints about specific classroom practices shall be directed to the teacher concerned. If the matter is not settled satisfactorily, the complainant shall then contact the Building Principal; if there is no resolution on this level, the Superintendent of Schools or his/her designee shall be contacted. The Superintendent shall refer the issue to the Board for final resolution, if necessary.

All matters referred to the Superintendent and/or the Board shall be in writing. After hearing evidence submitted by the Superintendent, the Board will, if it deems advisable, grant a hearing to the parties interested. Such hearing will be held during official sessions of the Board, but not necessarily during regularly scheduled business meetings.

Concerns registered directly to the Board as a whole or to an individual Board member shall be referred as soon as is reasonably possible to the Superintendent for investigation, report, and/or resolution.

Adoption date: January 17, 2007

COMPLAINTS ABOUT CURRICULA OR INSTRUCTIONAL MATERIALS

The Board of Education recognizes its responsibility for the selection of instructional materials. The Board expects district teachers and administrators to recommend books and other materials in accord with sound educational principles and practices, and to use them effectively in the classrooms. However, the Board also recognizes the right of community members to voice concerns and/or complaints regarding the implementation of a particular curriculum and/or instructional material.

Any criticism of instructional materials that are in the schools that cannot be resolved informally shall be submitted in writing to the Superintendent of Schools. An Instructional Material Review Committee, consisting of an administrator, a librarian, a teacher and a parent of a student enrolled in the district, will be designated by the Superintendent to investigate and judge the challenged material.

The committee shall make recommendations to the Superintendent concerning the disposition of the complaint, and the Superintendent will issue a decision. This decision may be appealed to the Board, and the decision of the Board shall be final.

Ref: Education Law §§170(15); 1711(5)(f)
Board of Educ., Island Trees UFSD v. Pico, 457 US 853 (1982)

Adoption date: January 17, 2007

**COMPLAINTS ABOUT CURRICULA OR INSTRUCTIONAL
MATERIALS EXHIBIT**

Request for Re-evaluation of
Instructional Materials

Request initiated by _____

Date _____ Telephone _____

Address _____

Complainant represents: Self _____ Group _____

If Group (name) _____

TITLE: _____

AUTHOR: _____

Publisher or Producer: _____

Publisher's recommended grade level: _____

Book _____ AV material (please specify format) _____ Other _____

1. Have you read/heard/seen the material in its entirety? _____
2. To what do you specifically object? Please cite specific passages, pages, etc.
3. Is your objection to this material based upon your personal exposure to it, upon reports you have heard, or both?
4. What do you believe is the theme or purpose of the material?
5. What do you feel might be the result of reading/ viewing this work?
6. In its place, what work of equal value would you recommend that would convey as valuable a picture and perspective of a society or a set of values?
7. Do you wish to make an oral presentation of 15 minutes or less to the Materials Review Committee? _____

Signature

Date

Adoption date: January 17, 2007

COMPLAINTS ABOUT CURRICULA OR INSTRUCTIONAL MATERIALS REGULATION

The following procedures shall apply to the handling of complaints concerning any textbook, library book or material and any other instructional material used in district schools.

1. When a person has a complaint concerning a textbook, library book or other instructional material and protests its use in class or its availability in a school library, the Building Principal shall hold an informal meeting with the complainant and the teacher, librarian, or other staff member who is using or providing the book or material. At this meeting, the complainant will be asked to make clear his or her objection to the material; the teacher or librarian will be asked to explain the educational value of the material.
2. If the complaint is not resolved informally, the complainant may file a formal written complaint with the Superintendent of Schools on a form provided for this purpose.
3. Upon receiving a formal written complaint, the Superintendent shall designate an Instructional Review Committee, consisting of an administrator, a librarian, a teacher and a parent of a student enrolled in the district, to investigate and judge the challenged material.
4. The committee shall:
 - a. read and examine the challenged materials;
 - b. consider the specific objections to the material voiced by the complainant;
 - c. weigh the values and faults of the material as a whole;
 - d. consider oral presentations made to the committee, if any;
 - e. where appropriate, solicit advice or opinion from other district faculty and/or relevant professional organizations such as the American Library Association, the National Council of Teachers of English, National Council of Social Studies Teachers; and
 - f. issue a report to the Superintendent containing its recommendations concerning any complaint.
5. The Superintendent shall review the report of the committee, make a decision and notify the complainant and appropriate staff.
6. If the complainant is not satisfied with the Superintendent's decision he/she may refer the complaint to the Board. The Superintendent will deliver a copy of his/her decision and the committee's report to the Board for its consideration. The final decision shall be made by the Board.

Adoption date: January 17, 2007

POLICY



No. 1500

Public Use of School Facilities

**WESTBURY UNION FREE SCHOOL DISTRICT
BOARD OF EDUCATION**

PUBLIC USE OF SCHOOL FACILITIES

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

The Board encourages the greatest possible use of school buildings for community-wide activities. This is meant to include use by recognized civic, social, fraternal and religious organizations.

The Board authorizes the Superintendent of Schools or his/her designee to permit use of school facilities by school groups or organizations which meet established criteria.

The Superintendent shall submit applications for facilities us from responsible groups to the Board for authorization to place them on the approved list as facilities users.

The Board guidelines for approval of such organizations shall be consistent with Education Law section 414 and with such other criteria as set forth in this policy and regulation 1500-R.

The district administration is further authorized to establish rates for the use of school facilities as set forth in regulation 1500-R.

Cross-ref: 5300, Code of Conduct

Ref: Education Law §414

Adoption date: January 17, 2007

POLICY



No. 1500-E.1

Public Use of School Facilities Exhibit

WESTBURY UNION FREE SCHOOL DISTRICT
BOARD OF EDUCATION

PUBLIC USE OF SCHOOL FACILITIES EXHIBIT

New York State Education Law Section 414

Use of schoolhouse and grounds

1. Schoolhouses and the grounds connected therewith and all property belonging to the district shall be in the custody and under the control and supervision of the trustees or board of education of the district. The trustees or board of education may adopt reasonable regulations for the use of such schoolhouses, grounds or other property, all portions thereof, when not in use for school purposes or when the school is in use for school purposes if in the opinion of the trustees or board of education use will not be disruptive of normal school operations, for such other public purposes as are herein provided; except, however, in the city of New York each community school board shall be authorized to prohibit any use of schoolhouses and school grounds within its district which would otherwise be permitted under the provisions of this section. Such regulations shall provide for the safety and security of the pupils and shall not conflict with the provisions of this chapter and shall conform to the purposes and intent of this section and shall be subject to review on appeal to the commissioner of education as provided by law. The trustees or board of education of each district may, subject to regulations adopted as above provided, permit the use of the schoolhouse and rooms therein, and the grounds and other property of the district, when not in use for school purposes or when the school is in use for school purposes if in the opinion of the trustees or board of education use will not be disruptive of normal school operations, for any of the following purposes:
 - (a) For the purpose of instruction in any branch of education, learning or the arts.
 - (b) For public library purposes, subject to the provisions of this chapter, or as stations of public libraries.
 - (c) For holding social, civic and recreational meetings and entertainments, and other uses pertaining to the welfare of the community; but such meetings, entertainment and uses shall be non-exclusive and shall be open to the general public.
 - (d) For meetings, entertainments and occasions where admission fees are charged, when the proceeds thereof are to be expended for an educational or charitable purpose; but such use shall not be permitted if such meetings, entertainments and occasions are under the exclusive control, and the said proceeds are to be applied for the benefit of a society, association or organization of a religious sect or denomination, or of a fraternal, secret or exclusive society or organization other than organizations of veterans of the military, naval and marine service of the United States and organizations of volunteer firefighters or volunteer ambulance workers.

- (e) For polling places for holding primaries and elections and for the registration of voters and for holding political meetings. But no meetings sponsored by political organizations shall be permitted unless authorized by a vote of a district meeting, held as provided by law, or, in cities by the board of education thereof Except in cities, it shall be the duty of the trustees or board of education to call a special meeting for such purpose upon the petition of at least ten per centum of the qualified electors of the district. Authority so granted shall continue until revoked in like manner and by the same body as granted.
- (f) For civic forums and community centers. Upon the petition of at least twenty-five citizens residing within the district or city, the trustees or board of education in each school district or city shall organize and conduct community centers for civic purposes, and civic forums in the several school districts and cities, to promote and advance principles of Americanism among the residents of the state. The trustees or board of education in each school district or city, when organizing such community centers or civic forums, shall provide funds for the maintenance and support of such community centers and civic forums, and shall prescribe regulations for their conduct and supervision, provided that nothing herein contained shall prohibit the trustees of such school district or the board of education to prescribe and adopt rules and regulations to make such community centers or civic forums self-supporting as far as practicable. Such community centers and civic forums shall be at all times under the control of the trustees or board of education in each school district or city, and shall be non-exclusive and open to the general public.
- (g) For classes of instruction for mentally retarded minors operated by a private organization approved by the commissioner of education.
- (h) For recreation, physical training and athletics, including competitive athletic contests of children attending a private, nonprofit school.
- (i) To provide child care services during non-school hours, or to provide child care services during school hours for the children of pupils attending the schools of the district and, if there is additional space available, for children of employees of the district, and, if there is further additional space available, the Cobleskill-Richmondville school district shall provide child care services for children ages three and four who need child care assistance due to lack of sufficient child care spaces. Such determination shall be made by each district's board of education, provided that the cost of such care shall not be a school district charge but shall be paid by the person responsible for the support of such child; the local social services district as authorized by law; or by any other public or private voluntary source or any combination thereof.
- (j) For licensed school-based health, dental or mental health clinics.
 - (i) For the purposes of this subdivision, the term "licensed school-based health, dental or mental health clinic" means a clinic that is located in a school facility of a school district or board of cooperative educational services, is operated by an entity other than the school district or board of cooperative educational services and will provide health, dental or mental health services during school hours and/or non-school hours to school age and preschool children, and that is: (1) a health clinic approved under the provisions of chapter one hundred ninety-eight of the laws of nineteen hundred seventy-eight; or (2) another school-based health or dental clinic licensed by the department of health pursuant to article twenty-eight of the public health law; or (3) a school-based mental health clinic licensed or approved by the office of mental health pursuant to article thirty-one of the

- mental hygiene law; or (4) a school-based mental health clinic licensed by the office of mental retardation and developmental disabilities pursuant to article sixteen of the mental hygiene law.
- (ii) Health professionals who provide services in licensed school-based health, dental or mental health clinics shall be duly licensed pursuant to the provisions of title eight of this chapter unless otherwise exempted by law and shall be authorized to provide such services to the extent permitted by their respective practice acts.
 - (iii) Except where otherwise authorized by law, the cost of providing health, dental or mental health services shall not be a charge upon the school district or board of cooperative educational services, and shall be paid from federal, state or other local funds available for such purpose. Building space used for such a clinic shall be excluded from the rated capacity of the school building for the purpose of computing building aid pursuant to subdivision six of section thirty-six hundred two of this chapter or aid pursuant to subdivision five of section nineteen hundred fifty of this chapter.
 - (iv) Nothing in this paragraph shall be construed to justify a cause of action for damages against a school district or a board of cooperative educational services by reason of acts of negligence or misconduct by a school-based health, dental or mental health clinic or such clinic's officers or employees.
- (k) For graduation exercises held by not-for-profit elementary and secondary schools, provided that no religious service is performed. The board of education in the city of New York may delegate the authority to judge the appropriateness for uses other than school purposes to community school boards.

2. The trustees or board of education shall determine the terms and conditions for such use which may include rental at least in an amount sufficient to cover all resulting expenses for the purposes of paragraphs (a), (b), (c), (d), (e), (g), (i), (j) and (k) of subdivision one of this section. Any such use, pursuant to paragraphs (a), (c), (d), (h) and (j) of subdivision one of this section, shall not allow the exclusion of any district child solely because said child is not attending a district school or not attending the district school which is sponsoring such use or on which grounds the use is to occur.

Adoption date: January 17, 2007

POLICY



No. 1500-E.2

Application for Building and Field Use

**WESTBURY UNION FREE SCHOOL DISTRICT
BOARD OF EDUCATION**

Westbury Union Free School District
Director of School Facilities and Operations
6 Hitchcock Lane, Old Westbury, NY 11568
Phone: 516-876-5103 Fax: 516-876-5105
Application for Building and Field Use

(Date Stamp)

***School Requested for Event:**

Dates Requested for Event: _____ Hours: _____ to _____

Facility to be used	✓	Cost	Facility to be used	✓	Cost	Facility to be used	✓	Cost
Regular Classroom(s) (# ___)			WHS Gym			WMS Boys Gym		
Library			WHS Aux Gym			WMS Girls Gym		
Cafeteria			WHS Baseball Field			WMS Baseball Field		
Kitchen **			WHS Softball Field			WMS Softball Field		
Auditorium			WHS South Field			WMS Football Field		
Elementary Parking Lot			WHS North Parking Lot			WMS Parking Lot		
Admin Parking Lot			WHS South Parking Lot					

* A separate application is required for each school building requested. There will be no building use allowed during holidays, recesses and emergency school closings.

** When a school kitchen facility is desired as part of a rental/use agreement, the organization must make arrangements with the School Nutrition Office at (516) 876-5022 for use of the kitchen facility. No school kitchen facility may be operated by other than kitchen facility staff members employed by the District. Financial arrangements for use of the kitchen facility will be on a cost to the district basis and will be over and above any other schedule of charges for building use.

*** Football and soccer fields at the high school and the soccer field at the middle school are for the use of the athletic and physical education programs for the schools ONLY and will not be given out to any organization. The football field at the middle school will be approved on a case by case basis.

Name of Organization: _____ Profit Non-Profit
 Description of Organization: _____
 Purpose of Use: _____
 Event: _____
 Name of Applicant: _____ Email Address: _____
 Signature of Applicant: _____ Phone Number: _____
 Address of Applicant: _____
 Estimated Attendance: _____ Price of Admission: _____ Estimated Income: _____
 Commercial General Liability Insurance required (copy attached) ___ Endorsement: ISO Form (0704) or broader ___
 Security Deposit: _____ Total Fee for usage/custodial/security: _____

_____	_____	_____	_____
Building Principal	Date	Director of Facilities and Operations	Date
_____	_____	_____	_____
Head Custodian	Date	Director of Athletics	Date
_____	_____	_____	_____
Number of Custodians needed		Security Supervisor	Date

		Number of Security needed	

Your request for the use of school district facilities, shown above, has been approved. You are expected to conform to all the regulations of the Westbury UFSD regarding such use, and to pay the fee indicated above. The custodian on duty is to be regarded as the representative of the Westbury UFSD. If there are any questions regarding arrangements, call the office of the Principal of the school you intend to use between 9:00am and 3:00pm any school day.

Adoption date: January 17, 2007

Revised date: July 3, 2018

POLICY



No. 1500-E.3

Public Use of School Facilities Exhibit

WESTBURY UNION FREE SCHOOL DISTRICT
BOARD OF EDUCATION

PUBLIC USE OF SCHOOL FACILITIES EXHIBIT

Instructions to Applicant Regarding Insurance Requirements For Use of The Westbury UFSD Facilities

The Westbury UFSD requests a certificate of general liability insurance in accordance with the requirements below.

- I. Notwithstanding any terms, conditions or provisions, in any other writing between the parties, the permittee hereby agrees to effectuate the naming of the district as an unrestricted additional insured on the permittee's insurance policies, with the exception of workers' compensation.
- II. The policy naming the district as an additional insured shall:
 - Be an insurance policy from an A.M. Best rated "secured," New York State admitted insurer.
 - Provide for 30 days notice of cancellation.
 - State that the organization's coverage shall be primary coverage for the district it's Board, employees and volunteers.
 - The district shall be listed as an additional insured by using endorsement CG 2026 or broader. The certificate must state that this endorsement is being used. If another endorsement is used, a copy shall be included with the certificate of insurance.
- III. The permittee agrees to indemnify the district for any applicable deductibles.
- IV. The insurance producer must indicate whether or not they are an agent for the companies providing the coverage.
- V. Required Insurance:
 - Commercial General Liability Insurance
\$1,000,000 per occurrence/\$2,000,000 aggregate.
- VI. Permittee acknowledges that failure to obtain such insurance on behalf of the district constitutes a material breach of contract and subjects it to liability for damages, indemnification and all other legal remedies available to the district. The permittee is to provide the district with a certificate of insurance, evidencing the above requirements have been met, prior to the commencement of work or use of facilities.
- VII. The district is a member/owner of the NY Schools Insurance Reciprocal (NYSIR). The permittee further acknowledges that the procurement of such insurance as required herein is intended to benefit not only the district but also NYSIR, as the district's insurer.

Adoption date: January 17, 2007

POLICY



No. 1500-E.4

Public Use of School Facilities Exhibit

WESTBURY UNION FREE SCHOOL DISTRICT
BOARD OF EDUCATION

PUBLIC USE OF SCHOOL FACILITIES EXHIBIT

Westbury Union Free School District
Director of School Facilities and Operations
6 Hitchcock Lane, Old Westbury, NY 11568-1624
516-876-5103

Hold Harmless Agreement

WHEREAS, the _____ Association has requested permission to use the facilities of WESTBURY UNION FREE SCHOOL DISTRICT and

WHEREAS, the _____ Association agrees to accept all responsibility for supervision of said activities, maintenance of order while using said facilities and agrees further to hold said WESTBURGH UNION FREE SCHOOL DISTRICT harmless from any claim which may arise from the use of said facilities of any nature whatsoever and

WHEREAS, the _____ ASSOCIATION AGREES TO SUPPLY THE SAID Westbury Union Free School District with a certificate of insurance providing liability coverage specifically covering this said agreement and

WHEREAS, the _____ Association agrees to indemnify and hold harmless Westbury Union Free School District, Towns of North Hempstead and Hempstead, New York, for and against any and all liability arising from any injury which may occur during or incident to the use of said premises by the

Association, to persons or property caused wholly or in part by any act or omission by the Association or by the agents, employees, members or guests of said association,

WITNESSETH:

1. The _____ Association has requested permission to use the facilities of WESTBURY UNION FREE SCHOOL DISTRICT.
2. The _____ Association agrees to accept all responsibility for supervision of said activities, maintenance of order while using said facilities and agrees further to hold said WESTBURY UNION FREE SCHOOL DISTRICT harmless from any claim which may arise from the use of said facilities of any nature whatsoever.

3. The said _____ Association agrees to supply the said WESTBURY UNION FREE SCHOOL DISTRICT with a certificate of insurance providing liability coverage of at least \$1,000,000 combined single limit for bodily injury and property damage in the name of Association, pursuant to this agreement of indemnity, and which certificate of insurance shall indicate contractual liability covering this agreement.
4. Permission for the use of the district's facilities cannot be extended to _____ Association until the certificate of insurance mentioned in paragraph 2 above has been supplied to WESTBURY UNION FREE SCHOOL DISTRICT and it has been approved by it as to form and content.

Dated: _____

Print Name of Applicant

Signature of Applicant

Reviewed: _____

Copies: 1. Director of School Facilities and Operations 2. Business Office 3. Applicant

Adoption date: January 17, 2007

POLICY



No. 1500-E.5

Public Use of School Facilities Exhibit

WESTBURY UNION FREE SCHOOL DISTRICT
BOARD OF EDUCATION

PUBLIC USE OF SCHOOL FACILITIES EXHIBIT

Westbury Public Schools Building and Field Usage Fees

1. Building Use

A. Room Usage Fees: (up to eight (8) consecutive hours)

Room	Room Rental Fees	Maximum Occupancy
General Classrooms & Elementary Libraries	\$135.00	25
High School & Middle School Libraries	\$270.00	100
High School & Middle School Cafeterias	\$405.00	165
Elementary Cafeterias/Gyms & Middle School Girl's Gym	\$337.00	200
Elementary Auditoriums	\$405.00	275
* Middle School Auditorium	\$675.00	600
* Middle School Boys' Gym	\$2,700.00	548
* High School Auditorium	\$6,750.00	1,000
* High School Gym	\$2,700.00	702

* A Security deposit of \$1,000.00 is required. All other rooms, \$500 security deposit.

B. Custodial Services per Hour

Regular Time*	Overtime *	Double Time * (Sundays and Holidays)
\$48.65**	\$75.56**	\$98.29 **

* Minimum Four (4) Hours

** Including Benefits

NOTE: A minimum of two (2) hours will be allotted for opening and closing building and clean up.

C. Security Services per Hour

Regular Time*	Overtime *	Double Time * (Sundays and Holidays)
\$32.23 **	\$48.35 **	\$64.45 **

* Minimum Four (4) Hours

** Including Benefits

NOTE: A minimum of one (1) hour will be allotted for before and after the event covered.

**D. Security Supervisor Services per Hour
10% above Security Services**

Regular Time*	Overtime*	Double Time*
\$35.45**	\$53.18**	\$70.90**

2. Field Use

A. Community Activities by Business & Community Groups (Non-Student Related)

- Seventy-five percent (75%) or more of the groups/teams must be Westbury Union Free School District Residents.
- A complete roster of team(s) including all names, addresses, telephone numbers, and age of children must be supplied with each application.

B. Fees are as follows:

- \$880.00 for the season, plus
- \$88.00 for each game/event
- The field toilets are no longer available at the High School and Middle School fields.
- Portable toilets must be supplied by all groups/teams using the fields throughout the District.

SPECIAL NOTE: Football and soccer fields at the Senior High and the soccer field at the Middle School are for the use of the Westbury School District athletic and physical education programs ONLY. These fields will not be given out to any organization. Applications submitted for the football field at the Middle School will be reviewed and approved on a case by case basis.

3. Use of District Parking Lots

A. Parking Lot fees are as follows:

District Building	Parking Spaces	Fee
Administration Building	150	\$300.00
Drexel Avenue School	60	\$120.00
Dryden Street School	60	\$120.00
High School: North parking lot	250	\$500.00
High School: South parking lot	250	\$500.00
Middle School	125	\$250.00
Park Avenue School	95	\$190.00
Powell's Lane School	95	\$190.00

RESULT: ADOPTED [UNANIMOUS]

MOVER: Pless M. Dickerson Ed.D., Trustee

SECONDER: Pedro A. Quintanilla, Trustee

AYES: Troiano Jr., Bolling, Cadet, Caines, Dickerson Ed.D., Quintanilla, Wilson

Adoption date: January 17, 2007

Revised date: July 3, 2018

POLICY



No. 1500 R

PUBLIC USE OF SCHOOL FACILITIES REGULATION

**WESTBURY UNION FREE SCHOOL DISTRICT
BOARD OF EDUCATION**

The eligibility of not-for-profit, for-profit organizations and groups who may be allowed to use the buildings or fields under the supervision of the Board of Education of the Westbury Union Free School District are as follows:

A. Classification of Groups

1. Class 1

Organizations with direct school connections and sponsorship, classes, clubs, parent teacher organizations, classroom parents, employee organizations, student related organizations, special committees appointed by the Board, etc. –
No Charge.

2. Class 2

Not-for-profit Westbury community-based organizations whose membership is 75% Westbury district residents with a social, civic, recreational or entertainment purpose, such as service, charitable, fraternal and religious organizations, civic associations and adult sports groups, in addition to community sponsored youth groups whose membership is 75% Westbury district residents such as cub scouts, boy scouts, brownies, girl scouts, little league, police athletic league, Westbury Recreation, etc. -

No fees, except under the following circumstances:

(a) whenever an event is held and there is no night, weekend, holiday, or summer custodian and/or security aide assigned to the particular school. The group shall pay custodial and/or security aide wages as listed in the Building and Field Usage Fees Exhibit 1500-E.5; or

(b) whenever an event or activity involves a fundraiser or the selling of goods, or an admission fee is charged, the group will be charged 50% of room rental fees and/or field use fees as listed in the Building and Field Usage Fees Exhibit 1500-E.5.

3. Class 3

a. Governmental agencies or officials, such as federal, state, county, town or village governments, fire department, armed forces and their allied reserve groups and civil defense, etc. —
No fees.

- b. Nassau County Board of Elections —
Fees to be determined by Nassau County.
4. Class 4
All for-profit and out-of-district organizations shall pay all fees as listed in the Building and Field Usage Fees Exhibit 1500-E.5. POLICY No. 1500-R

Should more than one organization apply for use of a particular facility for a particular date during the course of any school year, such facility will be available to the organization with the earliest submission of a completed application.

B. Restriction of High School and Middle School Track and Field Usage

In order to avoid the possibility of serious injuries, personal bodily harm, or damage to district property and the property of users of the High School and Middle School track and field facilities:

1. Any person, resident or otherwise, is hereby prohibited from access to and usage of the High School Track and adjacent fields during times in which the football/baseball/soccer fields are in use for any school sanctioned athletic event, practice, competition or function.
2. All forms of wheeled objects or vehicles, including but not limited to roller blades, roller skates, skateboards, bicycles, carriages, carts or motorized vehicles are hereby prohibited on the High School track surface, with the exception of emergency vehicles and/or aides for the disabled. Signs have been posted around the football/baseball/soccer area, so as to inform all parties that "... for your safety, District track and adjacent fields are closed to public during all school sanctioned athletic events."
3. The district security officer(s) on duty and/or the physical education department supervisor in charge of the ongoing school sanctioned athletic event are authorized to instruct any person that the track is closed during the period in which the school sanctioned athletic event is in progress. If said person refuses to cooperate and promptly vacate the area, the security officer and/or school district supervisor/administrator shall notify the Old Westbury Police for the High School and the Nassau County Police for the Middle School, at which time the local precinct will be requested to dispatch officers to the school, in order to effect compliance with the mandates of this policy.
4. All use of school facilities must be in compliance with Board of Education policies.

C. Instructions for Building and Field Use — the Application Process

1. Obtain application packet from the Facilities Office 60 days or more prior to event.
2. Fill out all required information on Application for Building and Field Use form, Exhibit 1500-E.2.
3. Submit application only to the Facilities Office. The Facilities Office will notify the applicant if the date is available or not. The Facilities Office will forward the application to the requested building for review by the Building Principal, Head Custodian and Security Supervisor.
4. Once the application is returned by the building administrator, the applicant will be notified of the review status. If the Building Principal has authorized the use of the building, proceed with the next steps listed below.
5. Obtain Certificate of Liability Insurance in accordance with the requirements on the attached supplement with limits of at least \$1,000,000.00 combined single limit for bodily injury and property damage. Indicate contractual liability coverage showing the policy has been contracted to provide this coverage for the "Hold Harmless" agreement.

6. Fill out Hold Harmless agreement.
7. Submit Certificate of Liability Insurance, Hold Harmless Agreement and a \$500.00 (Five Hundred Dollar) deposit to the Facilities Office. Deposit will be returned after the function date. If there are any extra hours worked by district employees above the calculated fees paid, they will be deducted from the deposit.
8. Facilities Office will forward the application to the Superintendent for the Board approval. Approval by Board will occur at the Board of Education Action Meeting, the third Wednesday of each month.
9. Facilities Office will contact applicant after the Board of Education Action Meeting and verify approval or disapproval.
10. Upon approval, the applicant is to submit all fees to the Facilities Office in a reasonable time before function.
11. NO function will be allowed until all of the above requirements are completed.

D. Conditions Applying to the Use of a Permit — Rules and Conditions

1. The permit shall be valid only for the use of the particular premises on the date or dates and the hours specified within the restrictions and for the purposes specified.
2. Permit is not transferable
3. Unless specifically agreed by contract, facilities are ordinarily not available for use during the winter and spring vacation periods, and holidays when school is not in session. All permits shall be cancelled on any day when school is closed for emergency reasons.
4. Schools shall not be used for purposes of gambling, lotteries, flea markets or bazaars where outside vendors sell merchandise for profit. Private parties, sponsored by individuals for any purpose, will not be approved. Loud or boisterous behavior will not be permitted nor may alcoholic beverages be used within school buildings or on school grounds.
5. Smoking is not permitted in school buildings or on school grounds.
6. Group members will not be allowed into the building until the time stated on the permit as the opening time. The premises will be evacuated by the time stated on the permit as the closing time.
7. A custodian, or other responsible employee, must be in attendance on the premises during each such use, to see to proper use and care of school property.
8. Moving pianos or furniture, putting up decorations or scenery, or similar activities are prohibited unless requested in the original application and approved in the permit granted. Any fee required for this purpose will be included in the charge to the organization. At no time may inflammable or hazardous equipment or materials be brought into a school building.
9. Groups composed of minors must have one or more adults in charge who must be present before the group may enter the school building and must remain with the group while they are on school grounds and until they leave.
10. Adequate supervision for the conduct and safety of the group must be maintained at all times by the sponsoring organization. The Director of School Facilities and Operations, Building Principal or his/her designee, shall make the determination as to the adequacy of the supervision being provided. Where supervision is judged to be inadequate, permission for continued use of the facility will be withheld until proper supervision is provided.
11. No exhibits, posters, or other materials may be displayed on school property unless approved in advance by the appropriate Building Principal. All properties brought into the school building must be removed within 24 hours after the use of school facilities unless prior permission is obtained to remove such property at a later date.
12. The organization or group holding the permit shall be fully responsible for any damages to school property, and the Board shall assume no responsibility to such organization or

individuals attending such activities. It is required that groups using school facilities carry comprehensive general liability insurance and provide the district with a certificate naming the Westbury Union Free School District as a named insured. The school district reserves the right to demand such coverage and may require, not only a certificate of insurance, but in addition or instead, a special guarantee or bond against loss.

E. Responsibilities of Renting Organizations When an Admission Fee or Other Money is Involved

1. If a group plans an activity involving an admission fee, the application must include a statement of this intent and a statement that the action does not involve any conflict with district policy, state education law or the state Constitution.
2. The Board reserves the right to audit the books of any group or organization using school property and charging an admission fee.
3. The organization charging the fee shall be responsible for and shall pay any or all fees or other taxes payable in connection with the activity as required by state, federal or other governmental authorities.
4. Whether or not an admission fee is charged, there shall be no solicitation or collection of contributions for any reason on school property unless authority to do so has been granted by the Board and is so stated in the permit. This also applies to any sales while the group is on school property.

F. Additional Conditions When Special Equipment/Facilities are Requested

1. If special equipment such as motion picture projectors, public address systems, stage lighting systems, pianos, etc. are desired, they must be requested at the time of the application. Approval of such requests shall require the control and operation of such special equipment by district appointed individuals. The organization receiving the permit shall be required to pay for the service involved. The Director of School Facilities and Operations will make arrangements for qualified personnel when a permit is approved. School equipment is not to be used by organizations and individuals off school grounds.
2. If the use of the cafeteria kitchen is desired, it must be requested at the time of the application. When a school kitchen facility is desired as a part of a rental/use agreement, the organization must make arrangements with the director of school nutrition at (516) 876-5022 for use of the kitchen facility. No school kitchen facility may be operated by other than kitchen facility staff members employed by the district. Financial arrangements for use of the kitchen facility will be on a cost basis and will be over and above any other schedule of charges for building use.

G. Responsibilities of the Applicant When Issued a Permit

1. The organization holding the permit will see to it that those present conform to the conditions set forth in these regulations. .
2. The responsible adult identified under section D.9 must have a copy of the permit in his/her possession at all times when using district facilities.
3. The organization will be responsible for keeping members within the area of the building or grounds specified in the permit. No substitution of facilities may be made once the activity is underway.
4. The organization will be required to make prompt restitution for any damage or loss to school property occurring during its time of occupancy. Failure to do so will prevent further use of district facilities.
5. The organization is required to leave the building or grounds clean and in order. In this connection a security deposit in the amount of Five Hundred Dollars (\$500.00) shall be required

(see section C.7.). Such deposit will be held in escrow and used, if needed, to absorb the cost of removing litter from fields following use by the organization.

H. Fees

Requests for the use of school buildings which involve rental fees and salaries are to be forwarded to the Director of School Facilities and Operations.

I. Cancellation Notice

Whenever possible, a 48 hour notice of cancellation must be given if the group to which permission has been granted is unable to appear. Failure to do so will incur custodial expenses as scheduled.

J. Prohibited Conduct on School Property

The following is PROHIBITED:

1. Horseback riding or walking of horses or dogs.
2. Carrying and use of firearms or explosives.
3. Use of bows and arrows.
4. Flying of model airplanes or rockets.
5. Operation of motor vehicles, motorcycles, mini-bikes, go-carts, scooters, jeeps or any other unauthorized vehicle on lawns playing fields, tracks or grounds.
6. Dumping of refuse.
7. Alcoholic beverages.
8. Use of playing fields without proper permits. No playing allowed on the High School football or soccer fields.
9. Trespassing or loitering during night hours.
10. Golfing.
11. Feeding of birds.
12. Smoking in school buildings or on school grounds.
13. Barbecuing.

Adoption date: January 17, 2007

Revised: May 9, 2019

POLICY



No. 1530

SMOKING ON SCHOOL PREMISES

WESTBURY UNION FREE SCHOOL DISTRICT
BOARD OF EDUCATION

SMOKING ON SCHOOL PREMISES

Due to the health hazards associated with smoking, and in accordance with federal and state law, the Board of Education prohibits smoking, including but not limited to, the use or possession of cigars, cigarettes, pipes, or electronic cigarettes or e-cigarettes, which contains tobacco, nicotine, or any other matter that can be smoked or inhaled, in all School District Buildings, on school grounds, and in any vehicle used to transport children or personnel. Smoking is also prohibited within 100 feet of all school district entrances, exits and outdoor areas, except where that is a residence or residential property.

“Electronic cigarette” or “e-cigarette” means an electronic device that delivers vapor which is inhaled by an individual user (including vaporizers, vapor pipes, vape pens, or any other vapor device), and shall include any refill, cartridge and any other component of such a device.

The district's smoking policy shall be prominently posted in each building, at designated outdoor locations on school premises (e.g. athletic fields) and in all District vehicles. The Board designates the Superintendent of Schools or his/her designee as agent responsible for informing individuals that smoking is in violation of Article 13-E of the Public Health Law and/or Section 409 of the Education Law and/or the federal Pro-Children Acts of 1994 and 2001. Persons in violation of this policy will be asked to stop. Students and staff may be subject to consequences outlined in the Code of Conduct, and visitors or contractors may be asked to leave school property.

Ref:

Education Law §§409(2)

Public Health Law Article 13-E

Public Health Law §§206; 340; 347

The Pro-Children Act of 2001, 20 U.S.C. §§7181 *et seq.*

The Pro-Children Act of 1994, 20 U.S.C. §§6081 *et seq.*

Adoption date: July, 17, 2014

Revision date: July 12, 2018

Westbury Union Free School District

HOME SCHOOLS

The Board of Education shall ensure that children who are home-schooled are taught by a competent instructor and receive an education substantially equivalent to that offered in the district's schools.

Parents/Guardians who wish to educate their children at home must submit to the district an individual home instruction plan (IHIP), outlining the educational goals to be met and the course materials and syllabi to be used each year for the child's learning process. The district may accept or deny an IHIP. Parents/Guardians must submit quarterly reports which will provide the district with the necessary information to make determinations of substantial equivalency and competency of instruction on an ongoing basis.

Parents/Guardians may appeal to the Board a determination by the Superintendent of Schools or designee that an IHIP is not in compliance with the Regulations of the Commissioner of Education. Parents/Guardians shall have the right to appeal the final determination of the Board to the Commissioner of Education within 30 days of receipt of such determination.

Ref: Education Law §3202(4)
8 NYCRR §100.10
Matter of Abookire, 33 EDR 473 (1994)

Adoption date: January 17, 2007

HOME INSTRUCTION REGULATION

Parents' Responsibilities

1. Notification

Parents or persons in parental relation to a student of compulsory school attendance age, who are residents in this district, shall annually provide written notice to the Superintendent of Schools of their intention to educate their child at home by July 1st of each school year. If such instruction is to begin after the start of the school year, parents must provide such written notice within 14 days after beginning such instruction within the district.

2. Individualized Home Instruction Plan (IHIP)

Within 10 days of receipt of the above-mentioned notice, the district will send to the parents a copy of §100.10 of the Regulations of the Commissioner, and a form on which to submit an individualized home instruction plan (IHIP). One such IHIP must be submitted for each child of compulsory attendance age who is to be taught at home. The IHIP forms must be submitted to the district office within four weeks of receipt. If requested, the district will provide assistance in preparing the forms. Each child's IHIP will contain:

- a. the child's name, age, and grade level;
- b. a list of the syllabi, curriculum materials, textbooks, or plan of instruction to be used in each of the required subjects listed below;
- c. the dates for submission to the school district of the parents' quarterly reports; and
- d. the names of the individual(s) providing instruction.

3. Determination of Compliance/Noncompliance

The Superintendent shall review each IHIP, and notify the parents within 10 business days of receipt as to whether the forms comply with the requirements listed in (2) above, or if there is any deficiency. The district will provide written notice of such deficiency(ies). Parents must submit a revised IHIP, correcting any deficiency(ies), within 15 days of such notice.

The Superintendent will then review the revised IHIP and notify the parents of its compliance or noncompliance with the above requirements within 15 days of receipt of the revised IHIP.

4. Appeals

If the IHIP is determined not to be in compliance, written notice of noncompliance (including the reasons for such determination) shall be sent to the parents. This notice will contain the date of the next regularly scheduled meeting of the Board, and inform parents that if they wish to contest the determination of non-compliance, they must notify the Board at least three business days prior to the meeting. At the Board meeting, the parents have the right to present proof of compliance, and the Board shall make the final determination of compliance/noncompliance.

Parents have the right to appeal the final determination of the Board to the Commissioner of Education within 30 days of receipt of such determination.

If parents do not contest the determination of noncompliance by either the administration or the Board, or if the Commissioner of Education upholds the final school district determination of noncompliance, then the parents must immediately provide for the instruction of their children in a public school or elsewhere in compliance with Education Law §§3204 and 3210.

5. Required Courses

Instruction in the following subjects shall be required:

- a. For grades one through six: arithmetic, reading, spelling, writing, the English language, geography, United States history, science, health education, music, visual arts, physical education, bilingual education and/or English as a second language where the need is indicated.
- b. [For the purposes of this and the following subdivisions, a unit means 6480 minutes of instruction per school year.]
For grades seven and eight: English (2 units); history and geography (2 units); science (2 units); mathematics (2 units); physical education (on a regular basis); health education (on a regular basis); art (1/2 unit); music (1/2 unit); practical arts (on a regular basis) and library skills (on a regular basis). The units required are cumulative requirements for both grades seven and eight.
- c. The following courses shall be taught at least once during the first eight grades: United States history, New York State history, and the Constitutions of the United States and New York State.
- d. For grades nine through twelve: English (4 units); social studies (4 units, which includes 1 unit of American history, 1/2 unit in participation in government, and 1/2 unit economics); mathematics (2 units); science (2 units); art and/or music (1 unit); health

education (1/2 unit); physical education (2 units); and 3 units of electives. The units required are cumulative requirements for grades nine through twelve.

- e. All other subjects mandated by the Education Law to be covered during grades K-12.

6. Attendance Requirements

Each child shall attend upon instruction as follows:

- a. The substantial equivalent of 180 days of instruction shall be provided each year.
- b. The cumulative hours of instruction for grades 1-6 shall be 900 hours per year. The cumulative hours of instruction for grades 7-12 shall be 990 hours per year.
- c. Absences shall be permitted on the same basis as provided in policy 5100, Student Attendance, and in the Regulations of the Commissioner and the Education Law.
- d. Records of school attendance shall be maintained by the parent and shall be made available to the school district upon request.
- e. Instruction provided at a site other than the primary residence of the parents shall be provided in a building which has not been determined to be in violation of the local building code.

7. Quarterly Reports

On or before the dates specified in the IHIP, parents must furnish the district with a quarterly report for each child receiving instruction at home. Such report shall contain the following information:

- a. the number of hours of instruction during the quarter;
- b. a description of material covered in each subject listed in the IHIP;
- c. either a grade for the child in each subject or a written narrative evaluating the child's progress; and
- d. in the event that less than 80% of the amount of the course materials as set forth in the IHIP has been covered in any subject for that quarter, a written explanation.

8. Annual Assessment

Parents must submit an annual assessment at the time of filing their fourth quarterly report. Such annual assessment shall include the results of a commercially published norm-referenced achievement test which meets the requirements outlined in §100.10(h) of the Regulations of the Commissioner. Such test will be provided by the school district upon request. An alternative form of evaluation may be permitted if it meets the requirements outlined in §100.10(h) of the Commissioner's Regulation.

The test will be administered at the public school, by its professional staff, or at a registered nonpublic school, by its professional staff, provided that the consent of the chief school officer of such nonpublic school is obtained. The test may be administered at a nonregistered nonpublic school by its professional staff, with the prior consent of both the public school Superintendent and the chief school officer of the nonpublic school.

If the test is to be administered at the parents' home or any other reasonable location, by a New York State certified teacher or another qualified person, the Superintendent must consent to having such person administer the test. The cost of any testing facilities, transportation, and/or personnel for testing conducted at a location other than the public school shall be borne by the parents.

The test shall be scored by the persons administering the test or by other persons who are mutually agreeable to the parents and the Superintendent. A student's score shall be deemed adequate if he/she has a composite score above the 33rd percentile on national norms, or if his/her score reflects one academic year of growth as compared to a test administered during or subsequent to the prior school year. If a score on the test is determined to be inadequate, the home instruction program shall be placed on probation.

9. Probation

If a child's annual assessment fails to comply with the above requirements, the home instruction program shall be placed on probation for a period of up to 2 years. The parent(s) must submit a plan of remediation which addresses the deficiencies in the child's achievement. The plan will be reviewed by the Superintendent, who may require the parent(s) to make changes prior to acceptance.

The program will be removed from probation only if, after the end of any semester of the probationary period, the child has progressed to the level specified in the remediation plan. If the child does not attain at least three-quarters (75%) of the objectives specified in the remediation plan at the end of any given semester, or if after 2 years of probation 100% of such objectives have not been satisfied, the program will be deemed not in compliance. The Superintendent shall then serve written notice of noncompliance as specified in (3) above.

10. Home Visits by the Superintendent

If during the period of probation the Superintendent has reasonable grounds to believe that the home instruction program is in substantial noncompliance with this policy and/or regulation, the Superintendent may

require one or more home visits. Such visit(s) shall be made only after 3 days' written notice. The purpose of such visit(s) will be to ascertain the areas of noncompliance and to determine methods of remediating any deficiency(ies). The home visits shall be conducted by the Superintendent or his/her designee; the Superintendent may include members of a home instruction peer review panel as part of a "home visit team."

Adoption date: January 17, 2007



POLICY



No. 1800

Gifts from the Public

**WESTBURY UNION FREE SCHOOL DISTRICT
BOARD OF EDUCATION**

GIFTS FROM THE PUBLIC

Only the Board of Education may accept for the school district any bequest or gift or money, property or goods, except that the Superintendent of Schools may accept on behalf of the Board any such gift of less than seventy five dollars in value. Regardless of the monetary amount, gifts should avoid the appearance of impropriety.

The Board reserves the right to refuse to accept any gift which does not contribute towards the achievement of the district's goals or the ownership of which would tend to deplete the resources of the district.

Any gift accepted by the Board or the Superintendent shall become the property of the district, may not be returned without the approval of the Board, and is subject to the same controls and regulations as are other properties of the district.

It shall be the policy of the district to accept a gift, provided it is made within the statutory authority granted to school districts and has received the approval of the Board of Education.

In granting or withholding its consent, the Board will review the following factors:

1. The terms of the gift must identify:
 - a. the subject of the gift
 - b. the purpose of the gift
 - c. the beneficiary or beneficiaries if any
 - d. all conditions or restrictions that may apply.
2. The gift must not benefit a particular or named individual or individuals.
3. If the purpose of the gift is an award to a single student, the determination of the recipient of such award shall be made on the basis that all students shall have an equal opportunity to qualify for it in conformance with federal and state law.
4. If the gift is in trust, the obligation of the investment and reinvestment of the principal shall be clearly specified and the application of the income or investment proceeds shall be clearly set forth.
5. No gift or trust will be accepted by the Board unless:
 - a. it is in support of and a benefit to all or to a particular public school in the district, or
 - b. it is for a purpose for which the school district could legally expend its own funds, or
 - c. it is for the purpose of awarding scholarships to students graduating from the district.

Any gift rejected by the Board shall be returned to the donor or his/her estate within 60 days together with a statement indicating the reasons for the rejection of such gift.

Cross-ref: 2160, School Board Officer and Employee Ethics

Ref: Education Law §1709(12)

Adoption date: June 26, 2014

POLICY



No. 1900

PARENTAL INVOLVEMENT

**WESTBURY UNION FREE SCHOOL DISTRICT
BOARD OF EDUCATION**

PARENTAL INVOLVEMENT

The Board of Education believes that positive parental involvement is essential to student achievement, and thus encourages such involvement in school educational planning and operations. Parental involvement may take place either in the classroom or during extra-curricular activities. However, the Board also encourages parental involvement at home (e.g., planned home reading time, informal learning activities, and/or homework "contracts" between parents and children). The Board directs the Superintendent of Schools to develop a home-school communications program in an effort to encourage all forms of parental involvement.

Title I Parental Involvement - District Level Policy

Consistent with the parent involvement goals of Title I, Part A of the federal No Child Left Behind Act of 2001 (NCLB), the Board of Education will develop and implement programs, activities and procedures that encourage and support the participation of parents of students eligible for Title I services in all aspects of their child's education. The Board also will ensure that all of its schools receiving Title I, Part A funds develop and implement school level parental involvement policies, as further required by the NCLB. For purposes of this policy, parental involvement refers to the participation of parents in regular, two-way, and meaningful communication involving student academic learning and other school activities. At a minimum, parental involvement programs, activities and procedures at both the district and individual school level must ensure that parents:

- Play an integral role in assisting their child's learning;
- Are encouraged to be actively involved in their child's education at school; and
- Are full partners in their child's education and are included, as appropriate, in decision-making and on advisory committees to assist in the education of their child.

The term parents refers to a natural parent, legal guardian or other person standing in *loco parentis* (such as a grandparent or stepparent with whom the child lives, or a person who is legally responsible for the child's welfare).

District and school level Title I parental involvement programs, activities and procedures will provide full opportunities for the participation of parents with limited English proficiency, parents with disabilities, and parents of migratory children.

As further required by the NCLB, parents of students eligible for Title I services will be provided an opportunity to participate in the development of the district's Title I plan, and to submit comments regarding any aspect of the plan that is not satisfactory to them. Their comments will be forwarded with the plan to the State Education Department.

Parents also will participate in the process for developing a school improvement plan when the school their child attends fails to make adequate yearly progress for two consecutive years and is identified as a school in need of improvement.

Parent participation in development of district wide parental involvement plan

The Board, along with its superintendent of schools and other appropriate district staff will undertake the following actions to ensure parent involvement in the development of the district wide parental involvement plan:

Review of district wide parental involvement plan

The Board, along with its superintendent of schools and other appropriate staff will conduct, with the involvement of parents, an annual evaluation of the content and effectiveness of the parental involvement plan in improving the academic quality of Title I schools, including the identification of barriers to greater participation by parents in activities under this policy, and the revision of parent involvement policies necessary for more effective involvement. To facilitate this review, the district will conduct the following activities:

Development of school level parental involvement plans

The superintendent of schools will ensure that all district schools receiving federal financial assistance under Title I, Part A are provided technical assistance and all other support necessary to assist them in planning and implementing effective parental involvement programs and activities that improve student achievement and school performance. As appropriate to meet individual local needs, the superintendent will:

Building capacity for parental involvement

To build parent capacity for strong parental involvement to improve their child's academic achievement, the district and its Title I, Part A schools will, at a minimum:

1. Assist parents in understanding such topics as the state's academic content and student achievement standards, state and local academic assessments, Title I requirements, how to monitor their child's progress and how to work with educators to improve the achievement of their child. To achieve this objective, the district and its Title I schools will:
2. Provide materials and training to help parents work with their child's academic achievement. To achieve this objective, the district and its Title I schools will:
3. Educate its teachers, pupil services personnel, principals, and other staff in understanding the value and utility of a parent's contributions and on how to:
 - reach out to, communicate with, and work with parents as equal partners;
 - implement and coordinate parent programs; and
 - build ties between parents and the schools.

To achieve this objective, the district and its Title I schools will:

4. Ensure that information related to school and parent-related programs, meetings and other activities is sent to the parents of children participating in Title I programs in an understandable and uniform format,

including alternative formats, upon request, and to the extent practicable, in a language the parents can understand.

Coordination of parental involvement strategies

The district will coordinate and integrate strategies adopted to comply with the NCLB Title I, Part A parental involvement requirements with parental involvement strategies adopted in connection with any of the following applicable programs: Head Start, Reading First, Early Reading First, Even Start, Parents as Teachers, Home Instruction Program for Preschool Youngsters, and State operated preschool programs.

Ref: §1118 of the Elementary and Secondary Education Act 8 NYCRR §§100.3(b)(3); 100.4(f); 100.5(d)(4); 149.3(16)

Adoption date:

Title I Parental Involvement - School Level Policy

The Westbury Union Free School District recognizes that parents play an integral role in assisting their child's learning. We encourage parents to be actively involved in their child's education at school and to become full partners in school educational planning and operations. Consistent with the parent involvement goals of Title I, Part A of the federal No Child Left Behind Act of 2001 (NCLB):

1. The Building Principal and appropriate staff shall convene an annual meeting, at a convenient time, to inform parents of the school's participation in Title I programs, and to explain Title I requirements and the right of the parents to be involved. All parents of children participating in a Title I program will be invited to the meeting.
2. The school staff shall offer a flexible number of meetings to provide parents the opportunity to meet with school staff and otherwise participate in their child's education. These meetings shall be held at flexible times (e.g., morning or evening) and/or in highly accessible places such as public housing projects, etc.
3. The school will provide parents with timely information about Title I programs. School staff will also describe and explain the curriculum in use at the school, the types of academic assessment that will be used to measure student progress and the proficiency levels the students are expected to meet. Parents may also request regular meetings with school staff to make suggestions and to participate, as appropriate in decisions relating to the education of their child. The school will respond to any such suggestions as soon as practical.
4. The school staff shall involve parents, in an organized, ongoing, and timely way, in the planning, review, and improvement of Title I programs, including the planning, review, and improvement of the school's parent involvement policy.

Student Academic Achievement School-Parent Compact

To help our children achieve, we agree to abide by the following conditions during the 2005-2006 school year:

School Responsibilities

The school will:

- Provide high-quality curriculum and instruction in a supportive and effective learning environment;
- Hold parent-teacher conferences during these conferences, this compact will be discussed as it relates to your child's academic achievement;
- Provide parents with frequent reports on their child's progress;
- Provide parents reasonable access to staff; and
- Provide parents with opportunities to volunteer and participate in their child's class and to observe classroom activities.

Parent Responsibilities

We, as parents, will support our children's learning in the following ways:

- Monitor my child's attendance;
- Make sure that homework is completed;
- Limit amount of television my child watches;
- Volunteer in my child's school;
- Participate in decisions regarding my children's education;
- Promote positive use of my child's extracurricular time; and
- Stay informed about my child's education and communicate with the school regularly.

Student Responsibilities

As a student, I will share the responsibility to improve my grades, and agree to:

- Do homework everyday and ask for help when needed;
- Read at least 20 minutes a day outside of school; and
- Give to my parents all notices and information received by me from my school every day.

School

Parent

Student

Date

Date

Date

Adoption date:

INTERPRETERS FOR HEARING-IMPAIRED PARENTS

The Board of Education recognizes that those district parents with hearing impairments which prevent a meaningful participation in their child's educational program must be afforded an opportunity equal to that afforded other parents to participate in meetings or activities pertaining to the academic and/or disciplinary aspects of their child's education. Accordingly, and pursuant to law, the school district will provide an interpreter for hearing-impaired parents for school-initiated academic and/or disciplinary meetings or activities including, but not limited to:

- Parent/teacher conferences;
- Child/study or building level team meetings;
- Planning meetings with school counselors regarding educational progress and career planning; and
- Suspension hearings or other conferences with school officials relating to disciplinary actions.

The school district will provide an interpreter for the hearing-impaired parent if a written request for the service has been submitted to and received by the Building Principal or Director of Pupil Personnel Services within ten (10) working days prior to the scheduled meeting or activity. If an interpreter is unavailable, the district will then make other reasonable accommodations which are satisfactory to the parents (e.g., notetaker, transcript, decoder, or telecommunication device for the deaf). These services will be made available by the district at no cost to the parents.

The Board also ensures that such services shall be available to parents of district students attending out-of-district schools or programs, provided that notice of the upcoming event and the request for services is made pursuant to this policy.

The Board directs the Superintendent of Schools to maintain a list of available interpreters and to develop procedures to notify parents of the availability of interpreter services, the time limitation for requesting these services, and of the requirement to make other reasonable accommodations satisfactory to the parents should an interpreter not be available. Such notification shall be included in the district calendar.

Ref: Americans with Disabilities Act of 1990, 42 U.S.C. §§12131-12134
Rehabilitation Act of 1973, 29 U.S.C. §794
Education Law §3230
8 NYCRR §100.2(aa)
Rothschild v. Grottenthaler, 907 F.2d 286 (2d Cir. 1990)

Adoption date: January 17, 2007