

# POLICY

2008

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Students

## **SUBJECT: SCHOOL CENSUS**

Pursuant to Education Law, central school districts are authorized, rather than obligated, to take a census of all children from birth to eighteen (18) years of age. The West Canada Valley Central School District will conduct such census.

The census will indicate the names of all children between birth and eighteen (18) years of age, and of children with disabilities between birth and twenty-one (21) years of age; their respective residences by street and number; the day of the month and the year of their birth; the names of the persons in parental relation to them; such information relating to physical or mental disabilities, to illiteracy, to employment and to the enforcement of the law relating to child labor and compulsory education as the State Education Department and the Board of Education shall require; and also such further information as the Board shall require.

On written request and in such form as prescribed by the Commissioner of Education, the Board shall provide to the Commissioner a report containing the names, ages and addresses of those children who are blind or deaf, and those children having serious physical or mental disabilities. Additionally, such report shall further indicate whether such children are being educated within the public schools of the District or, if they are not, where such education is being furnished to them.

Persons in parental relation to those children within the prescribed census age ranges are to make such reports as the Board of Education shall require, including, but not limited to, providing two (2) weeks before the child reaches compulsory school age, the name of the child; the child's residence; the name of the person or persons in parental relation to the child; the name and location of the school to which the child shall have been or shall be sent as a student; and such other information as required by law or as the Board may require.

A parent, guardian or other person having under his/her control or charge a child between birth and eighteen (18) years of age who withholds or refuses to give information in his/her possession relating to such census data as required by law pertaining to the child; or, in the alternative, gives false information in relation to such census data, shall be liable to and punished by a fine or imprisonment as established by law.

Census data shall be reported as required by law.

### **Count of Immigrant Children and Youth**

As a provision of the federal Title III Part A – English Language Acquisition, Language Enhancement, and Academic Achievement Act under the No Child Left Behind Act of 2001, the U.S. Secretary of Education requires that **all local agencies (LEAs)** count the number of "immigrant children and youth" enrolled in the public and nonpublic schools in the geographic area under the jurisdiction of, or served by, the LEA. The results of this count have important implications for the

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## **SUBJECT: SCHOOL CENSUS (Cont'd.)**

receipt of supplemental federal funds to eligible LEAs in New York State for services to recently arrived immigrant children and youth.

For purposes of this count, the term "immigrant children and youth" shall include those individuals who:

- a) Are ages three (3) through twenty-one (21);
- b) Were **NOT** born in any state or from the Commonwealth of Puerto Rico, the District of Columbia, Guam, American Samoa, the U.S. Virgin Islands, the Northern Mariana Islands, or the Trust Territory of the Pacific Islands; and
- c) Have **NOT** been attending schools in any one (1) or more States for more than three (3) full academic years.

Each nonpublic school shall report its data to the public school district in which it is located. It is the responsibility of each public school district to report its immigrant count as well as the counts for all nonpublic schools within its jurisdiction.

In accordance with law, the District shall conduct its survey and submit the information electronically to the New York State Education Department by the specified deadline date.

Education Law Sections 3240-3243 and 4402(1)(a)  
8 New York Code of Rules and Regulations  
(NYCRR) Section 200.2(a)  
20 United States Code (USC) Section 6811

NOTE: Refer also to Policy #7650 -- Identification and Register of Children With Disabilities

Adopted: 11/14/05  
Revised: 7/14/08