February 2024 Policy - Second Reading Packet

Policy Number	Policy Title	Explanation	Adopted BOCES Update	Revised by SH	Keep Current Policy
5630	Facilities, Inspection, Operation & Maintenance	Suggested revision(s): Revised in light of amendments to various laws and regulations. In the "Construction and Remodeling of School Facilities" section, language related to the "State Energy Conservation Construction Code" was added in response to amendments to 8 NYCRR Section 155.2. The "Carbon Monoxide Detection" section was significantly revised because the rules governing carbon monoxide detection and alarms are generally found in the 2020 Existing Building Code and Section 915 of the 2020 Fire Code Section rather than regulation. The "Lead Testing" section was revised to indicate that districts are now responsible for testing potable water for lead contamination on a triennial basis (formerly on a periodic basis) following amendments to Public Health Law Section 1110. A section titled "Comprehensive Long-Range Plan" was added to clarify what that plan will include at a minimum. The "Comprehensive Public School Building Safety Program" section was revised to clarify the requirements of the program and reflect changes in requirements related to building condition surveys and visual inspection. Other revisions were made for clarity and consistency purposes. **Policy Committee recommends as is.**			
5640	Smoking, Tobacco, and Cannabis (Marijuana use)	**Policy Committee recommends deleting one line regarding exceptions.**			
6130	Evaluation of Personnel	Suggested revision(s): Revised in light of changes in terminology. Previously, districts developed Annual Professional Performance Review (APPR) plans. However, these plans are now being referred to by the New York State Education Department (NYSED) as educator evaluation plans. For example, in this 2022-2023, Educator Evaluation Q&A, NYSED writes: "Helping school districts and BOCES (local educational agencies, or LEAs) create coherent systems of development and support for educators that place instructional practices tied to student learning at their center is the intention of the statewide educator evaluation system (formerly known as APPR)." In the Educator Evaluation Glossary, APPR is defined as "Acronym for Annual Professional Performance Review; refers to educator evaluation plans approved under Education Law §3012-d prior to its amendment in 2019." **Policy Committee recommends as is.**			
7150	Remote Instruction	Note: The District has not previously adopted this policy. However, there have been substantial revisions to this policy since the District last reviewed it. Suggested revision(s): Now titled "Remote Instruction." Revised in response to amendments to regulations of the Commissioner of Education relating to remote instruction and its delivery under emergency conditions. Under the amendments, districts that would otherwise close due to an emergency may provide remote instruction and count these instructional days towards the minimum requirements. Instruction must be provided to all students and consistent with the definition of remote instruction and a district's emergency remote instruction plan. All districts must include an emergency remote instruction plan in their district-wide school safety plan. **Policy Committee recommends adopting as is.**			
7420	Sports & the Athletic Program	Suggested revision(s): Revised in light of the passage of the Dominic Murray Sudden Cardiac Arrest Prevention Act (SCA Act) and the adoption of corresponding regulations implementing the SCA Act. The SCA Act added new section 923 to the Education Law. Section 923 requires that districts include information on sudden cardiac arrests, including the definition of sudden cardiac arrest and signs and symptoms of sudden cardiac arrest, in any permission, consent, or similar form that may be required for a student's participation in interscholastic athletics. Districts are also required to place this information on their websites or reference how to obtain the information from the New York State Education Department's and New York State Department of Health's websites. The corresponding regulations implementing the SCA Act require that any student who displays signs or symptoms of pending or increased risk of sudden cardiac arrest be immediately removed from any athletic activities and details requirements for return to play after a sudden cardiac event for athletic activities. **Policy Committee recommends as is.**			
7512	Student Physicals	Suggested revision(s): Revised in light of amendments to Public Health Law which require districts to obtain, prior to or within three months after initial enrollment of a student under six, evidence that the student has been screened for lead from the student's parent or guardian. If the parent or guardian does not submit this evidence, then the district must provide the parent or guardian with information on lead poisoning in children, lead poisoning prevention, and refer the parent or guardian to a primary care provider or the local health authority. **Policy Committee recommends adopting with district changes in green.**			
7580	Suicide	Note: These revisions were previously suggested in the 22-23 Policy Audit. The District did not act on these revisions at those times. Per the District's request, these revisions are being included in the 23-24 Policy Audit. Suggested revision(s): The District does not currently have this policy in its Policy Manual. However, as there have been significant revisions to this policy, we wanted to give the District an opportunity to see the revised sample language. The sample language was revised in response to updated guidance from the New York State Education Department (NYSED) titled Guide for Suicide Prevention for School Personnel and the implementation of the new three-digit 988 hotline which connects callers directly to behavioral health crisis counselors. **Policy Committee recommends putting this on hold pending further discussion.**			

8240	Instruction in Certain Subjects	Suggested revision(s): Revised in light of the passage of the Dominic Murray Sudden Cardiac Arrest Prevention Act (SCA Act) and the adoption of corresponding regulations implementing the SCA Act. The SCA Act added new section 923 to the Education Law. Section 923 requires that districts include information on sudden cardiac arrests, including the definition of sudden cardiac arrest and signs and symptoms of sudden cardiac arrest, on their websites or reference how to obtain the information from the New York State Education Department's and New York State Department of Health's website. The corresponding regulations implementing the SCA Act require that any student who displays signs or symptoms of pending sudden cardiac arrest be immediately removed from any physical activities and details requirements for return to play after a sudden cardiac event for physical activities. **Policy Committee recommends adopting as is.**			
8450	Home Tutoring (Homebound Instruction)	Suggested revision(s): Now titled "Home, Hospital, or Institutional Instruction (Homebound Instruction)." Revised in response to amendments to the regulations of the Commissioner of Education relating to instruction provided to students in a home, hospital, or institutional setting other than a school (sometimes referred to as homebound instruction). The revised policy includes definitions for various terms including instruction delivery plan and tutor. It also includes a section which details how parents or guardians can request home, hospital, or institutional instruction. **Policy Committee recommends adopting with district changes in green.**			

Sweet Home Central School District
Policy Committee Meeting
January 2, 2024

Minutes

Present: Mike Ginestre, JoAnn Balazs, Don Feldmann, Toyia Wilson, Scott Johnson, Brian Laible, Sherry McNamara

1. Reviewed the following policies for January first reading:

5630	Facilities, Inspection, Operation, and Maintenance	**Suggested revision(s):** Revised in light of amendments to various laws and regulations. In the "Construction and Remodeling of School Facilities" section, language related to the "State Energy Conservation Construction Code" was added in response to amendments to 8 NYCRR Section 155.2. The "Carbon Monoxide Detection" section was significantly revised because the rules governing carbon monoxide detection and alarms are generally found in the 2020 Existing Building Code and Section 915 of the 2020 Fire Code Section rather than regulation. The "Lead Testing" section was revised to indicate that districts are now responsible for testing potable water for lead contamination on a triennial basis (formerly on a periodic basis) following amendments to Public Health Law Section 1110. A section titled "Comprehensive Long-Range Plan" was added to clarify what that plan will include at a minimum. The "Comprehensive Public School Building Safety Program" section was revised to clarify the requirements of the program and reflect changes in requirements related to building condition surveys and visual inspection. Other revisions were made for clarity and consistency purposes. **Policy Committee recommends adopting as is.**
6130	Evaluation of Personnel	**Suggested revision(s):** Revised in light of changes in terminology. Previously, districts developed Annual Professional Performance Review (APPR) plans. However, these plans are now being referred to by the New York State Education Department (NYSED) as educator evaluation plans. For example, in this 2022-2023, Educator Evaluation Q&A, NYSED writes: "Helping school districts and BOCES (local educational agencies, or LEAs) create coherent systems of development and support for educators that place instructional practices tied to student learning at their center is the intention of the statewide educator evaluation system (formerly known as APPR)." In the Educator Evaluation Glossary, APPR is defined as "Acronym for Annual Professional Performance Review; refers to educator evaluation plans approved under Education Law §3012-d prior to its amendment in 2019." **Policy Committee recommends adopting as is.**
6190	Workplace Violence Prevention Statement	**New Policy developed in response to amendments to Labor Law Section 27-B.** In 2006, New York State enacted legislation requiring public employers to develop and implement programs to prevent and minimize workplace violence and help ensure the safety of public employees. At the time, public schools were exempted from this requirement. However, the amendments to Labor Law Section 27-b removed this exemption. As a result, effective January 4, 2024, districts are required to develop and implement programs to prevent workplace violence, in alignment with other public employers. **Policy Committee recommends putting this on hold pending District Safety Committee review.**

7150	Remote Instruction	**Note:** The District has not previously adopted this policy. However, there have been substantial revisions to this policy since the District last reviewed it. **Suggested revision(s):** Now titled "Remote Instruction." Revised in response to amendments to regulations of the Commissioner of Education relating to remote instruction and its delivery under emergency conditions. Under the amendments, districts that would otherwise close due to an emergency may provide remote instruction and count these instructional days towards the minimum requirements. Instruction must be provided to all students and consistent with the definition of remote instruction and a district's emergency remote instruction plan. All districts must include an emergency remote instruction plan in their district-wide school safety plan. **Policy Committee recommends adopting as is.**
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7580	Suicide	**Note:** These revisions were previously suggested in the 22-23 Policy Audit. The District did not act on these revisions at those times. Per the District's request, these revisions are being included in the 23-24 Policy Audit. **Suggested revision(s):** The District does not currently have this policy in its Policy Manual. However, as there have been significant revisions to this policy, we wanted to give the District an opportunity to see the revised sample language. The sample language was revised in response to updated guidance from the New York State Education Department (NYSED) titled Guide for Suicide Prevention for School Personnel and the implementation of the new three-digit 988 hotline which connects callers directly to behavioral health crisis counselors. **Policy Committee recommends putting this on hold pending further discussion.**

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SUBJECT: FACILITIES: INSPECTION, OPERATION, AND MAINTENANCE (Cont'd.)

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

Inspections

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

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

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

To help protect staff, students, and visitors from contracting Legionnaires' disease from Legionella bacteria, the District will register any cooling towers it owns with the New York State Department of Health (DOH), providing the information in any form that the DOH requires. The District will also adhere to the inspection, annual certification, and maintenance program and planning requirements mandated by the DOH. Further, the District will maintain records regarding all inspection results, corrective action, cleaning and disinfection, tests, and certifications for at least three years. The District will keep a copy of its required maintenance program and plan on the premises where the cooling tower is located.

(Continued)

SUBJECT: FACILITIES: INSPECTION, OPERATION, AND MAINTENANCE (Cont'd.)

Comprehensive Public School Building Safety Program (RESCUE)

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

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

a) A five year capital facilities plan which will include an appraisal of the following: the educational philosophy of the District, with resulting administrative organization and program requirements; present and projected student enrollments; space use and State-rated student capacity of existing facilities; the allocation of instructional space to meet the current and future education program and service needs, and to serve students with disabilities in settings with nondisabled peers; priority of need of maintenance, repair or modernization of existing facilities, including consideration of the obsolescence and retirement of certain facilities; and the provision of additional facilities.

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

   1. Type of building, age of building, size of building;

   2. Rated capacity, current enrollment;

   3. List of energy sources and major systems (lighting, plumbing, electrical, heating); and

   4. Summary of triennial Asbestos Inspection reports.

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

d) A District-wide monitoring system which includes:

   1. Establishing a Health and Safety Committee;

   2. Development of detailed plans and a review process of all inspections;

(Continued)

SUBJECT: FACILITIES: INSPECTION, OPERATION, AND MAINTENANCE (Cont'd.)

3. Procedures for a response in writing to all inquiries about building health and safety concerns, a copy of which will be sent to the District's Health and Safety Committee for oversight, and a copy kept on permanent file.

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

1. Notification to parents, staff, and the community at least two months in advance of a construction project of $10,000 or more to be conducted in a school building while the building is occupied; provided, however, that in the case of emergency construction projects, notice will be provided as far in advance of the start of construction as is practicable;

2. A plan to ensure that all contractors comply with all health and safety issues and regulations, and wear photo identification badges;

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

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

Asbestos Inspection: 40 CFR Part 763, Subpart E
15 USC §§ 2641-2656
Carbon Monoxide Detection: 19 NYCRR § 1228.4
Fire Inspection: Education Law 807-a
8 NYCRR § 155.4
Health and Safety Committee: 8 NYCRR § 155. 4(d)(1)
Lead Testing: 10 NYCRR § 67-4.1, *et seq.*
Legionella Protection: 10 NYCRR § 4-1.1, *et seq.*
Plans and Specifications: Education Law §§ 408, 408-a and 409
8 NYCRR §§ 155.1 and 155.2
19 NYCRR §§ 1221-1240
Structural Safety Inspections: Education Law §§ 409-d, 409-e, 3602 and 3641(4)
8 NYCRR §§ 155.1, 155.3, and 155.4(b)(1)

Adopted: 5/9/06
Revised: 12/20/11; 6/18/14; 4/19/16; 11/21/17

SUBJECT: FACILITIES: INSPECTION, OPERATION, AND MAINTENANCE

Overview

The District is committed to providing a healthy and safe environment for all individuals on school grounds. As part of this commitment, the District will comply with all applicable laws, regulations, and codes related to the construction, inspection, operation, and maintenance of District facilities.

Construction and Remodeling of School Facilities

The District will ensure all capital projects and maintenance comply with the requirements of the New York State Uniform Fire Prevention and Building Code, the State Energy Conservation Construction Code, the Manual of Planning Standards, and the Commissioner's regulations. The New York State Education Department (NYSED) Office of Facilities Planning has provided an Instruction Guide on its official website.

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

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

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

Carbon Monoxide Detection

All District facilities will have carbon monoxide alarms or detection systems installed in accordance with all applicable laws, regulations, and/or codes.

Asbestos Inspections

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

(Continued)

SUBJECT: FACILITIES: INSPECTION, OPERATION, AND MAINTENANCE (Cont'd.)

Lead Testing

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

Legionella Testing

To help protect staff, students, and visitors from contracting Legionnaires' disease from Legionella bacteria, the District will register any cooling towers it owns with the New York State Department of Health (NYSDOH), providing the information in any form that NYSDOH requires. The District will also adhere to the inspection, annual certification, and maintenance program and planning requirements mandated by NYSDOH. Further, the District will maintain records regarding all inspection results, corrective action, cleaning and disinfection, tests, and certifications for at least three years. The District will keep a copy of its required maintenance program and plan on the premises where the cooling tower is located.

Comprehensive Long-Range Plan

The District will develop and keep on file a comprehensive long-range plan pertaining to educational facilities in accordance with the Commissioner's regulations. This plan will be reevaluated and updated at least annually and will include, at a minimum, an appraisal of the following:

a) The educational philosophy of the District, with resulting administrative organization and program requirements;

b) Present and projected student enrollments;

c) Space use and state-rated student capacity of existing facilities;

d) The allocation of instructional space to meet the current and future special education program and service needs, and to serve students with disabilities in settings with nondisabled peers;

e) Priority of need of maintenance, repair, or modernization of existing facilities, including consideration of the obsolescence and retirement of certain facilities; and

f) The provision of additional facilities.

(Continued)

SUBJECT: FACILITIES: INSPECTION, OPERATION, AND MAINTENANCE (Cont'd.)

Comprehensive Public School Building Safety Program

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

The Comprehensive Public School Safety Program will consist of the following components:

a) Building Condition Surveys

Building condition surveys will be conducted on a schedule as assigned by the Commissioner of Education in calendar years 2020-2024 and at least every five years thereafter. Building condition surveys will be conducted on all occupied school buildings in accordance with law and regulation, including being conducted by a licensed architect or a licensed professional engineer who will assess the condition of all major building systems of a school building.

b) Visual Inspections

Visual inspections will be conducted when deemed necessary by the Commissioner to maintain the safety of public school buildings and the welfare of their occupants. When visual inspections occur, they will be conducted in accordance with law and regulation.

c) Five-Year Capital Facilities Plan

The District will develop a five-year capital facilities plan and update the plan annually. In developing and amending the plan, the District will use the safety rating of each occupied school building. The plan must be consistent with all District planning requirements and identify critical maintenance needs. The plan will be prepared in a manner and format prescribed by the Commissioner and submitted to the Commissioner upon request. The plan will include, but not be limited to:

1. A breakdown for each of the five years of the plan of the estimated expenses for the following:

   (a) Current or proposed new construction ranked in priority order;

   (b) Current or proposed additions to school facilities ranked in priority order;

   (c) Current or proposed alterations or reconstruction of school facilities ranked in priority order;

(Continued)

SUBJECT: FACILITIES: INSPECTION, OPERATION, AND MAINTENANCE (Cont'd.)

(d) Major repairs ranked in priority order;

(e) Major system replacement and repairs, and maintenance ranked in priority order; and

(f) Energy consumption.

2. A District-wide building inventory that includes, but is not limited to:

(a) The number and type of facilities owned, operated, or leased by the District;

(b) The age, enrollment, rated capacity, use, size, and the safety rating of the buildings as determined pursuant to Commissioner's regulations;

(c) The energy sources for the buildings;

(d) Probable useful life of each building and its major subsystems;

(e) Need for major system replacement and repairs, and maintenance;

(f) Summary of the triennial asbestos reports required pursuant to AHERA regulations; and

(g) Any other information which may be deemed necessary by the Commissioner to evaluate safety and health conditions in school facilities.

d) Monitoring System

The District will establish a process to monitor the condition of all occupied school buildings in order to assure that they are safe and maintained in a state of good repair. The process will include, but not be limited to:

1. The establishment of a health and safety committee comprised of representation from District officials, staff, bargaining units, and parents.

2. The establishment of a comprehensive maintenance plan for all major building systems to ensure the building is maintained in a state of good repair. This plan will include provisions for a least toxic approach to integrated pest management and establish maintenance procedures and guidelines which will contribute to acceptable indoor air quality. The comprehensive maintenance plan will be available for public inspection.

(Continued)

SUBJECT: FACILITIES: INSPECTION, OPERATION, AND MAINTENANCE (Cont'd.)

3. The annual review and approval by the Board of the annual building inspection reports and the five-year building condition surveys.

4. Procedures for assuring that an annual fire safety inspection of each building is conducted in accordance with all applicable laws, regulations, and/or codes.

5. Procedures for assuring that a current and valid certificate of occupancy is maintained for each building and posted in a conspicuous place.

6. Procedures for the investigation and disposition of complaints related to health and safety. These procedures will involve the health and safety committee and, at a minimum, will conform to the following requirements:

   (a) Provide for a written response to all written complaints. The written response will describe:

      1) The investigations, inspections, or tests made to verify the substance of the complaint, or a statement explaining why further investigations, inspections, or tests are not necessary;

      2) The results of any investigations, inspections, or tests which address the complaint;

      3) The actions, if any, taken to solve the problem; and

      4) The action, if any, taken if the complaint involved a violation of law or of a contract provision.

   (b) A copy of the response will be forwarded to the health and safety committee.

   (c) Copies of all correspondence will be kept in a permanent project file.

   (d) These records will be made available to the public upon request.

7. The Board will take actions to immediately remedy serious conditions affecting health and safety in school buildings, and will report the actions to the Commissioner.

8. All construction and maintenance activities will comply with the Uniform Safety Standards for School Construction and Maintenance Projects.

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SUBJECT: FACILITIES: INSPECTION, OPERATION, AND MAINTENANCE (Cont'd.)

15 USC Sections 2641-2656
40 CFR Part 763, Subpart E
Education Law Sections 408, 409, 409-d, 3602, and 3641
Executive Law Section 378
Public Health Law Section 1110
8 NYCRR Sections 155.1, 155.2, 155.3, and 155.4
10 NYCRR Sections 4-1.1 et seq. and 67-4.1 et seq.
19 NYCRR Sections 1219-1240

Adopted: 5/9/06
Revised: 12/20/11; 6/18/14; 4/19/16; 11/21/17;

SUBJECT: SMOKING, TOBACCO, AND CANNABIS (MARIJUANA) USE

The following actions are prohibited on school grounds and at school functions: smoking; vaping; using tobacco products; and/or using or ingesting any form of cannabis.

Smoking and vaping are prohibited within 100 feet of the entrances, exits, or outdoor areas of any of the District's schools. However, this prohibition does not apply to smoking or vaping in a residence, or within the real property boundary lines of residential real property.

Exceptions may exist for authorized medical cannabis use.

Definitions

For purposes of this policy, the following definitions apply:

a) "Electronic cigarette" (or "e-cigarette") means an electronic device delivering vapor inhaled by an individual user, and includes any refill, cartridge, and any other component of such a device.

b) "School function" means a school-sponsored or school-authorized extracurricular event or activity regardless of where the event or activity takes place, including any event or activity that may take place virtually or in another state.

c) "School grounds" means any building, structure, and surrounding outdoor grounds, including entrances or exits, contained within the District's preschool, nursery school, elementary, or secondary school's legally defined property boundaries as registered in the County Clerk's Office, as well as any vehicles used to transport children or school personnel.

d) "Smoking" means the burning of a lighted cigar, cigarette, pipe, or any other matter or substance containing tobacco, cannabis, or cannabinoid hemp.

e) "Tobacco products" means cigarettes or cigars, bidis, chewing tobacco, powdered tobacco, nicotine water, or any other tobacco products.

f) "Vaping" means the use of an electronic cigarette.

Notification

The District will prominently post signs prohibiting smoking and vaping on school grounds in accordance with applicable law. Appropriate District officials will inform individuals smoking or vaping in a non-smoking area that they are in violation of law and/or District policy.

(Continued)

SUBJECT: SMOKING, TOBACCO, AND CANNABIS (MARIJUANA) USE (Cont'd.)

The District will communicate this policy to staff, students, parents/guardians, volunteers, visitors, contractors, and outside groups through means such as the District's *Code of Conduct,* student handbooks, newsletters, announcements, facilities use forms/agreements, and/or the prominent display of this policy in appropriate locations.

Prohibition of Tobacco Promotional Items/Tobacco Advertising

Tobacco promotional items (e.g., brand names, logos, and other identifiers) are prohibited:

a) On school grounds;

b) In any vehicles used to transport students or school personnel;

c) At school functions;

d) In school publications;

e) On clothing, shoes, accessories, gear, and school supplies in accordance with the District's *Code of Conduct* and applicable collective bargaining agreements.

This prohibition of tobacco promotional items will be enforced in accordance with the District's *Code of Conduct* and applicable collective bargaining agreements.

The District will request, whenever possible, tobacco free editions of periodical publications for school libraries and classroom use.

20 USC §§ 6081-6084 and 7971-7974
41 USC § 8101 et seq.
Education Law § 409
Penal Law § 222.10
Public Health Law §§ 1399-n, 1399-o, 1399-p, and 1399-aa
8 NYCRR §§ 155.5 and 156.3

NOTE: Refer also to Policies #3280 -- Use of School Facilities, Materials and Equipment
#6150 -- Alcohol, Tobacco, Drugs, and Other Substances (Staff)
#7320 -- Alcohol, Tobacco, Drugs, and Other Substances (Students)
#8240 -- Instruction in Certain Subjects
District *Code of Conduct*

Adopted: 5/9/06
Revised: 10/21/08; 6/18/14; 2/12/19; 2/15/22

Non-Instructional/Business Operations

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~~Exceptions may exist for authorized medical cannabis use.~~

Definitions

For purposes of this policy, the following definitions apply:

a) "Electronic cigarette" (or "e-cigarette") means an electronic device delivering vapor inhaled by an individual user, and includes any refill, cartridge, and any other component of such a device.

b) "School function" means a school-sponsored or school-authorized extracurricular event or activity regardless of where the event or activity takes place, including any event or activity that may take place virtually or in another state.

c) "School grounds" means any building, structure, and surrounding outdoor grounds, including entrances or exits, contained within the District's preschool, nursery school, elementary, or secondary school's legally defined property boundaries as registered in the County Clerk's Office, as well as any vehicles used to transport children or school personnel.

d) "Smoking" means the burning of a lighted cigar, cigarette, pipe, or any other matter or substance containing tobacco, cannabis, or cannabinoid hemp.

e) "Tobacco products" means cigarettes or cigars, bidis, chewing tobacco, powdered tobacco, nicotine water, or any other tobacco products.

f) "Vaping" means the use of an electronic cigarette.

Notification

The District will prominently post signs prohibiting smoking and vaping on school grounds in accordance with applicable law. Appropriate District officials will inform individuals smoking or vaping in a non-smoking area that they are in violation of law and/or District policy.

(Continued)

SUBJECT: SMOKING, TOBACCO, AND CANNABIS (MARIJUANA) USE (Cont'd.)

The District will communicate this policy to staff, students, parents/guardians, volunteers, visitors, contractors, and outside groups through means such as the District's *Code of Conduct,* student handbooks, newsletters, announcements, facilities use forms/agreements, and/or the prominent display of this policy in appropriate locations.

Prohibition of Tobacco Promotional Items/Tobacco Advertising

Tobacco promotional items (e.g., brand names, logos, and other identifiers) are prohibited:

a) On school grounds;

b) In any vehicles used to transport students or school personnel;

c) At school functions;

d) In school publications;

e) On clothing, shoes, accessories, gear, and school supplies in accordance with the District's *Code of Conduct* and applicable collective bargaining agreements.

This prohibition of tobacco promotional items will be enforced in accordance with the District's *Code of Conduct* and applicable collective bargaining agreements.

The District will request, whenever possible, tobacco free editions of periodical publications for school libraries and classroom use.

20 USC §§ 6081-6084 and 7971-7974
41 USC § 8101 et seq.
Education Law § 409
Penal Law § 222.10
Public Health Law §§ 1399-n, 1399-o, 1399-p, and 1399-aa
8 NYCRR §§ 155.5 and 156.3

NOTE: Refer also to Policies #3280 -- Use of School Facilities, Materials and Equipment
#6150 -- Alcohol, Tobacco, Drugs, and Other Substances (Staff)
#7320 -- Alcohol, Tobacco, Drugs, and Other Substances (Students)
#8240 -- Instruction in Certain Subjects
District *Code of Conduct*

Adopted: 5/9/06
Revised: 10/21/08; 6/18/14; 2/12/19; 2/15/22

SUBJECT: EVALUATION OF PERSONNEL

All Staff Members

The administration will undertake a continuous program of supervision and evaluation of all personnel, including support staff, in the District. The primary purposes of the evaluations will be to encourage and promote improved performance and to make decisions about the occupancy of positions.

Teachers and Administrators

The District is committed to supporting the development of effective teachers and administrators. To this end, the District will provide procedures for the evaluation of all professional staff. District plans for Annual Professional Performance Review (APPR) of teachers and principals will be developed in accordance with applicable laws, Commissioner's regulations, and Rules of the Board of Regents.

The primary purposes of these evaluations are:

a) To encourage and promote improved performance;

b) To guide professional development efforts; and

c) To provide a basis for evaluative judgments by applicable school officials.

Disclosure of APPR

The Commissioner is required to disclose professional performance review data for teachers and building principals on the New York State Education website and in any other manner to make this data widely available to the public. The District will provide notice to parents or legal guardians of their right to obtain this information and the methods by which the data can be obtained.

Education Law §§ 3012-c, 3012-d
Public Officers Law §§ 87 and 89
8 NYCRR §§ 80-1.1 and 100.2(o)

Adopted: 5/9/06
Revised: 7/8/14; 12/19/17

SUBJECT: EVALUATION OF PERSONNEL

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The administration will undertake a continuous program of supervision and evaluation of all personnel, including support staff, in the District. The primary purposes of the evaluations will be to encourage and promote improved performance and to make decisions about the occupancy of positions.

Teachers and Administrators

The District is committed to supporting the development of effective teachers and administrators. To this end, the District will provide procedures for the evaluation of all professional staff. The District ~~plans for Annual Professional Performance Review (APPR) of teachers and principals~~ will ~~be~~ develop~~ed~~ an Annual Professional Performance Review (APPR) plan/educator evaluation plan in accordance with applicable laws~~, Commissioner's~~ and regulations~~, and Rules of the Board of Regents~~.

The primary purposes of these evaluations are:

a) To encourage and promote improved performance;

b) To guide professional development efforts; and

c) To provide a basis for evaluative judgments by applicable school officials.

Disclosure of APPR/Educator Evaluation Ratings

The Commissioner is required to disclose professional performance review/evaluation data for teachers and building principals on the New York State Education Department website and in any other manner to make this data widely available to the public. The District will provide notice to parents or legal guardians of their right to obtain this information and the methods by which the data can be obtained.

Education Law Sections 3012-c and 3012-d
Public Officers Law Article 6
8 NYCRR Subpart 30-3
8 NYCRR Sections 80-1.1 and 100.2(o)

Adopted: 5/9/06
Revised: 7/8/14; 12/19/17;

SUBJECT: REMOTE INSTRUCTION

Overview

The District may offer remote or distance instruction to students at certain times including, but not limited to, independent study, enrichment courses, and in the event of an emergency condition, including, but not limited to, extraordinary adverse weather conditions, impairment of heating facilities, insufficiency of water supply, shortage of fuel, destruction of a school building, or a communicable disease outbreak.

In the event the District remains in session and provides remote instruction when it would otherwise close due to an emergency condition, the remote instruction provided by the District will be consistent with the District's emergency remote instruction plan, located in the District-wide school safety plan.

When making decisions about remote instruction, the District will consult with students, parents, teachers, administrators, community members, and other stakeholders as appropriate. When implementing remote instruction, the District will ensure that it is complying with applicable teaching and learning requirements.

Definitions

a) "Asynchronous instruction" means instruction where students engage in learning without the direct presence (remote or in-person) of a teacher.

b) "Non-digital and/or audio-based instruction" means instruction accessed synchronously and/or asynchronously through paper-based materials where the student to teacher interaction occurs via telephone or other audio platforms.

c) "Remote instruction" means instruction provided by an appropriately certified teacher who is not in the same in-person physical location as the student(s) receiving the instruction, where there is regular and substantive daily interaction between the student and teacher.

1. Remote instruction will encompass synchronous instruction provided through digital video-based technology and may also include asynchronous instruction intended to complement synchronous instruction. Digital video-based technology includes online technology and videoconferencing technology.

2. Remote instruction may encompass non-digital and audio-based asynchronous and/or synchronous instruction where this instruction is more appropriate for a student's educational needs.

(Continued)

SUBJECT: REMOTE INSTRUCTION (Cont'd.)

d) "Synchronous instruction" means instruction where students engage in learning in the direct presence (remote or in-person) of a teacher in real time.

Formats and Methods of Remote Instruction

Remote instruction may be delivered through a variety of formats and methods. Determinations about how to best deliver remote instruction will take into account a variety of factors including, but not limited to, the number of students involved, the subject matter, the students' grade levels, and technological resources of both the District and students. Consideration will also be given to whether accommodations need to be made for students with disabilities or English language learners.

Remote Instruction During an Emergency Condition

Emergency Remote Instruction Plan

The District-wide school safety plan will include plans for the provision of remote instruction during any emergency school closure. The emergency remote instruction plan will include:

a) Policies and procedures to ensure computing devices will be made available to students or other means by which students will participate in synchronous instruction and policies and procedures to ensure students receiving remote instruction under emergency conditions will access Internet connectivity. The Superintendent will survey students and parents and persons in parental relation to obtain information on student access to computing devices and access to Internet connectivity to inform the emergency remote instruction plan;

b) Expectations for school staff as to the proportion of time spent in synchronous and asynchronous instruction of students on days of remote instruction under emergency conditions with an expectation that asynchronous instruction is supplementary to synchronous instruction;

c) A description of how instruction will occur for those students for whom remote instruction by digital technology is not available or appropriate;

d) A description of how special education and related services will be provided to students with disabilities and preschool students with disabilities in accordance with their individualized education programs to ensure the continued provision of a free appropriate public education; and

e) If the District receives foundation aid, the estimated number of instructional hours the District intends to claim for state aid purposes for each day spent in remote instruction due to emergency conditions.

(Continued)

SUBJECT: REMOTE INSTRUCTION (Cont'd.)

Reporting of Computer and Connectivity Survey Results

No later than June 30 of each school year, the Superintendent will report to the Commissioner of Education the results of the survey on student access to computing devices and access to Internet connectivity on a form and format prescribed by the Commissioner.

Minimum Instructional Hours

Remote instruction provided on days when the District would have otherwise closed due to an emergency condition may be counted toward the annual hourly requirement for the purpose of state aid. The Superintendent will certify to the New York State Education Department, on a form prescribed by the Commissioner, that an emergency condition existed on a previously scheduled school day and that the District was in session and provided remote instruction on that day and indicate how many instructional hours were provided on that day and certify that remote instruction was provided in accordance with the District's emergency remote instruction plan.

Remote Instruction Support

As necessary, the District will provide instruction on using remote instruction technology and IT support for students, teachers, and families. The District will also work to ensure that teachers and administrators are provided with professional development opportunities related to designing an effective remote instruction experience.

Compliance with District Policies, Procedures, and the Code of Conduct

Teachers and students are required to comply with any and all applicable District policies, procedures, and other related documents as they normally would for in-person instruction. Examples include, but are not limited to, the District's policies and procedures on non-discrimination and anti-harassment, acceptable use, and copyright. Students will also be required to abide by the rules contained within the *Code of Conduct* at all times while engaged in remote instruction. Violations of the *Code of Conduct* and/or engaging in prohibited conduct may result in disciplinary action as warranted.

Privacy and Security of Student and Teacher Data

The District will take measures to protect the personally identifiable information of students and teachers from unauthorized disclosure or access when using remote instruction technologies in compliance with law, regulation, and District policy. Examples of these measures include, but are not limited to, minimizing the amount of data shared to only that which is necessary, deidentifying data, and using encryption or an equivalent technical control that renders personally identifiable information unusable, unreadable, or indecipherable to unauthorized persons when transmitted electronically.

(Continued)

SUBJECT: REMOTE INSTRUCTION (Cont'd.)

8 NYCRR Sections 100.1, 100.5, 155.17, and 175.5

NOTE: Refer also to Policies #5681 -- School Safety Plans
#7220 -- Graduation Options/Early Graduation/Accelerated Programs

Adopted:

SUBJECT: SPORTS AND THE ATHLETIC PROGRAM

General Principles and Eligibility

Athletics are an integral part of a well-balanced educational program. The District's interscholastic athletic program will conform with the Commissioner's regulations, as well as the established rules of the New York State Public High School Athletic Association (NYSPHSAA) and the State Education Department.

Athletic eligibility requires that the student:

a) Provide written parental or guardian consent. The consent form must contain information regarding mild traumatic brain injuries (concussions) as specified in the Commissioner's regulations.

b) Obtain medical clearance from the school physician or nurse practitioner or the student's personal physician. The school physician or nurse practitioner retains final approval on any physicals performed by a student's personal physician.

c) Meet the requirements for interscholastic competition as set forth by the Commissioner's regulations and the NYSPHSAA.

d) Comply with all District rules, codes, and standards applicable to athletic participation.

Title IX Compliance

The Board supports equal athletic opportunities for all students through interscholastic and intramural activities. To ensure equal athletic opportunities for its students, the District will consider:

a) Its accommodation of athletic interests and abilities (the nature and extent of sports offered, including levels of competition, team competition, and team performance);

b) Equipment and supplies;

c) Scheduling of games and practice time;

d) Travel costs and opportunities for travel;

e) Assignment and compensation of coaches;

f) Locker rooms, practice, and competitive facilities;

g) Available medical and training facilities and services; and

(Continued)

SUBJECT: SPORTS AND THE ATHLETIC PROGRAM (Cont'd.)

h) The nature and extent of support, publicity, and promotion.

The District may consider other pertinent factors as well. Each of the factors will be assessed by comparing availability, quality, type of benefits, kind of opportunities, and form of treatment. Identical benefits, opportunities, or treatment are not required.

The District's Title IX Coordinator(s) will coordinate the District's efforts to comply with its responsibilities under Title IX. This person will be appropriately trained and possess comprehensive knowledge about applicable federal and state laws, regulations, and policies. To the extent possible, the District will not designate an employee whose other job duties may create a conflict of interest, such as the athletic director.

Booster Clubs

The District has a responsibility under Title IX to ensure that boys' and girls' programs are provided with equivalent benefits, treatment, services, and opportunities regardless of their source. When determining equivalency, therefore, benefits, services, and opportunities attained through private funds—including donations, fundraising, and booster clubs—must be considered in combination with all benefits, services, and opportunities.

Athletic Placement Process for Interschool Athletic Programs (APP)

The APP is a method for evaluating students who want to participate in sports at higher or lower levels, consistent with their physical and emotional maturity, size, fitness level, and skills. The Board approves the use of the APP for students in grades no lower than seventh grade to compete on interscholastic athletic teams organized for senior high school students, and for senior high school students to compete on interscholastic athletic teams organized for students in the seventh and eighth grades. The Superintendent will implement procedures for the APP, and will direct the athletic director to maintain records of students who have successfully completed the APP.

Student Athletic Injuries

No injured student will be allowed to practice or play in an athletic contest. An appropriate medical professional should diagnose and treat an athlete's injuries. The coach should ensure that any player injured while under his or her care receives prompt and appropriate medical attention, and that all of the medical professional's treatment instructions are followed. The injured student has an obligation to promptly inform his or her coach of all injuries. No student will be allowed to practice or compete if there is a question whether he or she is in adequate physical condition. A physician's certification may be required before an athlete is permitted to return to practice or competition.

(Continued)

SUBJECT: SPORTS AND THE ATHLETIC PROGRAM (Cont'd.)

Athletic Program-Safety

The District will take reasonable steps to minimize physical risks posed to students participating in the interscholastic athletic program by:

a) Requiring timely medical examinations of participants;

b) Employing certified or licensed staff to coach all varsity, junior varsity, and modified practices and games;

c) Providing or requiring certified or licensed officials to officiate all competitions to the extent possible;

d) Ensuring that its players' equipment is safe and operates within the applicable manufacturers' guidelines;

e) Ensuring that all home fields, courts, pools, tracks, and other areas where athletes practice, warm-up, or compete are safe and appropriate for use; and

f) Providing professional development and training opportunities for all coaching staff.

Title IX of the Education Amendments of 1972, 20 USC § 1681 et seq.
45 CFR Part 86
8 NYCRR §§ 135 and 136

NOTE: Refer also to Policies #3420 -- Non-Discrimination and Anti-Harassment in the District
#3421 -- Sex Discrimination and Sexual Harassment Prohibited by Title IX of the Education Amendments of 1972
#7520 -- Accidents and Medical Emergencies
#7522 -- Concussion Management

Adopted: 5/9/06
Revised: 3/20/12; 9/16/14; 2/13/18; 4/20/21; 4/19/22

SUBJECT: SPORTS AND THE ATHLETIC PROGRAM

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Athletic eligibility requires that the student:

a) Provide written parental or guardian consent. The consent form must contain information regarding mild traumatic brain injuries (concussions) and sudden cardiac arrests as specified in the Commissioner's regulations.

b) Have a current health examination and, if the health examination was not completed within 30 days of the start of the season, a completed and signed interval health history form.

~~b~~c) Obtain medical clearance from the ~~school physician or nurse practitioner or the student's personal physician~~ District's Medical Director. ~~The school physician or nurse practitioner retains final approval on any physicals performed by a student's personal physician.~~

~~c~~d) Meet the requirements for interscholastic competition as set forth by the Commissioner's regulations and ~~the~~ NYSPHSAA.

~~d~~e) Comply with all District rules, codes, and standards applicable to athletic participation.

Title IX Compliance

The Board supports equal athletic opportunities for all students through interscholastic and intramural activities. To ensure equal athletic opportunities for its students, the District will consider, among other factors:

a) ~~Its accommodation of athletic interests and abilities (the nature and extent of sports offered, including levels of competition, team competition, and team performance)~~Whether the selection of sports and levels of competition effectively accommodate all students' interests and abilities;

b) The provision of ~~E~~equipment and supplies;

c) Scheduling of games and practice time;

d) Travel costs and opportunities for travel;

(Continued)

SUBJECT: SPORTS AND THE ATHLETIC PROGRAM (Cont'd.)

e) Assignment and compensation of coaches;

f) The provision of ~~L~~locker rooms, practice facilities, and competitive facilities;

g) Available medical and training facilities and services; and

h) The nature and extent of support, publicity, and promotion.

The District may consider other pertinent factors as well. Each of the factors will be assessed by comparing availability, quality, type of benefits, kind of opportunities, and form of treatment. Identical benefits, opportunities, or treatment are not required.

The District's Title IX Coordinator(s) will coordinate the District's efforts to comply with its responsibilities under Title IX. ~~This person~~ The Title IX Coordinator(s) will be appropriately trained and possess comprehensive knowledge about applicable federal and state laws, regulations, and policies. To the extent possible, the District will not designate an employee whose other job duties may create a conflict of interest, such as the ~~a~~Athletic ~~d~~Director.

Booster Clubs

The District has a responsibility under Title IX to ensure that boys' and girls' programs are provided with equivalent benefits, treatment, services, and opportunities regardless of their source. When determining equivalency, ~~therefore,~~ benefits, services, and opportunities attained through private funds—including donations, fundraising, and booster clubs—must be considered in combination with all benefits, services, and opportunities.

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(Continued)

SUBJECT: SPORTS AND THE ATHLETIC PROGRAM (Cont'd.)

Student Athletic Injuries

~~No injured student will be allowed to practice or play in an athletic contest. An appropriate medical professional should diagnose and treat an athlete's injuries.~~ The coach should ensure that any player injured while under ~~his or her~~ their care receives prompt and appropriate medical attention, and that all of the medical professional's treatment instructions are followed. The injured student has an obligation to promptly inform ~~his or her~~ their coach of all injuries, even if it happens outside of school. No student will be allowed to practice or compete if there is a question whether ~~he or she is~~ they are in adequate physical condition. A physician's certification may be required before an athlete is permitted to return to practice or competition.

Athletic Program-Safety

The District will take reasonable steps to minimize physical risks posed to students participating in the interscholastic athletic program by:

a) Requiring timely medical examinations of participants;

b) Employing certified or licensed staff to coach all varsity, junior varsity, and modified practices and games;

c) Providing or requiring certified or licensed officials to officiate all competitions to the extent possible;

d) Ensuring that its players' equipment is safe and operates within the applicable manufacturers' guidelines;

e) Ensuring that all home fields, courts, pools, tracks, and other areas where athletes practice, warm-up, or compete are safe and appropriate for use; and

f) Providing professional development and training opportunities for all coaching staff.

Sudden Cardiac Arrest

For purposes of this policy, the following definition applies:

a) "Athletic activities" means participation in sessions for instruction and practice in skills, attitudes, and knowledge through participation in individual, group, and team activities organized on an intramural, extramural, interschool athletic, or inclusive athletic basis to supplement regular physical education class instruction, otherwise known as extraclass periods in physical education or extraclass activities.

The District promotes safe athletic activities and strives to prevent incidents of sudden cardiac arrest in students by:

(Continued)

SUBJECT: SPORTS AND THE ATHLETIC PROGRAM (Cont'd.)

a) Including information developed by the Commissioner of Health on the definition of sudden cardiac arrest and signs and symptoms of pending or increased risk of sudden cardiac arrest in any document that may be required from a parent or person in parental relation for a student's participation in interscholastic sports, including a permission or consent form;

b) Immediately removing from athletic activities any student who displays signs or symptoms of pending or increased risk of sudden cardiac arrest;

c) Prohibiting any student from resuming athletic activities until the student has been evaluated by and received written and signed authorization from a licensed physician and until the student has been evaluated and received clearance from the District's Medical Director to resume athletic activities;

d) Requiring the licensed physician's written and signed authorization to be kept on file in the student's permanent health record;

e) Abiding by any limitations or restrictions concerning school attendance and athletic activities issued by the student's treating physician;

f) Requiring coaches of extra periods in physical education to hold a valid certification in first aid knowledge and skills including instruction in recognizing signs and symptoms of cardiac arrest and sudden cardiac arrest; and

g) Either posting on the District website information developed by the Commissioner of Health on the definition of sudden cardiac arrest and signs and symptoms of pending or increased risk of sudden cardiac arrest or providing a reference for how to obtain this information from the webpages of NYSED and the New York State Department of Health.

Title IX of the Education Amendments Act of 1972, 20 USC Section 1681 et seq.
34 CFR Sections 106.8, 106.41, and 106.45
45 CFR Section 86.41
Education Law Sections 305, 923, and 3208-a
8 NYCRR Sections 135.4, 135.5, 136.3, 136.5, and 136.9

NOTE: Refer also to Policies #3420 -- Non-Discrimination and Anti-Harassment in the District
#3421 -- Sex Discrimination and Sexual Harassment Prohibited by Title IX of the Education Amendments of 1972
#7520 -- Accidents and Medical Emergencies
#7522 -- Concussion Management
#8240 -- Instruction in Certain Subjects

Adopted: 5/9/06
Revised: 3/20/12; 9/16/14; 2/13/18; 4/20/21; 4/19/22;

SUBJECT: STUDENT PHYSICALS

Health Examination and Certificate

Health Examination

Each student enrolled in a District school must have a satisfactory health examination conducted by a duly licensed physician, physician assistant, or nurse practitioner within 12 months prior to the commencement of the school year of the student's entrance into:

a) A District school at any grade level;

b) Prekindergarten or kindergarten; and

c) 1st, 3rd, 5th, 7th, 9th, and 11th grades.

The District may also require an examination and health history of a student when it is determined by the District that it would promote the educational interests of the student.

The District will also provide health examinations before participation in strenuous physical activity and periodically throughout the season as necessary, as well as for the issuance of employment certificates, vacation work permits, newspaper carrier certificates, and street trades badges.

Health Certificate

Each student must submit a health certificate attesting to the health examination within 30 calendar days after his or her entrance into:

a) A District school at any grade level;

b) Prekindergarten or kindergarten; and

c) 1st, 3rd, 5th, 7th, 9th, and 11th grades.

The building principal or designee will send a notice to the parent of, or person in parental relation to, any student who does not present a health certificate, that if the required health certificate is not furnished within 30 calendar days from the date of the notice, an examination by health appraisal will be made of the student by the Director of School Health Services.

The health certificate will be filed in the student's cumulative record. The health certificate must:

a) Be on a form prescribed by the Commissioner;

(Continued)

SUBJECT: STUDENT PHYSICALS (Cont'd.)

b) Describe the condition of the student when the examination was given, provided that such examination was not given more than 12 months prior to the commencement of the school year in which the examination is required;

c) State the results of any test conducted on the student for sickle cell anemia;

d) State whether the student is in a fit condition of health to permit his or her attendance at a District school and, where applicable, whether the student has impaired sight or hearing, has received a scoliosis screening, or has any other physical disability which may tend to prevent the student from receiving the full benefit of school work or from receiving the best educational results, or which may require a modification of such work to prevent injury to the student;

e) State the student's body mass index (BMI) and weight status category; and

f) Be signed by a duly licensed physician, physician assistant, or nurse practitioner, who is:

1. Authorized by law to practice in New York State consistent with any applicable written practice agreement; or

2. Authorized to practice in the jurisdiction in which the examination was given, provided that the Commissioner has determined that the jurisdiction has standards of licensure and practice comparable to those of New York State.

A licensed health professional with appropriate training may conduct a scoliosis screening.

Dental Health Certificate

The District will request a dental health certificate from each student at the same time that health certificates are required.

The District may also request an assessment and dental health history of a student when it is determined by the District that it would promote the educational interests of the student.

A notice of request for a dental health certificate will be distributed at the same time that the parent or person in parental relation is notified of health examination requirements. The notice of request for a dental health certificate will list dental practices, dentists, and registered dental hygienists to which students may be referred for dental services on a free or reduced cost basis upon request of the student's school.

(Continued)

SUBJECT: STUDENT PHYSICALS (Cont'd.)

The dental health certificate will be filed in the student's cumulative record. The dental health certificate must:

a) Describe the dental health condition of the student when the assessment was given, provided that the assessment was not given more than 12 months prior to the commencement of the school year in which the assessment is requested; and

b) State whether the student is in fit condition of dental health to permit his or her attendance at a District school; and

c) Be signed by a duly licensed dentist, or a registered dental hygienist, who is:

1. Authorized by law to practice in New York State, and consistent with any applicable written practice agreement; or

2. Authorized to practice in the jurisdiction in which the assessment was performed, provided that the Commissioner has determined that the jurisdiction has standards of licensure and practice comparable to New York State.

Examination by Health Appraisal

The Director of School Health Services will cause students who are required to, but have not submitted, the required health certificate and students with disabilities to be separately and carefully examined and tested to ascertain whether any student has impaired sight or hearing, or any other physical disability which may tend to prevent the student from receiving the full benefit of school work or from receiving the best educational results, or which may require a modification of work to prevent injury to the student.

Each examination will include a calculation of the student's BMI and weight status category. Further, the physician, physician assistant, or nurse practitioner administering the examination will determine whether a one-time test for sickle cell anemia is necessary or desirable and, if so determined, will conduct the test and include the results in the health certificate.

Unless otherwise prohibited by law, if it is ascertained that a student has impaired sight or hearing, or a physical disability or other condition, including sickle cell anemia, the building principal or designee will notify, in writing, the student's parent or person in parental relation as to the existence of the disability. If the parent or person in parental relation is unable or unwilling to provide the necessary relief and treatment for the student, it will be reported by the building principal or designee to the Director of School Health Services, who then has the duty to provide relief for the student.

(Continued)

SUBJECT: STUDENT PHYSICALS (Cont'd.)

District Reporting of BMI and Weight Status Category

Each school year, the New York State Department of Health randomly selects a certain number of districts across New York State to report, in the aggregate, students' BMI and weight status categories. Selected districts must report BMI results on-line using the Department of Health's Health Provider Network secure website. A student's parent or person in parental relation may refuse to have the student's BMI and weight status category included in such survey.

Health Screenings

The District will provide a:

a) Scoliosis screening, if not documented on the student's health certificate, at least once each school year for male students in grade 9, and for female students in grades 5 and 7. The positive results of any scoliosis screening examination will be provided in writing to the student's parent or person in parental relation within 90 calendar days after the finding;

b) Vision screening, if not documented on the student's health certificate, to all students within six months of admission to a District school. The vision screening will test the student's color perception, distance acuity, and near vision. In addition, all students will be screened for distance acuity and near vision in grades prekindergarten or kindergarten, 1, 3, 5, 7, and 11, as well as at any other time deemed necessary. The results of all vision screening examinations will be provided in writing to the student's parent or person in parental relation and to any teacher of the student while the student is enrolled in the District school; and

c) Hearing screening, if not documented on the student's health certificate, to all students within six months of admission to a District school. In addition, all students will receive a hearing screening in grades prekindergarten or kindergarten, 1, 3, 5, 7, and 11, as well as at any other time deemed necessary. Each hearing screening will include, but not be limited to, pure tone screening. The results of any hearing tests requiring a follow-up examination will be provided in writing to the student's parent or person in parental relation and to any teacher of the student while the student is enrolled in the District school.

The results of all health screenings will be recorded in the student's cumulative health record which will be maintained by the school for at least as long as the minimum retention period for such records.

Student Health Records

The health records of individual students will be kept confidential in accordance with the federal Family Educational Rights and Privacy Act (FERPA) and any other applicable federal and state laws.

(Continued)

SUBJECT: STUDENT PHYSICALS (Cont'd.)

Accommodation for Religious Beliefs

No health examinations, health history, examinations for health appraisal, screening examinations for sickle cell anemia and/or other health screenings will be required where a student or the parent or person in parental relation to that student objects on the grounds that the examinations, health history, and/or screenings conflict with their genuine and sincere religious beliefs. The student or the student's parent or person in parental relation must complete the District form for review indicating that the person holds these beliefs. The form must be submitted to the building principal or designee, in which case he or she may require supporting documents.

Students in Temporary Housing

For students in temporary housing (i.e., homeless children and youth), the enrolling school must immediately refer the parent or guardian of the student to the District's McKinney-Vento liaison, who will assist them in obtaining the necessary medical records.

20 USC § 1232g
Education Law §§ 903-905 and 3220
8 NYCRR §§ 136.1 and 136.3

NOTE: Refer also to Policies #5690 -- Exposure Control Program
#5691 -- Communicable Diseases
#5692 -- Human Immunodeficiency Virus (HIV) Related Illnesses
#7121 -- Diagnostic Screening of Students
#7131 -- Education of Students in Temporary Housing
#7250 -- Student Privacy, Parental Access to Information, and Administration of Certain Physical Examinations to Minors
#7511 -- Immunization of Students
#7522 -- Concussion Management

Adopted: 5/9/06
Revised: 3/20/12; 9/16/14; 5/14/19

SUBJECT: STUDENT PHYSICALS

~~**Health Examination and Certificate**~~
Health Examination

Each student enrolled in a District school must have a satisfactory health examination conducted by a duly licensed physician, physician assistant, or nurse practitioner within 12 months prior to the commencement of the school year of the student's entrance into:

a) A District school at any grade level;

b) Prekindergarten or kindergarten; and

c) 1st, 3rd, 5th, 7th, 9th, and 11th grades.

The District may also require an examination and health history of a student when it is determined by the District that it would promote the educational interests of the student.

The District will also provide health examinations before participation in strenuous physical activity and periodically throughout the season as necessary, as well as for the issuance of employment certificates, vacation work permits, newspaper carrier certificates, and street trades badges.

Health Certificate

Each student must submit a health certificate attesting to the health examination within 30 calendar days after ~~his or her~~ their entrance into:

a) A District school at any grade level;

b) Prekindergarten or kindergarten; and

c) 1st, 3rd, 5th, 7th, 9th, and 11th grades.

If a student does not submit the required health certificate within 30 calendar days after their entrance, t~~T~~he building principal or designee will send a notice to the student's parent ~~of,~~ or person in parental relation~~ to, any student who does not present a health certificate,~~ stating that if the required health certificate is not ~~furnished~~ submitted within 30 calendar days from the date of the notice, the Director of School Health Services will conduct an examination by health appraisal ~~will be made~~ of the student~~ by the Director of School Health Services~~.

The health certificate will be filed in the student's cumulative record. The health certificate must:

a) Be on a form prescribed by the Commissioner;

(Continued)

SUBJECT: STUDENT PHYSICALS (Cont'd.)

b) Describe the condition of the student when the examination was given, provided that such examination was not given more than 12 months prior to the commencement of the school year in which the examination is required;

~~c) State the results of any test conducted on the student for sickle cell anemia;~~

d) State whether the student is in a fit condition of health to permit ~~his or her~~ their attendance at a District school and, where applicable, whether the student has impaired sight or hearing, has received a scoliosis screening, or has any other physical disability which may tend to prevent the student from receiving the full benefit of school work or from receiving the best educational results, or which may require a modification of ~~such~~ work to prevent injury to the student;

e) State the student's body mass index (BMI) and weight status category; and

f) Be signed by a duly licensed physician, physician assistant, or nurse practitioner, who is:

1. Authorized by law to practice in New York State consistent with any applicable written practice agreement; or

2. Authorized to practice in the jurisdiction in which the examination was given, provided that the Commissioner has determined that the jurisdiction has standards of licensure and practice comparable to those of New York State.

A licensed health professional with appropriate training may conduct a scoliosis screening.

Dental Health Certificate

The District will request a dental health certificate from each student at the same time that health certificates are required.

The District may also request an assessment and dental health history of a student when it is determined by the District that it would promote the educational interests of the student.

A notice of request for a dental health certificate will be distributed at the same time that the parent or person in parental relation is notified of health examination requirements. The notice of request for a dental health certificate will list dental practices, dentists, and registered dental hygienists to which students may be referred for dental services on a free or reduced cost basis upon request of the student's school.

The dental health certificate will be filed in the student's cumulative record. The dental health certificate must:

(Continued)

SUBJECT: STUDENT PHYSICALS (Cont'd.)

a) Describe the dental health condition of the student when the assessment was given, provided that the assessment was not given more than 12 months prior to the commencement of the school year in which the assessment is requested; and

b) State whether the student is in fit condition of dental health to permit ~~his or her~~ their attendance at a District school; and

c) Be signed by a duly licensed dentist, or a registered dental hygienist, who is:

1. Authorized by law to practice in New York State, and consistent with any applicable written practice agreement; or

2. Authorized to practice in the jurisdiction in which the assessment was performed, provided that the Commissioner has determined that the jurisdiction has standards of licensure and practice comparable to New York State.

Examination by Health Appraisal

The building principal or designee will report to the Director of School Health Services the names of all students who are required to and have not submitted the required health certificate or who are students with disabilities. The Director of School Health Services will ~~cause~~ separately and carefully examine and test students who are required to~~, but~~ and have not submitted~~,~~ the required health certificate and students with disabilities ~~to be separately and carefully examined and tested~~ to ~~ascertain~~ determine whether any student has impaired sight or hearing, or any other physical disability which may ~~tend to~~ prevent the student from receiving the full benefit of school work or from receiving the best educational results, or which may require a modification of work to prevent injury to the student.

Each examination will also include a calculation of the student's BMI and weight status category. ~~Further, the physician, physician assistant, or nurse practitioner administering the examination will determine whether a one-time test for sickle cell anemia is necessary or desirable and, if so determined, will conduct the test and include the results in the health certificate.~~

Unless ~~otherwise~~ prohibited by law, if it is ~~ascertained~~ determined that a student has impaired sight or hearing, or ~~a~~ other physical disability or other condition, including sickle cell anemia, the building principal or designee will notify, in writing, the student's parent or person in parental relation as to the existence of the disability. If the parent or person in parental relation is unable or unwilling to provide the necessary relief and treatment for the student, it will be reported by the building principal or designee to the Director of School Health Services, who then has the duty to provide relief for the student.

(Continued)

SUBJECT: STUDENT PHYSICALS (Cont'd.)

District Reporting of BMI and Weight Status Category

Each school year, the New York State Department of Health randomly selects a certain number of districts across New York State to report, in the aggregate, students' BMI and weight status categories. Selected districts must report ~~BMI results~~ this information ~~on-line using the Department of Health's Health Provider Network secure website~~ online. A student's parent or person in parental relation may refuse to have the student's BMI and weight status category included in ~~such~~ this survey.

Lead Screenings

Prior to or within three months after initial enrollment of a student under six years old, the District will obtain from the student's parent or person in parental relation evidence that the student has been screened for lead. If the District does not receive evidence that the student has been screened for lead, the District will provide the student's parent or person in parental relation with information on lead poisoning in children and lead poisoning prevention, as well as refer the parent or person in parental relation to a primary care provider or the local health authority for a blood lead test.

Health Screenings

The District will provide a:

a) Scoliosis screening, if not documented on the student's health certificate, at least once each school year for male students in grade 9, and for female students in grades 5 and 7. The positive results of any scoliosis screening examination will be provided in writing to the student's parent or person in parental relation within 90 calendar days after the finding;

b) Vision screening, if not documented on the student's health certificate, to all students within six months of admission to a District school. The vision screening will test the student's color perception, distance acuity, and near vision. In addition, all students will be screened for distance acuity and near vision in grades prekindergarten or kindergarten, 1, 3, 5, 7, and 11, as well as at any other time deemed necessary. ~~The results of all~~ If a student does not pass the vision screening examination~~s~~, results will be provided in writing to the student's parent or person in parental relation and to any teacher of the student while the student is enrolled in the District school; and

c) Hearing screening, if not documented on the student's health certificate, to all students within six months of admission to a District school. In addition, all students will receive a hearing screening in grades prekindergarten or kindergarten, 1, 3, 5, 7, and 11, as well as at any other time deemed necessary. Each hearing screening will include, but not be limited to, pure tone screening. The results of any hearing tests requiring a follow-up examination will be provided in writing to the student's parent or person in parental relation and to any teacher of the student while the student is enrolled in the District school.

(Continued)

SUBJECT: STUDENT PHYSICALS (Cont'd.)

The results of all health screenings will be recorded in the student's cumulative health record which will be maintained by the school for at least as long as the minimum retention period for ~~such~~ these records.

Student Health Records

The health records of individual students will be kept confidential in accordance with the federal Family Educational Rights and Privacy Act (FERPA) and any other applicable federal and state laws.

Accommodation for Religious Beliefs

No health examinations, health history, examinations for health appraisal, screening examinations for sickle cell anemia and/or other health screenings will be required where a student or the parent or person in parental relation to that student objects on the grounds that the examinations, health history, and/or screenings conflict with their genuine and sincere religious beliefs. The student or the student's parent or person in parental relation must complete the District form for review indicating that the person holds these beliefs. The form must be submitted to the building principal or designee, in which case ~~he or she~~ they may require supporting documents.

Students in Temporary Housing

For students in temporary housing (i.e., homeless children and youth), the enrolling school must immediately refer the parent or guardian of the student to the District's McKinney-Vento liaison, who will assist them in obtaining the necessary medical records.

20 USC Section 1232g
Education Law Sections 903, 904, 905, and 3220
Public Health Law Section 1370-d
8 NYCRR Sections 136.1 and 136.3

NOTE: Refer also to Policies #5690 -- Exposure Control Program
#5691 -- Communicable Diseases
#5692 -- Human Immunodeficiency Virus (HIV) Related Illnesses
#7121 -- Diagnostic Screening of Students
#7131 -- Education of Students in Temporary Housing
#7250 -- Student Privacy, Parental Access to Information, and Administration of Certain Physical Examinations to Minors
#7420 -- Sports and the Athletic Program
#7511 -- Immunization of Students
#7522 -- Concussion Management

Adopted: 5/9/06
Revised: 3/20/12; 9/16/14; 5/14/19;

SUBJECT: SUICIDE

The District is committed to protecting the health and well-being of all students by creating and maintaining policies, procedures, and plans for the prevention, intervention, and post-intervention of suicide.

The Board instructs the Superintendent to establish a District crisis intervention team. Members of the team should include, but are not limited to, a school administrator, school psychologist, school counselor, school social worker, teacher, school nurse and/or District medical director, school safety professional, and any other District staff member who can be of assistance during a crisis. The crisis intervention team will develop a suicide response plan which will be integrated into the existing District-wide school safety plan. The suicide response plan will include education and awareness of risk factors for youth suicide, procedures for intervening if a student exhibits risk factors, including referral services, and a post-intervention plan to help the school and community cope with the aftermath of suicide should it occur.

The administration will inform staff of District policies, procedures, and plans for suicide prevention, intervention, and post-intervention. The District will actively respond to any situation where a student verbally or behaviorally indicates intent to attempt suicide or engage in self-harm. When District staff become aware of a student exhibiting potential suicidal behavior, they should immediately escort the student to a member of the District's crisis intervention team and report the behavior to an administrator.

Suicide prevention will also be incorporated into the curriculum, as developmentally appropriate, to educate students and done in a manner so as not to sensationalize the topic, but to provide students with information and resources on this important mental health issue. In addition, the District will foster interagency cooperation that will enable staff to identify and access appropriate community resources to aid students in times of crisis.

The District will inform students, staff, and parents or guardians of the 988 hotline which connects callers to the National Suicide Prevention Lifeline. Individuals can call or text 988 to be connected to the hotline. The 988 hotline is intended for anyone who is: suicidal; experiencing a mental health or substance use-related crisis; or experiencing any kind of emotional distress.

Professional Development/Learning and Training

Staff training and professional development/learning on suicide and crisis intervention should be offered annually. The training should include: information on how to identify warning signs for suicide, and the protocols to follow when referring a student thought to be at risk for suicide; a description of the roles and responsibilities of the crisis intervention team; and the flow of communication and the tasks each role of the crisis intervention team undertakes.

(Continued)

SUBJECT: SUICIDE (Cont'd.)

NOTE: Refer also to Policies #3420 -- Non-Discrimination and Anti-Harassment in the District
#5681 -- School Safety Plans
#7541 -- Dignity for All Students
#7543 -- Hazing of Students

Adopted:

SUBJECT: INSTRUCTION IN CERTAIN SUBJECTS

Generally, the Board has the authority to prescribe the course of study in the schools of the District. However, there are general curriculum areas and specific topics in which the District must prescribe instruction. All students in the District will receive instruction in accordance with any applicable laws and regulations.

Driver Education

A driver education course may be offered under the conditions set forth by the New York State Education Department and Commissioner's regulations.

Gifted and Talented Students

The Board will provide appropriate educational programs for students identified as gifted and talented.

Physical Education Class

All students, except those with medical excuses, will participate in physical education in accordance with the Commissioner's regulations, which require that all students attend and participate in physical education as follows:

a) All students in grades K through 3 will participate in a daily program for a minimum of 120 minutes per week. All students in grades 4 through 6 will participate in a program three times per week for a minimum of 120 minutes per week. The minimum time devoted to these programs (K through 6) is exclusive of any time that may be required for dressing and showering.

b) Students in grades 5 through 6 that are in a middle school will participate in the physical education program a minimum of three periods per calendar week during one semester of each school year and two periods during the other semester, or a comparable time each semester if the school is organized in other patterns.

c) All secondary students (in grades 7 through 12) will have the opportunity for regular physical education, but not less than three times per week in one semester and two times per week in the other semester or for a comparable time each semester if the school is organized in other patterns. For students in grades 10 through 12 only, a comparable time each semester will be provided if students have demonstrated acceptable levels of physical fitness, physical skills, and knowledge of physical education activities in extra class programs or out-of-school activities approved by the physical education staff and the school administration.

d) For grades K through 12, a district may provide an equivalent program as approved by the Commissioner of Education.

(Continued)

SUBJECT: INSTRUCTION IN CERTAIN SUBJECTS (Cont'd.)

An excuse from physical education class may be accepted from a licensed physician for medical reasons or a licensed chiropractor for conditions of the spine.

Any student who is temporarily or permanently unable to participate in the regular program of physical education will be provided with adaptive physical education that meets their particular needs.

Health and Mental Health Education

The District's health education program recognizes the multiple dimensions of health by including instruction related to:

a) Mental health;

b) The relation of physical and mental health;

c) The misuse and abuse of alcohol, tobacco, and other drugs; and

d) The prevention and detection of certain cancers.

This instruction will enhance student understanding, attitudes, and behaviors that promote health, well-being, and human dignity.

Health education programs provided by the District will be designed according to the needs and abilities of the students at successive grade levels in accordance with applicable laws and regulations.

Education Law Article 90 and §§ 803, 804, 806-a, 1709, and 3204
8 NYCRR Part 142 and §§ 100.2(c), 107.2, 135.1, 135.3, and 135.4

Adopted: 5/9/06
Revised: 5/8/12; 6/18/19; 5/10/22

SUBJECT: INSTRUCTION IN CERTAIN SUBJECTS

Generally, the Board has the authority to prescribe the course of study in the schools of the District. However, there are general curriculum areas and specific topics in which the District must prescribe instruction. All students in the District will receive instruction in accordance with any applicable laws and regulations.

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b) Students in grades 5 through 6 that are in a middle school will participate in the physical education program a minimum of three periods per calendar week during one semester of each school year and two periods during the other semester, or a comparable time each semester if the school is organized in other patterns.

c) All secondary students (in grades 7 through 12) will have the opportunity for regular physical education, but not less than three times per week in one semester and two times per week in the other semester or for a comparable time each semester if the school is organized in other patterns. For students in grades 10 through 12 only, a comparable time each semester will be provided if students have demonstrated acceptable levels of physical fitness, physical skills, and knowledge of physical education activities in extra class programs or out-of-school activities approved by the physical education staff and the school administration.

d) For grades K through 12, a district may provide an equivalent program as approved by the Commissioner of Education.

(Continued)

SUBJECT: INSTRUCTION IN CERTAIN SUBJECTS (Cont'd.)

An excuse from physical education class may be accepted from a licensed physician for medical reasons or a licensed chiropractor for conditions of the spine.

Any student who is temporarily or permanently unable to participate in the regular program of physical education will be provided with adaptive physical education that meets their particular needs.

Sudden Cardiac Arrest

For purposes of this policy, the following definition applies:

a) "Physical activities" means participation in physical education classes and recess or similar activities during the school day.

The District promotes safe physical activities and strives to prevent incidents of sudden cardiac arrest in students by:

a) Immediately removing from physical activities any student who displays signs or symptoms of pending sudden cardiac arrest;

b) Prohibiting any student from resuming physical activities until the student has been evaluated by and received written and signed authorization from a healthcare provider to resume physical activities;

c) Requiring the healthcare provider's written and signed authorization to be kept on file in the student's permanent health record;

d) Abiding by any limitations or restrictions concerning school attendance and physical activities issued by the student's healthcare provider;

e) Either posting on the District website information developed by the Commissioner of Health on the definition of sudden cardiac arrest and signs and symptoms of pending or increased risk of sudden cardiac arrest or providing a reference for how to obtain this information from the webpages of the New York State Education Department and the New York State Department of Health.

Health and Mental Health Education

The District's health education program recognizes the multiple dimensions of health by including instruction related to:

a) Mental health;

(Continued)

SUBJECT: INSTRUCTION IN CERTAIN SUBJECTS (Cont'd.)

b) The relation of physical and mental health;

c) The misuse and abuse of alcohol, tobacco, and other drugs; and

d) The prevention and detection of certain cancers.

This instruction will enhance student understanding, attitudes, and behaviors that promote health, well-being, and human dignity.

Health education programs provided by the District will be designed according to the needs and abilities of the students at successive grade levels in accordance with applicable laws and regulations.

Education Law Article 90 and Sections 803, 804, 806-a, 923, 1709, and 3204
8 NYCRR Part 142 and Sections 100.2(c), 107.2, 135.1, 135.3, 135.4, and 136.9

NOTE: Refer also to Policy #7420 – Sports and the Athletic Program

Adopted: 5/9/06
Revised: 5/8/12; 6/18/19; 5/10/22;

SUBJECT: HOME TUTORING (HOMEBOUND INSTRUCTION)

Resident children attending public or nonpublic schools who are unable to attend school because of physical, mental or emotional illness or injury as substantiated by a licensed physician are eligible to be instructed at home or in a hospital by an appropriately certified teacher provided by the School District. These students will be provided with such instruction in accordance with New York State Education Law and Commissioner's Regulations.

Procedures for students requiring home tutoring shall be developed under the direction of the Superintendent or his/her designee.

Education Law Sections 1604(20), 1709(24), 3202 and 4401
8 NYCRR Section 175.21

Adopted: 5/9/06
Revised: 5/8/12; 8/16/16

SUBJECT: ~~HOME TUTORING~~ HOME, HOSPITAL, OR INSTITUTIONAL INSTRUCTION ~~-~~(HOMEBOUND INSTRUCTION)

~~Resident children attending public or nonpublic schools who are unable to attend school because of physical, mental or emotional illness or injury as substantiated by a licensed physician are eligible to be instructed at home or in a hospital by an appropriately certified teacher provided by the School District. These students will be provided with such instruction in accordance with New York State Education Law and Commissioner's Regulations.~~

~~Procedures for students requiring home tutoring shall be developed under the direction of the Superintendent or his/her designee.~~

Overview

Home, hospital, or institutional instruction (sometimes referred to as homebound instruction) is an educational service provided by districts to resident students enrolled in a public or nonpublic school who are unable to attend school in person for at least ten days during a three-month period due to illness or injury which requires the student to remain at home or in a hospital or other institution for the treatment of children, other than a school.

The District will provide home, hospital, or institutional instruction to all resident students enrolled in a public or nonpublic school from kindergarten to age 21 when, due to a temporary or chronic physical, mental, or emotional illness or injury, as documented by the student's treating healthcare provider, the student is unable to participate in their usual education setting.

Definitions

"Instruction delivery plan" means a written plan to continue the student's academic progress and to maintain a record of delivery of instructional services and student progress.

"School district of residence" means the public school district within the State of New York where students legally reside with their parents or guardians.

"Treating health care provider" means a person who is treating a student and is licensed or otherwise authorized to provide diagnosis pursuant to a profession enumerated in Title VIII of the Education Law.

"Tutor" means an employee of the school district of residence or an individual with whom the school district of residence contracts to provide home, hospital, or institutional instruction. The tutor must hold a New York State teaching certificate. A tutor may include a teacher employed by a board of cooperative educational services (BOCES) that contracts with the school district of residence to provide this instruction.

(Continued)

SUBJECT: HOME, HOSPITAL, OR INSTITUTIONAL INSTRUCTION (HOMEBOUND INSTRUCTION) (Cont'd.)

Request for Home, Hospital, or Institutional Instruction

To request home, hospital, or institutional instruction for a resident student, the parent or guardian must submit a request to the District that includes written medical verification from the student's treating healthcare provider demonstrating the student's anticipated inability to attend school in person for at least ten days during the next three months and written consent authorizing the Director of School Health Services or designee to contact the student's treating healthcare provider. Refusal to provide this written consent will result in a denial of the request for home, hospital, or institutional instruction.

The request will be forwarded to the Director of School Health Services or designee who will review the need for home, hospital, or institutional instruction and either approve or deny the request. During this review, the Director of School Health Services or designee may contact the student's treating healthcare provider to obtain additional information necessary regarding the student's health or mental health.

Within five school days after receipt of written medical verification from the student's treating healthcare provider, the District will notify the parent or guardian whether their request for home, hospital, or institutional instruction has been approved or denied. In the case of a denial, reason(s) for denial will be provided.

Appeals

Parents and guardians may appeal the denial of home, hospital, or institutional instruction to the District's Board within ten school days of receipt of notification of the denial. Home, hospital, or institutional instruction will be provided while an appeal is pending before the District's Board.

Home, Hospital, or Institutional Instruction Requirements

The District will provide home, hospital, or institutional instruction to a student within five school days (or as soon as practicable) after receiving notification of the student's medical condition or within five school days from the request for home, hospital, or institutional instruction, whichever occurs first. This instruction, which may include remote instruction, will meet the minimum requirements outlined in law and regulation.

Students with Disabilities

Students with disabilities who are recommended for home, hospital, or institutional instruction by the Committee on Special Education (CSE) will be provided instruction and appropriate related services as determined and documented by the CSE in consideration of the student's unique needs. This instruction will only be recommended if the placement is in the least restrictive environment and must be provided for at least the number and length of time as provided for other students receiving home, hospital, and institutional instruction.

(Continued)

SUBJECT: HOME, HOSPITAL, OR INSTITUTIONAL INSTRUCTION (HOMEBOUND INSTRUCTION) (Cont'd.)

Recordkeeping

The District will maintain a record of delivery of instructional services and student progress. This includes, but is not limited to, a record of the dates, amount, and type of instructional services the student received including the tutor's name, subjects taught, and the location where the instructional services were provided.

Education Law Sections 1604(20), 1709(24), 3202
8 NYCRR Sections 100.22, 175.21, and 200.6

NOTE: Refer also to Policy #7150 – Remote Instruction
Adopted: 5/9/06
Revised: 5/8/12; 8/16/16;