

**Shelter Island School Board of Education**  
**Monday, August 14, 2017**  
**Regular Meeting at 6:00 pm, Conference Room**

**Thomas V. Graffagnino, President \* Linda C. Eklund, Vice President**

**Susan E. Binder     Mark A. Kanarvogel     Kathleen M. Lynch     Tracy McCarthy     Elizabeth Melichar**

**1. Call to Order**

**2. Pledge of Allegiance**

**3. Shelter Island School Mission Statement – Engage, Explore, Empower**

The following statement will be read:

We want our students to cherish our small Island community while applying and expanding their learning about, understanding of, and engagement with the wider world. To do this they must be: ethical and moral individuals; respectful and responsible communicators; creative and analytical thinkers; knowledgeable and literate readers, writers, mathematicians and scientists; participants in and audiences for art, drama, music, athletics, and other artistic, cultural, and social activities; skilled and successful workers and consumers; and committed and active citizens.

**4. Visitor Questions (Specific to the agenda)**

**5. Consent Agenda – The Board President may seek a motion to approve and/or accept the following agenda items:**

- a. Approval of Minutes
  - 1. Re-Organizational/Regular Meeting of July 13, 2017
  - 2. Special Meeting of July 18, 2017

**6. Correspondence**

- a. Thank You Note from Dr. Christine Finn

**7. Presentations**

Presentation Requiring Immediate Board Approval:

- 1. Ms. Laura Dickerson, Shelter Island Public Library – 2018 Library Operating Budget Vote

The Board President may request a motion to approve the following Business Action: 7.1

7.1 2018 Library Budget Vote

- a. Approve a special meeting of the voters of the school district be schedule for Saturday, October 21, 2017, pursuant to the request of the Board of Trustees of the Shelter Island Public Library, for the purpose of voting on the library's 2018 operating budget and that the District Clerk be and hereby is directed to take all such steps as are necessary to conduct said special meeting.

Presentation Requiring Board Approval:

- 1. Mr. Brian Becker – Grade 7 Block Island Field Trip & Grades 4-5 National Museum of History/Metropolitan Museum of Art Field Trip (Note: The Board of Education will vote on these trips at the September 18, 2017 board meeting.)

**8. Personnel - The Board President requests a motion to approve and/or accept the recommendations of the Superintendent on the following Personnel Action: 8.1 – 8.11**

8.1 Driver's Education Summer Program

- a. Appoint Ian Kanarvogel, Driver's Education Summer program teacher, effective retroactive to August 1, 2017 – August 31, 2017, at an hourly rate of \$42.65 per hour, not to exceed 95 hours.

8.2 Medical Leave of Absence

- a. Approve an unpaid medical leave of absence for Sharon Gibbs, Science Teacher, to commence on September 4, 2017 through January 2, 2018; with said period credited towards the employee's FMLA leave of absence.

8.3 Resignation

- a. Accept the resignation of Christopher Kline, Teacher Aide, effective August 31, 2017.

8.4 Contractual Personnel Salary

- a. Appoint Michael Bunce, Jr., .16 FTE Health Teacher, at a salary of \$54,290, Step 1 BA of the 2017-2018 teacher salary scale, prorated to \$8,686, and .84 FTE Teacher Aide, at a salary of \$21,081, Step 1 of the teacher aide salary scale, prorated to \$17,708, effective September 1, 2017.

8.5 Permanent Substitutes for the 2017-2018 School Year

- a. Appoint Jasmine Bielic-Frasco, as Permanent Substitute Teacher, at a rate of \$175 per day, and grant five (5) sick days, effective September 5, 2017 – June 22, 2018
- b. Appoint Frederick Marienfeld, as Permanent Substitute Teacher, at a rate of \$125 per day, and grant five (5) sick days, effective September 5, 2017 – June 22, 2018.

8.6 Substitute Teachers for the 2017-2018 School Year at \$110 per day (certified or 4-year degree)

- a. Lillian Klupka
- b. Jenifer Maxson
- c. Marian McEnroe
- d. Phyllis Power
- e. Mary Theinert
- f. Richard Osmer
- g. Corey Brewer
- h. Emily O'Brien
- i. Kimberly Curko
- j. Edward Marlatt
- k. Shannon Coyne
- l. Christopher Coyne
- m. Vanessa Lara
- n. Kathleen Renault
- o. Lee Yuen Lew

8.7 Substitute Aid for the 2017-2018 School Year at \$95 per day

- a. Mary Boeklen

8.8 Substitute Nurse (R.N.) for the 2017-2018 School Year at \$110 per day

- a. Kathleen Renault

8.9 Appointment of Additional Detention Monitors for the 2017-2018 School Year at \$60/period

- a. Patricia Kreppein
- b. Janine Mahoney

8.10 Additional Schedule C Appointments for the 2017-2018 School Year

- a. Daniel Williams, Science Club, at \$1,544.66
- b. Daniel Williams, Science Fair, at \$1,920.02
- c. Debra Sears, Substitute Dispatcher, \$5,000.24

8.11 Additional Appointments of Athletic Chaperones for the 2017-2018 School Year (one game per night at \$97.83, two games per night at \$150.14, Clock Keeper at Chaperone Rate plus \$10)

- a. James Theinert
- b. Michael Bunce

**9. Program** - The Board President requests a motion to approve or accept the recommendations of the Superintendent on the following Program Action: 9.1 – 9.5

9.1 CSE/CPSE Recommendations for the 2017-2018 School Year

- a. Committee on Special Education
- b. Committee on Preschool Special Education

9.2 Second Reading of Policy

- a. Policy #6161 – Conference/Travel Reimbursement

9.3 First Reading of Policy

- a. Policy #1330 - Appointments and Designations by the Board of Education
- b. Policy #1332 - Duties of the School District Treasurer
- c. Policy #1512 - Agenda Format
- d. Policy #5630 - Facilities-Inspection, Operation, and Maintenance
- e. Policy #5673 - Employee Personal Identifying Information
- f. Policy #5675 - Student Grading Information Systems Policy
- g. Policy #5681 - School Safety Plan

- h. Policy #6110 - Code of Ethics for Board and All District Personnel
- i. Policy #6130 - Evaluation of Personnel
- j. Policy #6170 - Safety of Students (Fingerprinting)
- k. Policy #6213 - Registration and Professional Development
- l. Policy #6215 - Disciplining Tenured Teacher or Certified Personnel
- m. Policy #6562 - Employment of Retired Persons
- n. Policy #7616 - Prereferral Intervention Strategies

9.4 New York State County-Wide Shared Services Initiative of Suffolk County

a. WHEREAS, in accordance with the New York State County-wide Shared Services Initiative enacted by Part BBB of Chapter 59 of the Laws of 2017 ("the Law"), Suffolk County Executive Steven Bellone serves as chair of the Shared Services Panel ("the Panel") for Suffolk County; and

WHEREAS, as allowed under the Law, County Executive Bellone invited all school districts within Suffolk County to participate in the county-wide shared services property tax savings plan; and

WHEREAS, the Law requires the governing body of any such school district which wishes to accept such invitation to select a representative of such governing body, by majority vote, to serve as a member of the Panel; and

WHEREAS, the governing body of the Shelter Island Union Free School District is the Board of Education; now,

NOW THEREFORE, BE IT RESOLVED, that the Shelter Island Union Free School District Board of Education, hereby accepts the invitation of Suffolk County Executive Steven Bellone to participate on the Shared Services Panel of Suffolk County; and

BE IT FURTHER RESOLVED, that Dr. Christine Finn is hereby appointed to serve as the official voting representative for the Shelter Island Union Free School District, effective September 1, 2017.

9.5 Multi-Year Annual Professional Performance Review ("APPR") Plan

a. WHEREAS, the District has an approved Annual Professional Performance Review ("APPR") Plan in place, effective for the 2016-2017 to 2017-2018 school years; and

WHEREAS, the State Education Department requires that the District submit an Implementation Certification Form by August 25, 2017 regarding the status of its APPR Plan for the 2016-2017 school year;

NOW THEREFORE BE IT RESOLVED, that the Board of Education hereby authorizes the President of the Board of Education and the Superintendent of Schools to execute the Implementation Certification Form required by the State Education Department for the District's 2016-2017 APPR Plan, which form shall certify that the District's approved multi-year plan remains in effect for the 2017-2018 school year; and

BE IT FURTHER RESOLVED, that the Board of Education authorizes the Superintendent of Schools or his/her designee to submit this form to the State Education Department.

**10. Finance** – The Board President requests a motion to approve and/or accept the recommendations of the Superintendent on the following Finance Actions: 10.1 – 10.2

10.1 Financial Reports

- a. Treasurer's Report – June 2017
- b. Treasurer's Report - July 2017
- c. Extra Class Report – June 2017
- d. Extra Class Report – July 2017
- e. Appropriations Status Report
- f. Revenue Status Report
- g. Claim Auditor's Report – June 2017
- h. Payroll Audit Report – June 2017

10.2 Budget Transfers and Journal Entries

a. Accept and approve Budget Transfer Reports and Journal Entries for the period of July 7, 2017 through August 7, 2017, that in accordance with Board Policy, the Superintendent has approved, as well as the transfers that need specific Board approval.

**11. Business** – The Board President requests a motion to approve or accept the recommendations of the Superintendent on the following Business Actions: 11.1 – 11.5

11.1 2017 – 2018 School Year Contracts

- a. Authorize the following transportation contracts with Sunrise Bus, Incorporated, for the 2017-2018 school year.
1. On Island Occupational Education - \$29,859.20
  2. Athletics - \$68.34/hour for a bus, \$62.73/hour for a van, with a yearly estimate of \$51,000.00
  3. Private Schools - \$47,160.76
  4. On Island Home to School - \$57,800.82
  5. Public School (Cutchogue East) - \$66,392.44, with a monitor for the year

11.2 2017-2018 School Student Accident Insurance

- a. Approve NYBEST/Bollinger as the 2017-2018 School Student Accident Insurance Broker, at a cost of \$6,615.00

11.3 Athletic Awards Dinner

- a. WHEREAS, the Athletics Department annually provides a dinner for the student athletes and their families of the Shelter Island School District; and
- WHEREAS, the Athletic Department raises funds to pay for the dinner through ticket sales; and
- WHEREAS, ticket sales for the dinner for the fiscal school year of 2016-17 totaled \$1,097 and did not sufficiently cover the \$1,900 cost to produce the 2017 Athletic Awards Dinner;
- NOW THEREFORE BE IT RESOLVED, that the Shelter Island Board of Education of the Shelter Island School District, of the State of New York authorizes the District to pay Anthony J. Rando, of T-Jams, LLC, Shelter Island, NY, the balance remaining for the cost associated with the 2017 Athletics Awards Dinner, at a cost not to exceed \$803.00.

11.4 Budget Line Increase

- a. WHEREAS, the District received \$423.00 of E-Rate Funding on June 30, 2016; and
- WHEREAS, these monies were intended to be utilized as part of the 2017-2018 budget;
- NOW THEREFORE BE IT RESOLVED, that the Board of Education hereby authorizes an increase in the 2017-2018 budget line of Computer Materials & Supplies A 2630.450-00-0000, in the amount of \$423.00, to be offset by the E-Rate funding remitted to the District on June 30, 2017.

11.5 Monetary Donations & Budgetary Increases

- a. Authorize the Shelter Island School District to accept a donation of \$480.00 from the Shelter Island Educational Foundation for the Challenge Escape Rooms Program; and authorize to increase the budget line of Field Trip Fees, A2110.419.00.0000, in the amount of \$423.00, to be offset by said donation.

**12. Facility –** The Board President requests a motion to approve or accept the recommendations of the Superintendent on the following Facility Action: 12.1

12.1 Excessing Equipment - Obsolete

- a. SmartBoard x60 – Serial #20090139 (board only – not projector)

**13. Items for Consideration**

- a. Nassau-Suffolk School Boards Association, Incorporated  
- 2017-2018 Annual Membership Dues - \$2,600

**14. Old Business**

- a. Acknowledgement of Committee Members for 2017-2018 School Year
- Buildings & Grounds/Health & Safety: Tom Graffagnino & Mark Kanarvogel
  - Policy: Elizabeth Melichar & Susan Binder
  - Academic: Linda Eklund, Susan Binder, & Kathleen Lynch
  - Wellness: Susan Binder & Kathleen Lynch
  - Audit: Linda Eklund, Tom Graffagnino
  - Joint Professional Practices: Linda Eklund & Tracy McCarthy
- b. Red-Lined Items from Previous Board Meeting
1. Financial Impact of Removing the District from the New York State Lunch Program: (Introduced at the April 19, 2017 Board Meeting) At the recommendation of the Wellness Committee, Mr. Timothy Laube is exploring how much State Aid the District would lose if removed from the New York State Breakfast and Lunch Programs. May 8, 2017 Update: Mr. Laube reported that for the 2015-2016 school year the District was reimbursed \$52,000 in State Aid. Mr. Laube stated that if the District was to forego State Aid, those monies would have to come out of the General Fund each year. Ms. Lynch stressed that this is only an

investigation to determine if leaving the confines of the State program would help to increase participation in the lunch program and ultimately increase sales. (At the June 12, 2017 Board Meeting, Mr. Gulluscio that explained the last Wellness Committee meeting had been canceled so there was no update to report.) *July 13, 2017 Update: Mr. Gulluscio stated that we are waiting to see what, if any changes are made to the New York State Child Nutrition program, at the Federal level. Mr. Gulluscio also stated that there is some confusion in the community about how the removal from the New York State Lunch Program would affect Free/Reduced Lunches. Mr. Gulluscio stressed that any changes to this program will not affect the Free/Reduced Lunch program.*

2. Potential Redesign of Cafeteria & Courtyard: (Introduced at the April 19, 2017 Board Meeting) The Wellness Committee is exploring different ways to improve the design of the cafeteria and the courtyard. May 8, 2017 Update: Ms. Lynch reported that the Wellness Committee met again and they continue to explore different ways to enhance the physical appearance of both the inside and outside of the cafeteria to make it more inviting. (At the June 12, 2017 Board Meeting, Mr. Gulluscio explained that the last Wellness Committee meeting had been canceled so there was no update to report.) *July 13, 2017 Update: Mr. Gulluscio pointed out that many of the improvements the committee would like to make are cost prohibitive at this time. Therefore, the committee has decided to begin with minor, low cost enhancements to the cafeteria, which include fresh paint, student art work, and herbs and other plants along the window sill.*
3. PK-12 Mindfulness Program: (Introduced at the April 19, 2017 Board Meeting) At the recommendation of the Wellness Committee, Mr. Gulluscio continues to explore the concept of a PK-12 mindfulness program. (At the June 12, 2017 Board Meeting, Mr. Gulluscio explained that the last Wellness Committee meeting had been canceled so there was no update to report.) *July 13, 2017 Update: Mr. Gulluscio reported that a survey regarding a mindfulness program has been sent out to the faculty, and the committee continues to look at ways to introduce mindfulness into the school day.*
4. Shared Decision Making Committee (SDM): (Introduced at the June 12, 2017 Board Meeting) The Board of Education would like a written outline of the 2016-2017 goals and accomplishments of the SDM Committee. *July 13, 2017 Update: Mr. Skuggevik distributed to the members of the Board of Education a packet outlining the goals and accomplishments of the Shared Decision Making Committee for the 2016-2017 school year. Mr. Skuggevik also reported that Mr. James Bocca is the new chairperson of the Committee for this coming school year.*

**15. School District Business Leader Report - None**

**16. Director of Athletics, Physical Education, Health, Wellness & Personnel Report - None**

**17. Academic Administrator Report**

- a. Shelter Island Educational Foundation Porch Party

**18. Superintendent Report**

- a. Test Scores

**19. Board Member Reports**

**20. Visitor Comments**

21. **Executive Session** - *It is anticipated that the Board of Education may enter Executive Session again, to further discuss the employment of particular individuals in the District.*

**22. Adjournment**

## Personnel

**SUBJECT: CONFERENCE/TRAVEL EXPENSE REIMBURSEMENT**

Conference travel will be for official business and will be made utilizing a cost-effective and reasonable method of travel.

All conference travel must have a completed Travel Conference Request Form on file which has been approved by the Superintendent. Travel Conference Request Forms are only to be used by District employees.

All conference reimbursement requests must be submitted using a Travel Conference Reimbursement Form.

Expenses for overnight-approved travel will be reimbursed when accompanied by original receipts for lodging and other reimbursable expenses. Meal expenses for overnight travel will only be reimbursed based on the Board approved per diem rates which are modeled after the United States General Services Administration per diem rates.

New York State sales tax cannot generally be reimbursed. Sales tax may, however, be reimbursed when such costs constitute an actual and necessary expense. A Sales Tax-Exempt Form can be obtained prior to travel for hotel accommodations.

Original receipts are required when submitting for parking and tolls, however "EZ Pass" statements may be substituted with the appropriate charges highlighted.

In no cases shall the District reimburse for distance covered when a vehicle is on a ferry or otherwise being transported in such a manner in which the wheels of the vehicle are not moving. For purposes of this policy, the standard ferry deductions shall be as follows: one (1) mile for North Ferry from Greenport to Shelter Island and four-tenths (.4) of a mile for South Ferry from North Haven to Shelter Island. In all other instances, the ferry distance shall be calculated using publicly available Internet-based mapping technology.

General Municipal Law § 77-b(2)

NOTE: Refer also to Policy #5323 -- Reimbursement For Meals/Refreshments

Adoption Date: 12/14/09

Revised:

First Reading: 07-13-17

Second Reading: 08-14-17

**SUBJECT: APPOINTMENTS AND DESIGNATIONS BY THE BOARD OF EDUCATION**

**Appointments**

The Board is authorized to appoint individuals to positions which will facilitate the meeting of its responsibilities to the State, the School System, and the community. These appointments usually take place at the Annual Organizational Meeting.

The following shall be appointed annually:

- a) District Clerk;
- b) District Treasurer;
- c) ~~Deputy Treasurer;~~
- d) District External Auditor (Independent);
- e) District Internal Auditor (Internal Audit Function);
- f) District Audit Committee Members (if so provided by charter);
- g) Treasurer, Extraclassroom Activities Account.

The following must be appointed but need not be reappointed annually:

- a) Census Enumerator and assistants;
- b) Director of School Health Services (District Physician/Nurse Practitioner);
- c) Supervisors of Attendance;
- d) Committee on Special Education and Committee on Preschool Special Education;
- e) Records Access/Management Officer;
- f) Asbestos Hazard Emergency Response Act (AHERA) Local Educational Agency (LEA) designee;
- g) Title IX/Section 504/ADA Compliance Officer;
- h) Liaison for Homeless Children and Youth;
- i) Chemical Hygiene Officer.

(Continued)

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**SUBJECT: APPOINTMENTS AND DESIGNATIONS BY THE BOARD OF EDUCATION  
(Cont'd.)**

The following may also be appointed:

- a) School Attorney;
- b) Claims Auditor;
- c) Insurance Advisor;
- d) Consulting Dentist.

**Designations**

The following designations shall be made by the Board of Education at the Annual Organizational Meeting in July:

- a) Petty Cash Fund(s);
- b) Official Newspaper(s);
- c) Official Bank Depositories;
- d) Official Bank Signatories;
- e) Purchasing Agent;
- f) Certifier of Payrolls;
- g) Designated Educational Official to receive court notification regarding a student's sentence/adjudication in certain criminal cases and juvenile delinquency proceedings;
- h) School Pesticide Representative.

**Authorizations**

- a) Approval of attendance at conferences, conventions, workshops, and the like;
- b) Superintendent to approve budget transfers within limits prescribed by Commissioner's Regulation Section 170.2 and Board guidelines;
- c) Superintendent to apply for Grants in Aid (State and Federal) as appropriate;
- d) Establish mileage reimbursement rate;
- e) Other(s) as deemed appropriate/necessary.

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**SUBJECT: APPOINTMENTS AND DESIGNATIONS BY THE BOARD OF  
EDUCATION**

**(Cont'd.)**

McKinney-Vento Homeless Education Assistance Act, Section 722, as reauthorized by the No Child Left Behind Act of 2001

Education Law Sections 305(31), 1709 and 2503

29 Code of Federal Regulations (CFR) 1910.1450

| Adopted: 9/17/07

# POLICY

2017

1332

By-Laws

## **SUBJECT: DUTIES OF THE SCHOOL DISTRICT TREASURER**

The Treasurer is appointed by the Board of Education at the Annual Organizational Meeting and will be covered by a blanket bond. In addition to the routine duties of accounting, filing, posting and preparing reports and statements concerning District finances, the District Treasurer shall perform other specific tasks as follows:

- a) Acts as custodian of all moneys belonging to the School District and lawfully deposits these moneys in the depositories designated by the Board;
- b) Pays all authorized obligations of the District as directed, including payments of bond principal and interest;
- c) Maintains proper records and files of all checks, and approved payment of bills and salaries;
- d) Makes all such entries and posts to all such financial ledgers, records and reports, including bond and note registers, as may be properly required to afford the District an acceptable and comprehensive financial accounting of the use of its moneys and financial transactions;
- e) Signs all checks drawn on District fund accounts provided that the District's Claims Auditor has attested to the authority to issue the check based upon proper evidence of a charge against the District's funds;
- f) Safeguards either his/her electronic signature and/or the check-signing machine and signature plate, personally overseeing all ~~uses of the machine to prepare~~ preparation of checks;
- g) Assumes other duties customary to the office.

Education Law Sections 2122, 2130 and 2523  
Local Finance Law Sections 163 and 165  
8 NYCRR Sections 170.2(g), 170.2(o) and 170.2(p)  
[9 NYCRR Section 540.4](#)

Adoption Date:

**First Reading: 08/14/17**

**SUBJECT: AGENDA FORMAT**

For Regular Board meetings, the following format is used:

- a) Call to order
- ~~b)~~ Pledge of Allegiance to the flag
- ~~b)c)~~ Shelter Island School Mission Statement
- ~~e)d)~~ Visitor's questions
- ~~e)e)~~ Approval of minutes
- ~~e)~~ ~~Treasurer's reports~~
- f) Correspondence
- g) Presentation
- h) Personnel
- i) Program
- ~~j)~~ Finance
- ~~j)k)~~ Business
- ~~k)l)~~ Facility
- ~~l)m)~~ Items for consideration
- ~~n)~~ Old Business
- ~~o)~~ School District Business Leader Report
- ~~p)~~ Director of Athletics, Physical Education, Health, Wellness & Personnel Report
- ~~q)~~ Academic Administrator Report
- ~~m)r)~~ Superintendent's reportReport
- ~~n)s)~~ Board member reportReport
- ~~t)~~ Student Liaison Report

u) Visitor Comments

ey) Adjournment

For special and emergency meetings, the regular meeting agenda format shown above may be shortened and/or adapted to fit the purpose of the meeting.

Education Law Section 1606  
Public Officers Law Section 104(2)

Adopted: 11/19/07

Revised:

First Reading: 08-14-17

**SUBJECT: FACILITIES: INSPECTION, OPERATION, AND MAINTENANCE****Operation and Maintenance**

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

**Construction and Remodeling of School Facilities**

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

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

Plans and specifications submitted to the Commissioner shall 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 shall 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 and Commissioner's regulations. The District will also retain the services of an architect or engineer licensed to practice in New York State as required by law or regulation, or as necessary given the scope and cost of the project.

**Carbon Monoxide Detection Requirements**

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

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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<sup>4</sup> 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 ~~shall~~will keep the Board~~-of Education~~ informed of the results of ~~such~~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.

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**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 of Education 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 shall will develop a Comprehensive Public School Building Safety Program in accordance with Commissioner's regulations.

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

- a) A five (5) year capital facilities plan which will include an appraisal of the following: the educational philosophy of the District, with resulting administrative organization and program requirements; present and projected student enrollments; space use and State-rated 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 shall will be conducted for all occupied school buildings once every five (5) years by a team that includes at least one (1) licensed architect or engineer.
- d) A District-wide monitoring system which includes:
  1. Establishing a Health and Safety Committee;
  2. Development of detailed plans and a review process of all inspections;

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**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 (2) months in advance of a construction project of ~~ten thousand dollars (\$10,000)~~ or more to be conducted in a school building while the building is occupied; provided, however, that in the case of emergency construction projects, ~~such~~ notice shall 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, *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)

Adoption Date



**SUBJECT: EMPLOYEE PERSONAL IDENTIFYING INFORMATION**

In accordance with Section 203-d of the New York State Labor Law, the District shall restrict the use and access to employee personal identifying information. As enumerated in law, "personal identifying information" shall include social security number, home address or telephone number, personal electronic mail address, Internet identification name or password, parent's surname prior to marriage, or driver's license number.

The District shall not unless otherwise required by law:

- a) Publicly post or display an employee's social security number;
- b) Visibly print a social security number on any identification badge or card, including any time card;
- c) Place a social security number in files with unrestricted access; or
- d) Communicate an employee's personal identifying information to the general public.

A social security number shall not be used as an identification number for purposes of any occupational licensing.

District staff shall have access to this policy, informing them of their rights and responsibilities in accordance with Labor Law Section 203-d. District procedures for safeguarding employee "personal identifying information" shall be evaluated; and employees who have access to such information as part of their job responsibilities shall be advised as to the restrictions on release of such information in accordance with law.

Labor Law Section 203-d

Adoption Date:

**NEW POLICY: First Reading: 08-14-17**

## **SUBJECT: STUDENT GRADING INFORMATION SYSTEMS**

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

### **The System**

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

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

### **System Access**

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

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

### **Grade Changes**

Once the lockout period begins, only authorized users identified by the District may change grades, and only under certain circumstances. The system will recognize when grades change, and a log of modified grades may then be viewed and printed. Any grade mismatches will be reconciled before the next marking period closes or before the end of the school year, whichever is earlier.

(Continued)

**SUBJECT: STUDENT GRADING INFORMATION SYSTEMS (Cont'd.)**

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

- a) Data entry error;
- b) Computational error;
- c) A modification based on work submitted or considered after the lockout date;
- d) Changing an incomplete grade to a regular grade because a student completed course requirements;
- e) Credit recovery coursework;
- f) Administrative change; or
- g) Other acceptable justifications.

**Audit Log and Monitoring**

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

**Student Transcripts**

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

Adoption Date

**NEW POLICY: First Reading – 08/14/17**

**SUBJECT: SCHOOL SAFETY PLANS**

~~The District has developed, and will update by July 1 of each succeeding year, as necessary, a comprehensive District-wide school safety plan and building-level school safety plans, as enumerated in Education Law and Commissioner's Regulations, and in a form as prescribed by the Commissioner of Education. These plans will be designed to prevent or minimize the effects of serious violent incidents and emergencies and to facilitate the coordination of schools and the School District with local and county resources in the event of such incidents or emergencies. The School District, consisting of one school building, shall develop a single building-level school safety plan, which shall also fulfill all requirements for development of the District-wide plan to ensure the safety and health of children and staff and to ensure integration and coordination with similar emergency planning at the municipal, county and state levels.~~ considers the safety of its students and staff to be of the utmost importance and is keenly aware of the evolving nature of threats to schools. As such, it will address those threats accordingly through appropriate emergency response planning. The District-wide school safety plan and the building-level emergency response plan will be designed to prevent or minimize the effects of serious violent incidents and emergencies and to facilitate the coordination of schools and the District with local and county resources in the event of these incidents or emergencies.

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

Although the District has a single school building, in accordance with relevant law and regulation, it will develop separate district-wide and building-level plans as described above. The District may appeal to the Commissioner of Education in order to develop a single comprehensive plan.

**District-Wide School Safety Plan**

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

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

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

### **Building-Level School Safety Plans**

Building-level school safety plan means a ~~building-specific school emergency response~~ plan that addresses ~~prevention and crisis~~ intervention ~~strategies~~, emergency response and management at the building level and has the contents as prescribed in Education Law and Commissioner's Regulations. As part of this plan, the District will define the chain of command in a manner consistent with the National Incident Management System (NIMS)/Incident Command System (ICS).

(Continued)

Non-Instructional/Business  
Operations

**SUBJECT: SCHOOL SAFETY PLANS (Cont'd.)**

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

~~———— If the District receives federal preparedness funds, the District requires appropriate personnel to complete the ISO-700 NIMS (National Incident Management System) introductory course. Training Requirements~~

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

**Filing/Disclosure Requirements**

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

Homeland Security Presidential Directives - HSPD-5, HSPD-8  
Homeland Security Act of 2002, 6 United States Code (USC) Section 101  
Education Law Section §§ 807, 2801-a  
Public Officers Law Article 6  
8 New York Code of Rules and Regulations (NYCRR) Section § 155.17

**SUBJECT: CODE OF ETHICS FOR BOARD MEMBERS AND ALL DISTRICT PERSONNEL**

**General Provisions**

Officers and employees of the District hold their positions to serve and benefit the public, and not to obtain unwarranted personal or private gain in the exercise of their official powers and duties. The Board recognizes that, in furtherance of this fundamental principle, there is a need for clear and reasonable standards of ethical conduct. This policy establishes those standards.

The provisions of this policy are intended to supplement Article 18 of General Municipal Law Sections and any other law relating to ethical conduct of District officers and employees, and should not be construed to conflict with those authorities.

**Standards of Conduct**

The following rules and standards of conduct apply to all officers, including Board members, and employees of the District.

Gifts

No person may directly or indirectly solicit, accept, or receive any gift having a value of \$75 or more under circumstances in which it could reasonably be inferred that the gift was intended or expected to influence the individual in the performance of his or her official duties or was intended as a reward for any official action on the part of the individual. This prohibition applies to any gift, including money, services, loan, travel, entertainment, hospitality, thing or promise, or any other form.

Confidential Information

No person may disclose confidential information acquired by him or her in the course of his/her official duties or use this information to further his or her personal interests.

Conflicts of Interest

Except as permitted by law, no person may have an interest in any contract with the District when he or she, individually, or as a member of the Board, has the power or duty to: negotiate, prepare, authorize, or approve the contract or authorize or approve payment under the contract; audit bills or claims under the contract; or appoint an officer or employee who has any of these powers or duties.

Likewise, unless permitted by law, no chief fiscal officer, treasurer, or his or her deputy or employee, may have an interest in a bank or trust company designated as a depository, paying agent, registration agent, or for investment of funds of the District.

(Continued)

Personnel

**SUBJECT: CODE OF ETHICS FOR BOARD MEMBERS AND ALL DISTRICT PERSONNEL (Cont'd.)**

No employee, officer, or agent will participate in selecting, awarding, or administering a contract supported by a federal award if he or she has a real or apparent conflict of interest. These conflicts could arise when the employee, officer, or agent, any member of his or her immediate family, his or her partner, or an organization that employs or is about to employ any of these parties has a financial or other interest in or a tangible personal interest benefit from a firm considered for a contract. The employees, officers, and agents must neither solicit nor accept gratuities, favors, or anything of monetary value from contractors or parties to subcontracts. The District may, however, set standards for situations where the financial interest is not substantial or the gift is an unsolicited item of nominal value.

"Interest," as used in this policy, means a direct or indirect pecuniary or material benefit accruing to a District officer or employee as the result of a contract with the District. A District officer or employee will be considered to have an interest in the contract of: his or her spouse, minor children and dependents, except a contract of employment with the District; a firm, partnership or association of which he or she is a member or employee; a corporation of which he or she is an officer, director or employee; and a corporation any stock of which is owned or controlled directly or indirectly by him or her.

The provisions of the preceding ~~three~~four paragraphs should not be construed to preclude the payment of lawful compensation and necessary expenses of any District officer or employee in one or more positions of public employment, the holding of which is not prohibited by law.

Representing Others in Matters Before the District

No person may receive, or enter into any agreement, express or implied, for compensation for services rendered in relation to any matter before the District. Likewise, no one may receive, or enter into any agreement, express or implied, for compensation for services rendered in relation to any matter before the District, where the individual's compensation is contingent upon any action by the District with respect to the matter.

Disclosure of Interest in Contracts and Resolutions

Any District officer or employee who has, will have, or later acquires an interest in or whose spouse has, will have or later acquires an interest in any actual or proposed contract, purchase agreement, lease agreement, or other agreement, including oral agreements, with the District must publicly disclose the nature and extent of that interest in writing. The disclosure must be made when the officer or employee first acquires knowledge of the actual or prospective interest, and must be filed with the person's immediate supervisor and the Board. Any written disclosure will be made part of and included in the official minutes of the relevant Board meeting.

(Continued)



Personnel

**SUBJECT: CODE OF ETHICS FOR BOARD MEMBERS AND ALL DISTRICT PERSONNEL (Cont'd.)**

Investments in Conflict with Official Duties

No person may invest or hold any investment directly or indirectly in any financial, business, commercial, or other private transaction, that creates a conflict with his or her official duties, or that would otherwise impair his or her independence of judgment in the exercise or performance of his or her official powers or duties.

Private Employment

No person may engage in, solicit, negotiate for, or promise to accept private employment or render services for private interests when that employment or service creates a conflict with or impairs the proper discharge of his or her official duties.

Future Employment

No person may, after the termination of service or employment with the District, appear before the District on behalf of his or her employer in relation to any case, proceeding, or application in which he or she personally participated during the period of his or her service or employment with the District or which was under his or her active consideration while he or she was with the District.

Notice of Code of Ethics and General Municipal Law Sections 800-809

The Superintendent will ensure that a copy of this code of ethics is distributed to every District officer and employee, and that a copy of General Municipal Law Sections 800-809 is posted conspicuously in each District building. The failure to distribute this code of ethics or to post General Municipal Law Sections 800-809 will have no effect on either the duty of District officers and employees to comply with their provisions, or the ability of the District or other relevant authorities to enforce them.

Penalties

Any person who knowingly or intentionally violates any of the provisions of this policy may be fined, suspended, removed from office or employment, or subject to additional or other penalties as provided by law.

Education Law § 410  
General Municipal Law Article 18 and §§ 800-809  
[2 CFR § 200.318\(c\)\(1\)](#)

Adoption Date

~~Personnel~~

**~~SUBJECT: — TEMPORARY PERSONNEL~~**

~~The District's needs sometimes require temporary appointments. The terms of these appointments will be defined by the Board on a case-by-case basis.~~

**~~Student Teachers~~**

~~The District will cooperate with teacher training institutions in the placement of student teachers to provide beginning teachers with the best possible student teaching experience.~~

~~Schools are required to allow student teachers to videotape themselves providing instruction in a classroom to meet part of their performance assessment requirements for teaching certification. The video must remain confidential, is a confidential record of the New York State Education Department (SED), and is not subject to viewing or disclosure to an individual or entity other than the student teacher applicant and relevant SED personnel.~~

~~Student teachers will be protected from liability for negligence or other acts resulting in accidental injury to any person by the District, as provided by law.~~

**~~Substitute Teachers~~**

~~A fully qualified substitute teacher will be employed, whenever possible, by the Superintendent in the absence of a regular teacher. It is recognized that fully certified persons will not always be available for employment as substitute teachers.~~

**~~Eligibility for Service~~**

~~—————There are three categories of substitutes:~~

~~a) — Substitutes with valid teaching certificates or certificates of qualification. Service may be rendered in any capacity, for any number of days. If employed on more than an "itinerant" basis, these substitutes will be employed in their certification area for which they are certified.~~

~~b) — Substitutes without a valid certificate, but who are completing collegiate study towards certification at the rate of not less than six semester hours per year. Service may be rendered in any capacity, for any number of days, in any number of school districts. If employed on more than an "itinerant" basis, these substitutes will be employed in their anticipated certification area for which they are seeking certification.~~

~~e) — Substitutes without a valid certificate and who are not working towards certification may serve. Service may be rendered for no more than 40 days per school year. In extreme circumstances — where there is an urgent need for a substitute teacher — however, the District may employ this substitute teacher beyond the 40-day limit, for up to an additional 50 days (90 days total in a school year), if the Superintendent certifies that the District conducted a good-faith recruitment search and there are no certified teachers available who can perform the duties of the position.~~

~~Personnel~~

~~**SUBJECT:—TEMPORARY PERSONNEL (Cont'd.)**~~

~~The District may hire this substitute teacher beyond the 90 days only if the Superintendent attests that the District conducted a good-faith recruitment search, but there are still no certified teachers available who can perform the duties of the position and that the District needs a particular substitute teacher to work with a specific class or group of students until the end of the school year.~~

~~The Board will annually establish the ordinary rate for per diem substitute teachers.~~

~~Reporting~~

~~—The Superintendent will submit an annual report to the Commissioner concerning the employment of all uncertified teachers. The report will include:~~

- ~~a) —The number of substitute teachers authorized to be employed beyond the 40-day limit.~~
- ~~b) —The number of substitute teachers authorized to be employed beyond the 90-day limit.~~
- ~~e) —The required good-faith recruitment certifications for all teachers employed beyond the 40-day and 90-day limits.~~

~~Education Law § 3023  
8 NYCRR §§ 80-1.5 and 80-5.4~~

~~Adoption Date~~

Students

**SUBJECT: ~~SEARCHES AND INTERROGATIONS OF STUDENTS~~**

~~A student may be searched and prohibited items seized on school grounds or in a school building by an authorized District official only when he or she has reasonable suspicion to believe the student has engaged in or is engaging in activity which is in violation of the law and/or the rules of the school (i.e., the District *Code of Conduct*). The reasonableness of any search involves a twofold inquiry: 1) School officials must first determine whether the action was justified at its inception, and 2) determine whether the search, as actually conducted, was reasonably related in scope to the circumstances which justified the interference in the first place.~~

~~Factors to be considered in determining whether reasonable suspicion exists to search a student include:~~

- ~~a) — The age of the student;~~
- ~~b) — The student's school record and past history;~~
- ~~e) — The predominance and seriousness of the problem in the school where the search is directed;~~
- ~~d) — The probative value and reliability of the information used as a justification for the search;~~
- ~~e) — The school official's prior knowledge of and experience with the student; and~~
- ~~f) — The urgency to conduct the search without delay.~~

~~If reasonable suspicion exists to believe that a student has violated or is violating the law and/or school rules, it is permissible for an authorized school official to search that student's outer clothing, pockets, or property. The search may include, but is not limited to, the student's outer clothing such as a jacket or coat, pockets, backpack, and/or purse. Whenever possible, searches will be conducted by a staff member of the same sex as the student and another staff member will be present as a witness.~~

**Strip Searches**

~~— A strip search is a search that requires a student to remove any or all of his or her clothing, other than an outer coat or jacket. Strip searches are intrusive in nature and are almost never justified. If school officials have highly credible evidence that such a search would prevent danger or yield evidence, such a search may be conducted under exigent circumstances. In the alternative, if school authorities believe there is an emergency situation that could threaten the safety of others, the student will, to the extent practicable, be isolated and secured. Police and parents will be contacted immediately.~~

(Continued)

Students

**SUBJECT: ~~SEARCHES AND INTERROGATIONS OF STUDENTS (Cont'd.)~~**

Scope of Search

~~— School officials are authorized to conduct searches of students and their belongings if the authorized school official has reasonable suspicion to believe that the search will produce evidence that the student has violated or is violating the law and/or the *Code of Conduct*.~~

~~— School officials, whenever possible, will seek the least intrusive means to conduct a search to safeguard the privacy interests of students in their person and property.~~

**~~Searches and Seizure of School Property~~**

~~Student desks, lockers, textbooks, computers, and other materials, supplies or storage spaces loaned by the school to students remain the property of the school, and may be opened and inspected by school employees at any time without prior notice and without their consent. The purpose of these searches, when they occur, is to ensure the safety of students, faculty, and staff, enhance school security and prevent disruptions of the learning environment. Students have no reasonable expectation of privacy with respect to school property; and school officials retain complete control over such property. However, a student's personal belongings contained within a locker, desk, etc. are subject to the reasonable suspicion standard for searches by an authorized school official.~~

**~~Parent Notification~~**

~~— The student's parent or guardian will be notified if any illegal, prohibited, or dangerous articles or materials are found in the student's locker, vehicle, or other property or possessions, or on the student's person, as a result of a search conducted in accordance with this policy.~~

**~~Documentation of Searches~~**

~~— The designated school official conducting the search will be responsible for the custody, control and disposition of any illegal, prohibited or dangerous items taken from the student. The school official or his or her designee must clearly label each item taken from the student and retain control of the item(s) until the item(s) is turned over to the police or secured by alternate means.~~

~~— This school official will also be responsible for promptly documenting information about the search including, but not limited to, the reasons for the search, the purpose of the search, the type and scope of the search, and the results of the search.~~

(Continued)

Students

**SUBJECT: ~~SEARCHES AND INTERROGATIONS OF STUDENTS (Cont'd.)~~**

**~~Questioning of Students by School Officials~~**

~~School officials have the right to question students regarding any violations of school rules and/or illegal activity. In general, administration may conduct investigations concerning reports of misconduct which may include, but are not limited to, questioning students, staff, parents/guardians, or other individuals as may be appropriate and, when necessary, determining disciplinary action in accordance with applicable due process rights.~~

~~Should the questioning of students by school officials focus on the actions of one particular student, the student will be questioned, if possible, in private outside the presence of other students, by the appropriate school administrator(s). The student's parent or guardian may be contacted; the degree, if any, of parental or guardian involvement will vary depending upon the nature and the reason for questioning, and the necessity for further action which may occur as a result.~~

~~The questioning of students by school officials does not preclude subsequent questioning/interrogations by police authorities as otherwise permitted by law. Similarly, the questioning of students by school officials does not negate the right or responsibility of school officials to contact appropriate law enforcement agencies, as may be necessary, with regard to statements given by students to school officials.~~

~~School officials acting alone and on their own authority, without the involvement of or on behalf of law enforcement officials are not required to give the so-called "Miranda warnings" (i.e., advising a person, prior to any custodial interrogations as defined in law, of the right to remain silent; that any statement made by the individual may be used as evidence against him or her; and that the individual has the right to the presence of an attorney, either retained or appointed) prior to the questioning of students.~~

**~~Law Enforcement Officials~~**

~~A cooperative effort will be maintained between the school administration and law enforcement agencies. Law enforcement officials may be summoned in order to conduct an investigation of alleged criminal conduct on school premises or during a school sponsored activity, or to maintain the educational environment. They may also be summoned for the purpose of maintaining or restoring order when the presence of officers is necessary to prevent injury to persons or property.~~

~~Administrators have the responsibility and the authority to determine when the assistance of law enforcement officers is necessary within their respective jurisdictions.~~

(Continued)

Students

**SUBJECT: ~~SEARCHES AND INTERROGATIONS OF STUDENTS (Cont'd.)~~**

**~~School Resource Officers~~**

~~— Districts may utilize School Resource Officers (SROs), law enforcement officers who work within the school building. There are different types of SROs: those employed by the District and those employed by local law enforcement. SROs, acting in their capacity as law enforcement, are held to a different search standard than District staff. Searches by law enforcement SROs must be justified by probable cause, not the District's standard of reasonable suspicion. District staff need to clearly establish who is initiating and conducting a search, the District or law enforcement, and that the appropriate standard for the search has been met.~~

**~~Dissemination of Information~~**

~~— Copies of this Regulation will be distributed to students when they enroll in school, and will be included in the District *Code of Conduct* available to students and parents at the beginning of each school year.~~

**~~Interrogation of Students by Law Enforcement Officials~~**

~~Generally, police authorities may only interview students on school premises without the permission of the parent or guardian in situations where a warrant has been issued for the student's arrest (or removal). Police authorities may also question students for general investigations or general questions regarding crimes committed on school property. In all other situations, unless an immediate health or safety risk exists, if the police wish to speak to a student without a warrant they should take the matter up directly with the student's parent or guardian.~~

~~— Whenever police wish to question a student on school premises, administration will attempt to notify the student's parent or guardian.~~

~~— If possible, questioning of a student by police should take place in a private area outside the presence of other students but in the presence of the building principal or designee.~~

**~~Child Protective Services' Investigations~~**

~~— Occasionally, Child Protective Services (CPS) may desire to conduct interviews of students on school property. These interviews generally pertain to allegations of suspected child abuse or neglect. While the Board encourages cooperation with CPS with respect to access to records and access to any child named as a victim, any of the victim's siblings, or any other child residing in the same home as the named victim, in accordance with applicable law, the District may first require that CPS produce legal documentation, such as a warrant or court order, before permitting CPS to interview or take custody of a child on school property.~~

## Personnel

**SUBJECT: EVALUATION OF PERSONNEL: ~~PURPOSES~~**

The administration ~~shall~~will undertake a continuous program of supervision and evaluation of all personnel including support staff, in the School District ~~in order to promote improved performance and to make decisions about the occupancy of positions. Evaluation of teachers providing instructional services or pupil personnel services as defined pursuant to Commissioner's Regulations will be conducted in accordance with the District's Annual Professional Performance Review (APPR).~~ The primary purposes of the evaluations will be to encourage and promote improved performance and to make decisions about the occupancy of positions.

**Teachers and Administrators**

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

The primary purposes of ~~this~~these evaluations are:

- a) To encourage and promote ~~self-evaluation by personnel~~improved performance;
- a)b) To guide professional development efforts; and
- c) To provide a basis for evaluative judgments by ~~school administrators~~applicable school officials.

**Disclosure of APPR**

b) 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-d

Public Officers Law §§ 87 and 89

8 New York Code of Rules and Regulations (NYCRR) Sections 80-1.1 and 100.2(o)(2)

Adoption Date: 12/13/10

First Read: 08/14/17



## Personnel

**SUBJECT: SAFETY OF STUDENTS (FINGERPRINTING CLEARANCE OF NEW HIRES)**

Unless otherwise authorized ~~in accordance with law and regulation~~, the District ~~shall~~will not employ or utilize a prospective school employee, ~~as defined below~~, unless ~~the~~such prospective school employee has been granted a "full" clearance for employment by the State Education Department (SED). The ~~School~~District ~~shall~~will require a prospective school employee who is not in the SED criminal history file ~~database~~ to ~~undergo a fingerprint supported criminal history record background check~~. ~~be fingerprinted for purposes of a criminal history record check by authorized personnel of the designated fingerprinting entity. For purposes of this provision of law, the term "eCriminal history record" shall~~ means a record of all ~~criminal~~ convictions ~~of crimes~~ and any pending criminal charges maintained on an individual by the Division of Criminal Justice Services (DCJS) and the Federal Bureau of Investigation (FBI). The District ~~shall~~will, ~~however~~, obtain the applicant's consent to the criminal history records search.

The SED joined the Statewide Vendor Management System (SVMS) operated by MorphoTrust in conjunction with DCJS for the capture and transmission of the fingerprint application, fee, and digital fingerprint images. The District will use the SVMS as directed by SED. The District will still request clearance for employment, view information regarding an applicant's status, and enter hire/termination dates through ~~shall utilize~~ SED's Web-based application known as TEACH. ~~for instantaneous access to important information about certification and fingerprinting. Through TEACH, SED provides an individual with the ability to apply for fingerprint clearance for certification and/or employment and view the status of his/her fingerprint clearance request. Through TEACH, the School District is able, among other applications, to submit an online request for fingerprint clearance for a prospective employee, view the status of a fingerprint clearance request, and determine whether a subsequent arrest letter has been issued.~~

**Safety of Students**

The District will develop internal building and/or program procedures to help ensure the safety of students who have contact with an employee holding conditional appointment or emergency conditional appointment. ~~Such~~These procedures will address the safety of students in the classroom, students attending off-campus activities under the supervision of the ~~School~~District, and students participating in extracurricular and/or co-curricular activities (including sports and athletic activities).

Safety procedures to be addressed include, but are not limited to, ~~the following~~: supervision of the employee holding conditional appointment/emergency conditional appointment as determined appropriate by the applicable building/program administrator; and periodic visitations by the building/program administrator to the classroom, program, and/or activity assigned to the employee holding conditional appointment/emergency conditional appointment.

**~~Access to TEACH~~**

~~Information regarding fingerprinting of new hires, including relevant laws and regulations, frequently asked questions (FAQs), an up-to-date chart for "Who Must be Fingerprinted", and instructions on the fingerprinting process are found on the SED website.~~

Personnel

**~~SUBJECT: SAFETY OF STUDENTS (FINGERPRINTING CLEARANCE OF NEW HIRES)~~  
~~(Cont'd.)~~**

Correction Law Article 23-A

Education Law §§ 305(30), 305(33), 1604, 1709, 1804, 1950, 2503, 2554, 2590-h, 2854, 3004-b, 3004-c  
and 3035

Executive Law § 296(16)

Social Services Law Article 5, Title 9-B

8 NYCRR §§ 80-1.11 and Part 87

Adoption Date:

**SUBJECT: REGISTRATION AND PROFESSIONAL DEVELOPMENT****Registration**

All employees holding a lifetime certificate in classroom teaching, teaching assistant, or educational leadership service (school building leader, school district leader, or school district business leader) must register with the State Education Department (SED) every five years through the TEACH system. Only registered employees may teach or supervise in the District.

Teachers and administrators with a permanent, professional, or a Level III teaching assistant certificate issued before July 1, 2016 must apply for initial registration during the 2016-2017 school year during their birth month. These certificate holders must thereafter renew their registration every five years during their birth month.

Teachers and administrators with a professional or a Level III teaching assistant certificate issued on or after July 1, 2016 will be automatically registered. These certificate holders must thereafter renew their registration every five years during their birth month.

Certificate holders who do not timely register may not be employed and may be subject to monthly late fees after the first, transitional five-year registration period. Employees who change their name or address must also update SED within 180 days through the TEACH system.

**Continuing Teacher and Leader Education (CTLE) Credit Hours**

All District teachers and educational leaders with a professional or Level III teaching assistant certificate must complete 100 hours of acceptable CTLE during each five-year registration period to maintain a valid certificate. This requirement may be completed at any time over the course of a five-year period. Credit hours cannot carry over, however, to subsequent registration periods.

SED sets high standards for courses, programs, and activities that qualify for CTLE credit, and it must approve all CTLE sponsors. Generally, acceptable CTLE will be in the content area of any certificate title held by an individual or in pedagogy. Further, the CTLE will be aligned with professional development standards created by the New York Professional Standards and Practices Board for Teaching.

The District will describe opportunities for teachers and administrators to engage in CTLE in its Professional Development Plan. The District will provide CTLE opportunities that improve student performance and the teacher's or administrator's pedagogical or leadership skills, and that promote professionalism. A peer-review teacher or principal acting as an independent trained evaluator who conducts a classroom observation as part of a teacher evaluation under relevant sections of the Education Law may apply the observation time to fulfilling CTLE requirements. Time spent mentoring may also be counted toward required CTLE credit hours.

(Continued)

**SUBJECT: REGISTRATION AND PROFESSIONAL DEVELOPMENT (Cont'd.)****Language Acquisition CTLE and Exemption**

Employees holding an English to speakers of other languages certificate or bilingual extension annotations are required to complete 50 CTLE hours in language acquisition aligned with the core content area of instruction taught, including a focus on best practices for co-teaching strategies, and integrating language and content instruction for English Language Learner (ELL) students. All other certificate holders must complete at least 15 CTLE hours dedicated to language acquisition addressing the needs of ELLs, including a focus on best practices for co-teaching strategies and integrating language and content instruction for ELLs. Employees holding a Level III teaching assistant certificate must complete at least 15 CTLE hours in language acquisition addressing the needs of ELLs and integrating language and content instruction for ELLs.

Employees may be eligible for a waiver of language acquisition CTLE requirements. Each school year when there are fewer than 30 ELL students enrolled in the District or ELLs make up less than 5% of the total student population, the District may obtain an exemption. If the District obtains this exemption, employees would be exempt from the language acquisition CTLE requirement for each year that they are employed in the District.

**CTLE Adjustments**

The Commissioner may adjust an employee's number of CTLE hours or time to complete them due to poor health, as certified by a health-care provider; extended active duty in the Armed Forces; or other acceptable good cause.

Any employee who obtains certification from the National Board for Professional Teaching Standards will be considered CTLE-compliant for the registration period in which he or she obtains this certification. The employee must still meet any language acquisition requirements, however.

**Recordkeeping and Reporting Requirements**

Employees must maintain a record of completed CTLE for at least three years from the end of the applicable registration period. The District will maintain a record of any professional development it conducts or provides for at least seven years from the date of completion. The District will also submit all required reports to SED each year.

Education Law §§ 3006, 3006-a, 3012-d  
8 NYCRR §§ 80-6, 100.2(dd)

NOTE: Refer also to Policy #6160 -- Professional Growth/Staff Development

Adoption Date

## Personnel

**SUBJECT: DISCIPLINING OF A TENURED TEACHER OR CERTIFIED PERSONNEL**

~~Tenured teachers and certain certified personnel may be subject to disciplinary charges that are set forth in Education Law Section 3012.~~

~~Procedures for a hearing regarding these disciplinary measures will be in accordance with Education Law Section 3020-a and/or in accordance with applicable contractual provisions.~~

The District may discipline tenured teachers and certain certified personnel in accordance with applicable law, including, without limitation, Education Law Sections 3012, 3020-a, and 3020-b; Commissioner's regulations; or applicable contract provisions.

**Ineffective Personnel**

The District or Board may bring incompetence charges against a teacher or building principal who receives two or more consecutive ineffective ratings under the APPR; the District or Board must bring incompetence charges against anyone who receives three consecutive ineffective APPR ratings. A single hearing officer from the American Arbitration Association's labor arbitration panel will govern the competency hearing. The hearing may be public or private, at the employee's discretion. The employee will have a reasonable opportunity to defend himself/herself, but will not be required to testify. Each party has the right to be represented by counsel, to subpoena witnesses, to cross-examine witnesses, and to make motions or applications. There will be a full and fair disclosure of witnesses and evidence to be offered by both the District and the employee. A record of the proceeding will be kept.

**Allegations of Abuse**

The Board may suspend, without pay, an employee charged with physically or sexually abusing a student pending an expedited probable-cause hearing. A single hearing officer will conduct the probable-cause hearing.

**Child Witnesses**

A child under 14 may be allowed to testify through live, two-way, closed-circuit television if the hearing officer determines by clear and convincing evidence that the child would suffer serious mental or emotional harm that would substantially impair his/her ability to communicate if required to testify live, and that using closed-circuit television would diminish the likelihood or extent of the child suffering serious mental or emotional harm. In making this decision, the hearing officer will consider applicable factors listed in Criminal Procedure Law Section 65.20, including: whether the offense was particularly heinous, the child's age and vulnerability, the child's susceptibility to psychological harm due to an underlying physical or mental condition, whether the accused occupied a position of authority over the child, if the offense charged was part of an ongoing course of conduct committed by the accused against the child over an extended period of time, use of a dangerous or deadly weapon, whether the child suffered serious physical injury, threats made against the child, the accused's access to the child, and expert testimony that the child would be particularly susceptible to psychological harm if required to testify in open court or to be in the physical presence of the accused.

(Continued)

**SUBJECT: DISCIPLINING OF A TENURED TEACHER OR CERTIFIED PERSONNEL  
(Cont'd.)**

**Automatic Revocation of Teacher and Administrative Certificates by the Commissioner of Education**

The Commissioner ~~of Education shall~~ will revoke and annul the certificate of a teacher, teaching assistant, pupil personnel services professional, school administrator or supervisor, or superintendent ~~of schools~~ convicted of:

- a) A sex offense for which registration as a sex offender is required under the Sex Offender Registration Act; or
- b) Any other violent felony offense committed against a child when the child was the intended victim of the offense.

These offenses include, but are not limited to, sexual misconduct, sexual abuse, rape, statutory rape, assault, various other criminal sexual acts, and certain kidnapping offenses. Annulment and revocation ~~shall~~ will be conducted in accordance with Education Law Section 305(7-a).

In addition, the Commissioner ~~of Education shall~~ will revoke and annul the certificate of a school district administrator, school administrator or supervisor, or school business administrator convicted of fraud under Penal Law Section 195.20 which makes it a Class E felony to obtain governmental property, services, or other resources in excess of ~~one thousand dollars~~ (\$1,000):

- a) Through a systemic ongoing course of conduct with the intent to defraud; or
- b) ~~or obtain property~~ By false or fraudulent pretenses, representations, or promises; or
- c) To make use of the property, services, or other resources for private business or other compensable nongovernment purposes.

Annulment and revocation ~~shall~~ will be conducted in accordance with Education Law Section 305(7-b).

Criminal Procedure Law ~~Section~~ §§ 65.00, 65.20, 65.30, and 380.95

Education Law ~~Sections~~ §§ 305(7-a), 305(7-b), 2573(8), 2590-j(7), 3012 ~~and~~ 3020-a, and 3020-b

Penal Law ~~Section~~ § 195.20

8 NYCRR Subpart 82-~~13~~

Correction Law Article 6-C

Adoption Date

## **SUBJECT: EMPLOYMENT OF RETIRED PERSONS**

A retired person may be employed and earn compensation in a position in the School District, without any effect on his/her status as retired and without suspension or diminution of his/her retirement allowance subject to the conditions enumerated in Retirement and Social Security Law Section 211(1). However, there shall be no earning limitations on or after the calendar year in which any retired person attains age sixty-five (65).

No retired person may be employed in the District except upon approval of the Civil Service Commission or the Commissioner of Education unless otherwise authorized in accordance with law, as discussed below.

Two sections of the Retirement and Social Security Law (RSSL Section 211 and 212) affect a retiree's return to public employment in New York State. If a retiree returns to public employment, he/she may still be able to collect his/her pension depending upon:

- a) How much is earned after returning to work; and
- b) The retiree's age.

If a retiree is under age 65, he/she can return to public employment without approval or reduction in retirement benefits as long as his/her calendar year earnings do not exceed \$30,000 (the RSSL Section 212 limit). If a retiree's earnings will be more than the Section 212 limits, the employer must request and receive prior approval from the appropriate agency to hire the retiree under Section 211. This may help avoid a reduction or suspension of the retiree's pension. (Refer to subheading below for more information regarding RSSL Section 211 and the approval process.)

Section 211 waivers are provided for "unclassified service" positions. Retired police officers employed by a school district as a School Resource Officer fall under the "classified service" but may have the earnings limitation waived at the discretion of the Commissioner of Education, as long as all of the requirements for waivers in the unclassified service are fulfilled.

There is generally no restriction on a retiree's earnings beginning in the calendar year he/she turns 65, unless returning to public office.

### **RSSL Section 211 Approval Process**

Approval for post-retirement employment of a person under the age of 65 [or a retired police officer employed as a School Resource Officer](#) whose calendar year earnings exceed thirty thousand dollars (\$30,000) may be granted only on the written request of the District giving detailed reasons related to the standards set forth in Section 211; and on a finding of satisfactory evidence by the Civil Service Commission or the Commissioner of Education that the retired person is duly qualified, competent and physically fit for the performance of the duties of the position in which he/she is to be employed and is properly certified where such certification is required.

(Continued)

**SUBJECT: EMPLOYMENT OF RETIRED PERSONS (Cont'd.)**

The District will prepare a detailed recruitment plan to fill such vacancy on a permanent basis when the need arises and will undertake extensive recruitment efforts to fill the vacancy prior to making a determination that there are no available non-retired persons qualified to perform the duties of such position.

Approvals to hire retired individuals may be granted for periods not exceeding two (2) years each, provided that a person may not return to work in the same or similar position for a period of one (1) year following retirement. However, in accordance with RSSL Section 212, a retiree may return to work in the same or similar position within the same year following retirement if his/her earnings are under thirty thousand dollars (\$30,000) or if he/she receives a Section 212 waiver, or other conditions exist as enumerated in law.

**Reporting Requirements and Disclosure**

- a) The School District shall report all money earned by a retired person in its employ in excess of the earnings limitation outlined in Retirement and Social Security Law Section 212 to the retirement system administered by the State or any of its political subdivisions from which the retired person is collecting his/her retirement allowance.
- b) The School District, when employing a retired person who is eligible to collect or is already collecting a retirement allowance from a retirement system administered by the State or any of its political subdivisions, shall report on an annual basis to the retirement system paying such retirement allowance and to the State Comptroller. This report shall consist of the re-employed retiree's name, date of birth, place of employment, current position, and all earnings.

**Public Record**

Any request for approval of the employment of a retired person, including the reasons stated, and the findings and determination of such request shall be a public record open for inspection in the Office of the Civil Service Commission, the Commissioner of Education, or the Board of Education making such findings and determination as specified in Retirement and Social Security Law Section 211.

Education Law Section 525  
Retirement and Social Security Law Sections 111, 211, 212, 217, and 411  
[8 NYCRR Section 80-5.5\(b\)](#)

Adoption Date



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Students

## **SUBJECT: PREREFERRAL INTERVENTION STRATEGIES**

The District will implement school-wide approaches and pre-referral interventions in order to remediate a student's performance within the general education setting prior to referral to the Committee on Special Education (CSE) for special education. The determination of prevention and pre-referral intervention strategies or services will take into consideration the student's strengths, environment, social history, language, and cultural diversity, in addition to the teacher's concerns. The District may also provide a Response to Intervention (RtI) program to eligible students that is developed in accordance with Commissioner's regulations as part of its school-wide approach to improve a student's academic performance prior to a referral for special education.

The provision of programs and/or services for students starts with consideration and implementation of instruction in the general education curriculum, with appropriate supports, or modifications as may be necessary. In implementing pre-referral intervention strategies, the District may utilize resources or strategies already in place for qualified students including, but not limited to, services available through Section 504 of the Rehabilitation Act of 1973 and Academic Intervention Services (AIS) as defined in Education Law and/or Commissioner's regulations. The District will ensure that there is a system in place, with qualified, appropriately certified personnel, for developing, implementing, and evaluating pre-referral intervention strategies.

If a student is identified as needing additional instructional support, the District will establish formal Instructional Support Teams (ISTs) in accordance with law, regulations, and District guidelines, as may be applicable, to review information from the student's work, screenings, and assessments. The IST will include representatives from general and special education as well as other disciplines and include individuals with classroom experience, who may then recommend which type of instructional support the student requires and the frequency with which he or she should receive these services or supports. The building administrator will further ensure that all staff are familiar with intervention procedures and procedures for operating an IST. Parents or persons in parental relation to students may be involved in developing prereferral strategies to address the educational needs of the child.

District administration will also ensure that opportunities exist for collaboration between general educators and special educators, and that consultation and support are available to teachers and other school personnel to assist parents or persons in parental relation to students and teachers in exploring alternative approaches for meeting the individual needs of any student prior to formal referral for special education.

Pre-referral/Intervention Instructional Support Plans will be designed so as to set forth proactive strategies to meet the broad range of individual student needs and to improve student performance. Pre-referral/Intervention strategies and/or Instructional Support Plans will be reviewed and evaluated to determine their effectiveness and modified as appropriate. Appropriate documentation of the prevention and/or intervention strategies implemented will be maintained.

(Continued)

**SUBJECT: PREREFERRAL INTERVENTION STRATEGIES (Cont'd.)**

If a referral is made to the CSE during the course of implementing pre-referral/intervention instructional support services, the CSE is obligated to fulfill its duties and functions, and must meet mandatory time lines in evaluating the student for special education services and implementation of an individualized education program (IEP), if applicable.

**Academic Intervention Services**

The Board will provide to students at risk of not achieving state standards with AIS. AIS means additional instruction which supplements the instruction provided in the general education curriculum and assists students in meeting those state learning standards as defined in Commissioner's regulations and/or student support services which may include guidance, counseling, attendance, and study skills which are needed to support improved academic performance. The District will identify students to receive AIS through a two-step identification process set forth in Commissioner's regulations.

The District will provide AIS to students who are limited English proficient (LEP) and are determined, through uniformly applied District-developed procedures, to be at risk of not achieving state learning standards in English language arts, mathematics, social studies and/or science, through English or the student's native language.

The District has developed a description of the AIS offered to grades K through 12 students in need of these services. The description includes any variations in services in schools within the District and specifically sets forth:

- a) The District-wide procedure(s) used to determine the need for AIS;
- b) Academic intervention instructional and/or student support services to be provided;
- c) Whether instructional services and/or student support services are offered during the regular school day or during an extended school day or year; and
- d) The criteria for ending services, including, if appropriate, performance levels that students must obtain on District-selected assessments.

The District will review and revise this description every two years based on student performance results.

**Parental Notification**

- a) **Commencement of Services:** Parents or persons in parental relation to a student who has been determined to need AIS will be notified in writing by the building principal. This notice will be provided in English and translated into the parent's native language or mode of communication, as necessary. The notice will also include a summary of the AIS to be provided to the student, why the student requires these services, and the consequences of not achieving expected performance levels.

(Continued)

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Students

## **SUBJECT: PREREFERRAL INTERVENTION STRATEGIES (Cont'd.)**

- b) Ending of AIS: Parents or persons in parental relation will be notified in writing when AIS is no longer needed. This notice will be provided in English and translated to the parent's native language or mode of communication, as necessary.

Parents will be provided with ongoing opportunities to consult with the student's teachers and other professional staff providing AIS, receive reports on the student's progress, and information on ways to work with their child to improve achievement.

§ 504 of the Rehabilitation Act of 1973, 29 USC § 794 et seq.

Education Law §§ 3602, 4401, and 4401-a

8 NYCRR §§ 100.1(g), 100.1(p), 100.1(r), 100.1(s), 100.1(t), 100.2(v), 100.2(dd)(4), 100.2(ee), 200.2(b)(7), 200.4(a)(2), 200.4(a)(9); 200.4(c), and Part 154

NOTE: Refer also to Policy #7212 -- Response to Intervention (RtI) Process

Adoption Date