

Shelter Island School Board of Education

Tuesday, April 16, 2019

Budget Adoption and Regular Meeting

6:00 pm, Conference Room

Thomas V. Graffagnino, President * Kathleen M. Lynch, Vice President

Margaret Colligan

Linda C. Eklund

Mark A. Kanarvogel

Jason Lones

Tracy McCarthy

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. 2019-2020 Budget Presentation

The Board President requests a motion to approve or accept the recommendations of the Superintendent on the following Business Actions: 4.1 – 4.2

4.1 2019-2020 School Budget

- a. Adoption of the proposed budget for the fiscal year 2019-2020 as presented for balloting

4.2 School Property Tax Report Card

- a. Approval of the 2019-2020 School Property Tax Report Card as presented and required by State Education Law Sections 1608, 1716(7) and 2601-a(3)

5. Visitor Questions (Specific to the agenda)

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

a. Approval of Minutes

- 1. Budget Presentation/Regular Meeting of March 11, 2019
- 2. Budget Workshop of April 1, 2019

7. Correspondence

- a. Thank You Letter from Shelter Island Ambulance Foundation

8. Presentation - None

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

9.1 Extra Teaching Periods

- a. Approve Lynne Colligan, English 7-12 Teacher, to teach one extra period on a daily basis, retroactive to March 18, 2019 through March 27, 2019, at a rate of \$635.95
- b. Approve Laura Mayo, ESL Teacher, to teach five (5) extra periods on a bi-weekly basis, retroactive to April 1, 2019 through June 17, 2019, at a rate of \$1,651.50
- c. Approve Bryan Knipfing, ESL Teacher, to teach five (5) extra periods on a bi-weekly basis, retroactive to April 1, 2019 through June 17, 2019, at a rate of \$2,181.30

9.2 Resignation of Personnel

- a. Sheryl Stelljes, Aide, effective June 30, 2019, for the purpose of retirement

- 9.3 Appointment of Additional Substitute Teacher for the 2018-2019 School Year at \$110 per day (certified or 4 year degree) pending clearance for employment by NYS Department of Education (fingerprint initiative)
 - a. Sara Grammatica
 - b. Stephanie Loizance
- 9.4 Vote Chairperson
 - a. Appointment of Thomas Graffagnino, President, Board of Education, as the chairperson for the Annual Meeting/Budget Vote on May 21, 2019
- 9.5 Poll Workers for Annual Meeting/Budget Vote on May 21, 2019 at a rate of \$125 per day
 - a. Lew Corbett
 - b. Bettianne Morritt

10. Program - The Board President requests a motion to approve or accept the recommendations of the Superintendent on the following Program Actions: 10.1 – 10.3

- 10.1 CSE Recommendations for the 2018-2019 School Year
 - a. Committee on Special Education
- 10.2 CSE/504 Recommendations for the 2019-2020 School Year
 - a. Committee on Special Education
 - b. 504 Committee
- 10.3 Second Reading and Adoption of Policies
 - a. Policy #5684 – Use of Surveillance Cameras in the District & on School Buses
 - b. Policy #7130 – Admissions
 - c. Policy #7530 – Child Abuse and Maltreatment

The Board President requests a motion to approve or accept the recommendations of the Superintendent on the following Program Actions: 10.5 – 10.6

- 10.5 Election of Members to the ESBOCES Board of Education
 - a. To cast votes for up to five (5) candidates for the Eastern Suffolk BOCES Board of Education for 2019-2020
- 10.6 ESBOCES Administrative Budget
 - a. To pass a resolution either approving or disapproving the Eastern Suffolk BOCES Administrative Budget for 2019-2020

11. Finance - The Board President requests a motion to approve or accept the recommendations of the Superintendent on the following Finance Actions: 11.1 – 11.2

- 11.1 Financial Reports
 - a. Treasurer's Report – February 2019
 - b. Extra Class Report – February 2019
 - c. Appropriation Status Report
 - d. Revenue Status Report
 - e. Claims Audit Report – February 2019
 - f. Claims Audit Report – March 2018
 - g. Payroll Audit Report – February 2019
 - h. Payroll Audit Report – March 2018
- 11.2 Budget Transfers & Journal Entries
 - a. Accept and approve Budget Transfers and Journal Entries, for the period of March 2, 2019 through March 28, 2019, in accordance with Board Policy, the Superintendent has approved, as well as the transfers that need specific Board approval.

12. Business – The Board President requests a motion to approve or accept the recommendations of the Superintendent on the following Business Actions: 12.1 – 12.3

- 12.1 Private School Transportation

- a. Approval to transport twenty-nine (29) students to the following private schools for the 2019-2020 school year:
 1. Ross Upper School – East Hampton, NY (3 students)
 2. Hayground School – Bridgehampton, NY (13 students)
 3. Our Lady of the Hamptons Regional Catholic School - Southampton, NY (13 students)

12.2 Contracts

- a. Approve the agreement between the Board of Education of the Shelter Island Union Free School District and South Huntington Union Free School District, for student services, in the amount of \$864.45. The term of said agreement shall be retroactive to July 1, 2018 through June 30, 2019; and authorize the Board President and Superintendent to execute said agreement.
- b. Approve the agreement between the Board of Education of the Shelter Island Union Free School District and Southampton Union free School District, in the amount of \$1,336.84, for student services. The term of said agreement shall be retroactive to September 6, 2018 through June 25, 2019; and authorize the Board President to execute said agreement.
- c. Approve the agreement between the Board of Education of the Shelter Island Union Free School District and Bridgehampton Union Free School District, in the amount of \$16,341.52, for student services. The term of said agreement shall be retroactive to September 6, 2018 through June 25, 2019; and authorize the Board President and Superintendent to execute said agreement.
- d. Approve the contract for Joint Municipal Cooperative Bidding (Resolution A) with Eastern Suffolk BOCES for the 2019-2020 school year; and authorize the Board President to execute said agreement.

12.3 School Lunch Checking Account

- a. Approval to open a school lunch checking account with Chase Bank, effective April 9, 2019, to account for the School Lunch Fund receipts and disbursements.
- b. Approval to close the School Lunch checking account with Capital One Bank, effective June 30, 2019.

13. Facility – The Board President requests a motion to approve or accept the recommendations of the Superintendent on the following Facility Action: 13.1

13.1 State Environmental Quality Review Act (SEQRA)

WHEREAS, the Board of Education of the Shelter Island Union Free School district, desires to embark upon the following capital improvement project at Shelter Island School: Septic System Renovation (\$86,000) to be funded by a DASNY and a Suffolk County Grant.

WHEREAS, said capital improvement projects are subject to classification under the State Environmental Review Act (SEQRA); and

WHEREAS, the SEQR Regulations declare Type II Actions to be actions that have no significant impact on the environment and require no further review under SEQR; and

WHEREAS, the Board of Education has examined all information related to the capital improvement project, and has determined that the above-described capital improvement project are classified as Type II Actions pursuant to Section 617.5(c)(1) and (c)(2) of the SEQR Regulations;

NOW, THEREFORE, BE IT RESOLVED that the Board of Education hereby declares itself lead agency in connection with the requirements of the State Environmental Quality Review Act; and

BE IT FURTHER RESOLVED, that the Board of Education hereby declares the above-referenced project to be a Type II Action, which requires no further review under SEQR.

BE IT FURTHER RESOLVED, that the Board of Education has forwarded an official copy of this Resolution to the New York State Education Department together with a copy of the correspondence from the New York State Office of Parks, Recreation and Historic Preservation and has received clearance from the Department.

14. Items for Consideration - None

15. Old Business - None

16. School District Business Leader Report

17. Director of Athletics, Physical Education, Health, Wellness & Personnel Report

- a. Physical Education – Drums Alive
- b. Head Injury Awareness Forum
- c. Athletics Update

18. Academic Administrator Report

- a. New York State ELA Exams

19. Superintendent Report

- a. Shelter Island High School Drama Club Production of “The Addams Family”
- b. PTSA Parents as Reading Partners (PARP)

20. Board Member Reports

21. Student Liaison Report

22. Visitor Comments

23. Executive Session - *It is expected that the Board of Education will enter Executive Session at the end of this scheduled public meeting, to discuss the employment of particular individuals.*

24. Adjournment

SUBJECT: USE OF SURVEILLANCE CAMERAS IN THE DISTRICT AND ON SCHOOL BUSES

It is the Board's responsibility to ensure the safety of the District's students, staff, facilities, and property. While the Board recognizes the importance of privacy, it has authorized the use of surveillance cameras on District property including in school buildings, school facilities, as well as on school buses, when necessary. These surveillance cameras will help to assist the Board in maintaining the overall safety and welfare of the District's students, staff, property, and visitors, as well as to deter theft, violence, and other criminal activities.

Further, surveillance cameras will only be placed in public or common areas, such as stairwells, hallways, cafeterias, parking lots, or playgrounds, and not in private areas such as locker rooms, bathrooms, or other areas in which individuals have a reasonable expectation of privacy. Audio recordings will not be utilized by the District officials, however, this prohibition may not preclude the use of audio recordings by law enforcement officials in accordance with their official duties or as otherwise authorized by law.

Disciplinary Proceedings

Video recordings or footage from District surveillance cameras may be used in student ~~or employee (as permitted by any applicable collective bargaining agreement)~~ disciplinary proceedings, as appropriate.

Signage/Notification

The District will place signage at entrances to the school campus or at major entrances into school buildings notifying students, staff, as well as any visitors of the District's use of surveillance cameras. Students and staff will also receive additional notification, as deemed appropriate by the Superintendent, regarding the use of its surveillance cameras through means such as publication in the District calendar, employee handbook, and/or the student handbook.

Maintenance of Video Recordings

Any video surveillance recording in the schools, on school buses, or on school property, on tape, CD, or digitally, will be the sole property of the District and stored in its original form and in a secure location to avoid tampering and also to ensure its confidentiality in accordance with relevant law and regulations.

In addition, to the extent that any video images create student or personnel records, the District will comply with all applicable state and federal laws related to record retention, record maintenance, and record disclosure, including the Family Educational Rights and Privacy Act ("FERPA").

First Reading: March 11, 2019

Brought to Board of Education for Second Reading and Adoption: April 16, 2019

Adoption Date:

Students

SUBJECT: SCHOOL ADMISSIONS**I. Admission of Resident Students**

The Shelter Island School District shall provide a public education to all persons residing in the School District between the ages of five and twenty-one who have not received a high school diploma. Residence is established by one's physical presence as an inhabitant within the district and intent to reside in the district. The child's residence is presumed to be that of his/her parent/guardian. No person shall be refused admission into or be excluded from the School District on account of any legally protected status as enumerated in policy #8130 - Equal Educational Opportunities, including race, creed, color, national origin, sex, gender (including gender identity and expression), sexual orientation, weight, religion, marital status, disability, or predisposing genetic characteristic.

A veteran of any age who has not yet received his/her high school diploma and who has been discharged under conditions other than dishonorable is eligible to attend school.

A non-veteran under twenty-one (21) years of age who has received a high school diploma shall be permitted to attend classes in the schools of the District in which such person resides or in a school of a Board of Cooperative Services Educational Services upon payment of tuition under such terms and conditions as shall be established in regulations promulgated by the commissioner.

Ages of Attendance/Compulsory Attendance Age

According to Education Law, a student who becomes six (6) years of age on or before the first of December in any school year shall be required to attend full-time instruction from the first day that the District schools are in session in September of such school year, and a student who becomes six (6) years of age after the first of December in any school year shall be required to attend full-time instruction from the first day of session in the following September. Except as otherwise provided in Education Law Section 3205(3), a student shall be required to remain in attendance until the last day of session in the school year in which the student becomes sixteen (16) years of age.

However, in accordance with Education Law Section 3205(3), the Board of Education has the power to require minors from sixteen to seventeen years of age who are not employed to attend full-time instruction until the end of the school year in which the student turns seventeen (17) years of age.

Upon registration, all new students shall be required to present:

- a) Proof of date of birth;
- b) Record of immunization and health certificate from a licensed physician; and
- c) Proof of residency

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SUBJECT: SCHOOL ADMISSIONS (continued)**Determination of Student Residency**

The residence of children is established by one's physical presence as an inhabitant within the district and intent to reside in the district. Further, a child's dwelling within the District boundaries shall be established in a manner consistent with State Law and the Regulations of the Commissioner. The Board of Education or its designee shall determine whether a child is entitled to attend a District school. Any adverse residency decision by a school official, other than the Board or its designee, shall include written notice to the parent/person in parental relation of the procedures for obtaining review of the decision within the District.

Regulations will be developed to implement the terms of this policy.

Required Documentation

Parents/Guardians must provide sufficient proof that they reside in the School District when enrolling their children in School District schools. Examples of proof of residence include, but are not limited to:

1. A mortgage statement or deed of ownership;
2. A tax bill for the Town;
3. A copy of a lease executed by the tenant and landlord, with an affidavit by the landlord that the lease is in effect with a copy of the landlord's mortgage statement or deed of ownership;
4. Statements for utility bills;
5. A pay stub or income tax form showing the in-district address; or
6. A voter registration document or a state- or other government- issued ID

In the event a lease is provided as proof of residency, the School District shall require that upon the expiration of the lease the parent/guardian of the student provide proof of the renewal of said lease. In the event the parent/guardian cannot provide such proof, the student must provide the School District with new proof of residency in accordance with this policy.

Other Documentation

New entrants must also present the following documents.

1. Proof of age – examples of acceptable forms of documentation include, but are not limited to, a birth certificate, baptismal record, or a passport (including a foreign passport);

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Students

SUBJECT: SCHOOL ADMISSIONS (continued)

2. Proof of immunization (see also policy and regulation #7511 – Immunization of Students) – dates for immunization against diphtheria, polio, measles, German measles (rubella), mumps, pertussis, tetanus, pneumoccal disease, Haemophilus influenza type B, hepatitis B, meningococcal disease and varicella); and
3. A health certificate from a licensed physician.

Family Homes

Children cared for in free family homes and family homes at-board located within the School District, when such family homes are the actual and only residence of the children, and who are not supported or maintained by a social services district or a state department or agency, shall be deemed residents of the School District for purposes of attending School District schools without tuition.

Where a child is placed from outside of his/her school district of residence into the school district in family homes at board by a social services district or state agency, the Superintendent of Schools is authorized to recover, to the extent permitted by law, the cost of instruction of that student from the school district of residence.

Children or Youths in Foster Care

Child or youth in foster care shall mean a child or youth who is in case and custody or custody and guardianship of a local commissioner of social services or the commissioner of the office of children and family services.

The social services district, in consultation with the appropriate local educational agency or agencies, shall designate either the school district of origin or the school district of residence within which the child in foster care shall be entitled to attend in accordance with a best interest determination made by the applicable social services or voluntary authorized agency in accordance with the regulations of the office of children and family services. If a child was attending a school district of origin or school of origin on a tuition free basis or was entitled to attend in New York state when such child entered foster care located in a contiguous state, the child shall be entitled to attend the school of origin or any school that the children live in the attendance area in which foster care placement is located. If a child is moved from one foster care placement to another he/she shall be entitled to continue to attend the school of origin or the social services district may designate that the child in foster care attend any school that children who live in the attendance area in which the foster care placement is located in.

Each child or youth in foster care to be assisted shall be provided services comparable to services offered to other students in the school selected, including: transportation services; educational

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Students

SUBJECT: SCHOOL ADMISSIONS (continued)

services for which the child or youth meets eligibility criteria; educational programs for children with disabilities; education programs for English learners; programs in career and technical education; programs for gifted and talented students; and school nutrition programs.

Placement

Any child reaching the age of five (5) on or before December 1 of any year will be eligible for kindergarten in the preceding September. Any child who meets these age requirements may be enrolled in kindergarten after the opening day of school. Any child enrolled in a kindergarten at another public, private or parochial school who does not meet these eligibility requirements will not be permitted to transfer into the School District during the year in which they are enrolled in kindergarten.

A child reaching the age of six (6) on or before December 1 of any year will be eligible for Grade 1 in the preceding September. A child who does not meet this age requirement, but who has satisfactorily completed a year's work in a kindergarten program approved by the New York State Education department which provides substantially equivalent instruction to that of the local public school, may be enrolled in Grade 1 if requested by the parent/guardian.

A child entering this School District after the opening day of school who has been enrolled in Grade 1 or above in another school district will be placed in the same grade. If it is determined that the child is not properly placed, an alternate placement will be made. If a student is enrolled in the School District from another country, the student's academic history will be reviewed to determine appropriate grade placement.

Children of Activated Reserve Military Personnel

Students temporarily residing outside the boundaries of the District, due to relocation necessitated by the call to active military duty of the student's parent or person in parental relation, will be allowed to attend the public school that they attended prior to the relocation. However, the District is not required to provide transportation between a temporary residence located outside the District and the school the child attends.

Emancipated Minors

A determination of whether a student is to be designated as an emancipated minor in the Shelter Island Union Free School District will be based on evidence that the student is no longer under custody, control and support of his/her parents/persons in parental relation. To establish emancipation, a minor may submit documentation of his/her means of support, proof of residency and an explanation of the circumstances surrounding the student's emancipation, including a description of the student's relationship with his/her parents/persons in parental relation.

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Students

SUBJECT: SCHOOL ADMISSIONS (continued)

These statements are renewable each school year. If at any time the above information is changed without prompt notification or proven to be false, the parent/person in parental relation and/or student may be subject to legal action.

Parentally Placed Students

All parentally placed students who are legal residents of Shelter Island shall be registered at the onset of a nonpublic or charter school placement. Registration shall follow the same procedures as outlined in this policy for public school students. However, such parentally placed students shall also indicate the school of enrollment to the District at the time of registration or when such registration changes.

Fraud

If any information or document has been falsified in connection with registration and/or placement, the Superintendent of School shall assess the educational status of the child and shall notify the parent/guardian in writing of the rejection of said documentation on this basis. Upon finding an intentional fraud, the Superintendent of Schools shall recommend appropriate action to the Board of Education and notify the parent/guardian in writing of his/her recommendation and the Board of Education's decision concerning the provision of educational services to their child. To the extent the Superintendent of Schools deems it appropriate, he/she shall notify the proper authorities of the fraudulent act.

In the event the Board of Education or its designee has determined that proof of residency has not been established, the Board of Education, or its designee, shall provide the parent/guardian of such child with notification of such determination in accordance with the Education Law and the Commissioner of Education's regulations concerning the exclusion of a student on the basis of residency.

II. Education of Homeless Children and Unaccompanied Youth

The Board recognizes the unique challenges that face homeless students and will provide these students with access to the same free, appropriate public education, including public preschool education, as other children and youth and access to educational and other services necessary to be successful in school, and will ensure that they are not separated from the mainstream school environment. The Board is also committed to eliminating barriers to the identification, enrollment, attendance, or success of homeless students.

In order to determine whether there are unserved homeless children in the School District, the School District shall contact the local department of social services, local runaway and homeless youth

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Students

SUBJECT: SCHOOL ADMISSIONS (continued)

shelters and any other shelters located in the School District. It is understood that not all homeless students can be identified through agencies as they may be sharing the housing of other persons, such as family or friends, due to loss of housing, economic hardship, or other similar reason. Accordingly, the School District will utilize an enrollment form that asks for a description of the current living arrangement of the child or youth in order to determine whether the child or youth meets the definition of a homeless child under the McKinney-Vento Homeless Education Assistance Act and New York State Education Law.

As defined in Commissioner's regulations, a "homeless child" means a child or youth who lacks a fixed, regular, and adequate nighttime residence, including a child who is:

- a) Sharing the housing of other persons due to a loss of housing, economic hardship, or a similar reason;
- b) Living in motels, hotels, trailer parks, or camping grounds due to the lack of alternative adequate accommodations;
- c) Abandoned in hospitals; or
- d) A migratory child who qualifies as homeless in accordance with Commissioner's regulations. The term "migratory child" includes a child who is, or whose parent or spouse is, a migratory agricultural worker, including a migratory dairy worker, or a migratory fisher, and who has moved from one school district to another in the preceding 36 months, in order to obtain, or accompanies his or her parent or spouse in order to obtain, temporary, or seasonal employment in agricultural or fishing work; or
- e) A child or youth who has a primary nighttime location that is:
 - 1. A supervised, publicly, or privately operated shelter designed to provide temporary living accommodations, including, but not limited to, shelters operated or approved by the state or local department of social services, and residential programs for runaway and homeless youth established in accordance with Executive Law Article 19-H; or
 - 2. A public or private place not designed for, or ordinarily used as, a regular sleeping accommodation for human beings; including a child or youth who is living in a car, park, public space, abandoned building, substandard housing, bus or train station or similar setting.

An "unaccompanied youth" means a homeless child not in the physical custody of a parent or legal guardian. This term does not include a child or youth who is residing with someone other than a parent or legal guardian for the sole reason of taking advantage of the schools of the District.

A designator will decide which school district a homeless child or unaccompanied youth will

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Students

SUBJECT: SCHOOL ADMISSIONS (continued)

attend. A designator is:

- a) The parent or person in parental relation to a homeless child; or
- b) The homeless child, together with the homeless liaison designated by the District, in the case of an unaccompanied youth; or
- c) The director of a residential program for runaway and homeless youth, in consultation with the homeless child, where the homeless child is living in that program.

The designator may select either the school district of current location, the school district of origin, or a school district participating in a regional placement plan as the district the homeless child will attend. However, the designated school district must determine whether the designation made by the parent, guardian, or youth, in the case of an unaccompanied youth, is consistent with the best interest of the child by considering certain student-centered factors, including factors related to the impact on education and the health and safety of the child or youth.

A homeless child is entitled to attend the school district of origin for the duration of his or her homelessness and also through the remainder of the school year in which he or she locates permanent housing in accordance with his or her best interest.

The term "school district of origin" includes preschool and feeder schools as defined by applicable law.

The Superintendent of Schools or his/her designee shall develop procedures necessary to expedite the homeless child's access to the designated school. Such procedures shall include:

1. Admission: Upon designation, the School District shall immediately admit the homeless child to school, even if the child is unable to produce records normally required for enrollment, such as previous academic records, medical records, proof of residency or other documentation and even if there is a dispute with the child's parents regarding school selection or enrollment.

Homeless children will have the same opportunity as other children to enroll in and succeed in the schools in the School District. They will not be placed in separate schools or programs based on their status as homeless.

2. Transportation: The School District shall provide transportation for homeless students currently residing within the School District as required by applicable law.
3. School Records: For homeless students attending school out of the School District, the School District shall, within five days of receipt of a request for records, forward a complete copy of the homeless child's records including proof of age, academic records,

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Students

SUBJECT: SCHOOL ADMISSIONS (continued)

evaluation, immunization records and guardianship paper, if applicable.

4. Coordination: The School District shall coordinate with local social services agencies and other entities providing services to homeless children and their families for the provision of services to homeless children, and shall coordinate with other school districts on issues of prompt identification, transportation, transfer of records, and other inter-district activities. This shall include providing appropriate services to homeless students with disabilities who are eligible for services under either Section 504 or IDEA.

Educational Programs and Services

The District will provide homeless children and youth with access to all of its programs, activities, and services to the same extent that they are provided to resident students.

Homeless children and youth will be educated as part of the school's regular academic program. Services will be provided to homeless children and youth through programs and mechanisms that integrate homeless children and youth with their non-homeless counterparts, including programs for special education, vocational and technical education, gifted and talented students, before and after school, English language learners, Head Start, Even Start, and school nutrition. Services provided with McKinney-Vento funds will expand upon or improve services provided as part of the regular school program. Consequently, the District will ensure that homeless children and youth are not segregated in a separate school, or in a separate program within the school, based on their status as homeless; and to the extent feasible consistent with the requirements of Commissioner's regulations, keep a homeless child or youth in the school of origin except when doing so is contrary to the wishes of the child's or youth's parent or guardian. Further, the District will review and revise policies and practices, including transportation guidelines as well as those related to outstanding fees, fines, or absences, that may act as barriers to the enrollment, attendance, school success, and retention of homeless children and youth in the District.

District Liaison for Homeless Children and Youth

The Superintendent of Schools or his/her designee shall also designate a liaison for homeless children, who may also be a coordinator for other federal programs. As the local educational agency liaison for homeless children and youth the liaison will carry out the duties as described in law, Commissioner's regulations, and applicable guidance issued by the U.S. and New York State Education Departments. The District will inform school personnel, local service providers, and advocates of the office and duties of the local homeless liaison. The liaison's responsibilities shall include, but not be limited to, providing that:

1. Homeless children and youth are identified by school personnel and through coordination activities with other entities;

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Students

SUBJECT: SCHOOL ADMISSIONS (continued)

2. Homeless parents are informed of the educational and related opportunities available to their children and are provided with meaningful opportunities to participate in the education of their children;
3. Parents and guardians and unaccompanied youth are fully informed of all transportation services available to them, and are assisted in accessing them;
4. Enrollment disputes involving homeless children are promptly mediated and resolved;
5. School personnel through outreach and in coordination with shelters and social service agencies and other appropriate entities identify homeless children, including homeless preschoolers;
6. Homeless children received educational services for which they are eligible, including Head Start and preschool services to which they are eligible, as well as referrals to health care and other appropriate services;
7. Public notice of educational rights of homeless children is disseminated in locations frequented by homeless unaccompanied youth and parents/guardians of homeless children, including schools, shelters, public libraries and soup kitchens in a manner and form understandable to them;
8. Staff who provide services to homeless students receive required professional development and support in identifying and meeting the needs of homeless students; and
9. Homeless unaccompanied youth are informed of their rights, are enrolled in school, and have opportunities to meet the same State standards for all students, including receiving credit for full or partial course work earned in a prior school pursuant to the Commissioner's regulations.

In accordance with Commissioner's regulations, the School District shall collect and transmit to the Commissioner information necessary to assess the educational needs of homeless children within the State.

Each school in the School District shall maintain forms provided by the Commissioner of Education for designating a homeless child's district of attendance. These forms must be provided to any homeless child or parent or guardian who seeks to enroll a child in school. The School District's liaison for homeless students shall assist the homeless child and/or parent or guardian in understanding their rights under the law and provide them with information regarding the educational and related opportunities available to them.

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Students

SUBJECT: SCHOOL ADMISSIONS (continued)

School placement decisions for homeless children will be based on the “best interest of the child” and shall consider student-centered factors (such as the effect of mobility on student achievement, education, health and safety.) Unless doing so is contrary to the wishes of the child’s parent or guardian, to the extent possible, a homeless child will continue to attend the school of origin (i.e. the school the child attended when he or she became homeless or the school in which the student was last enrolled).

If the School District wishes to send a homeless child to a school other than the school of origin or a school requested by the parent/guardian or unaccompanied youth, the Superintendent of Schools or his/her designee shall provide the parent or guardian with a written explanation of its decision, together with a statement regarding the right to appeal the placement process, which shall be in a manner and form understandable to them. The Superintendent of Schools or his/her designee shall refer any such dispute to the School District’s liaison for the homeless for resolution. The homeless child must be enrolled in the school sought by the parent or guardian pending resolution of the dispute including all final appeals.

Admission Procedures

Upon designation, the Superintendent of Schools or his/her designee shall immediately:

1. Review the designation form to determine that it is complete;
2. Admit the homeless child even if the child or his/her parent or guardian is unable to produce records normally required for enrollment, the homeless child has missed application or enrollment deadlines, or there is an unresolved dispute regarding school selection or enrollment;
3. Where applicable, make a written request to the School District where a copy of the child’s records are located for a copy of the homeless child’s school records;
4. Notify the liaison for homeless children of the child’s admission. The liaison shall:
 - a. Notify the child and/or the parent or guardian of the educational and related opportunities available to homeless children including transportation;
 - b. Determine that the child receives the educational services for which they are eligible including Head Start and Even Start and preschool programs administered by the School District;
 - c. Make necessary referrals for the homeless children or their families to health care services, dental services, mental health services, substance abuse services, housing services, and other appropriate services; and

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Students

SUBJECT: SCHOOL ADMISSIONS (continued)

- d. Mediation of any enrollment disputes promptly and in accordance with law.
- e. When assisting unaccompanied youth in placement or enrollment decisions, give him/her the opportunity to explore education opportunities available to him/her, give priority to the views of such youth, and inform them of their status as “independent students” for purposes of applying for federal financial aid for college and assist with that process; and
- f. Assist homeless children and their parent/guardians in obtaining required immunizations, health screenings, immunization records or health records.

Transportation

In order to ensure immediate enrollment, and so as not to create barriers to the attendance, retention, and success of homeless students, transportation must be promptly provided. If the local social service district or the Office of Children and Family Services is not required to provide transportation, the designated district is responsible for the provision and the cost of the student's transportation through the remainder of the school year in which the homeless student becomes permanently housed.

In accordance with the Education Law, the school district of current location shall provide transportation to homeless children where designated, as the school district of attendance, on the same basis provided to resident students. For homeless children who are ineligible for transportation by the Division For Youth (DFY) for runaway and homeless youth, the designated school district shall provide transportation from the child's temporary location and the school on the same basis it transports its resident students. Such transportation shall not be in excess of 50 miles each way except where the Commissioner of Education certifies that the transportation in excess of 50 miles is in the best interest of the child.

Transportation is required even if the school of origin is located in another local educational agency (LEA) as long as attendance at the school of origin is in the best interest of the child or youth, even if it requires students to cross district lines. If two school districts are involved, the districts must agree on a method to apportion the cost and responsibility of transportation, or they must split it equally.

Transportation will be provided when the district receives notice of a child's homeless status, as well as during the pendency of disputes. If a child is receiving transportation to his/her school of origin and obtains permanent housing during the school year, the student has the right to continued transportation services to the school of origin until the end of the academic year, as well as if the student completes the final grade level in a building, or attends the designated receiving school at the next level.

(continued)

Students

SUBJECT: SCHOOL ADMISSIONS (continued)**Training**

All school enrollment staff, secretaries, school counselors, school social workers, and principals will be trained on the requirements for enrollment of homeless students. Other staff members including school nutrition staff, school registered professional nurses, teachers, and bus drivers will receive training on homelessness that is specific to their field.

Outreach

The District will make every effort to inform the parents or guardians of homeless children and youth of the education, transportation, and related opportunities available to their children including transportation to the school of origin. The parent(s) or guardian(s) will be assisted in accessing transportation to the school they select, and will be provided with meaningful opportunities to participate in the education of their children. Public notice of educational rights of homeless children and youth will be disseminated by the District in places where families and youth are likely to be present (e.g., schools, shelters, soup kitchens), and in comprehensible formats (e.g., geared for low literacy or other community needs).

Dispute Resolution

The District will establish procedures for the prompt resolution of disputes regarding school selection or enrollment of a homeless child or youth.

If, after the Superintendent of Schools or his/her designee reviews the designation form, he/she finds that the student is either not homeless, not entitled to attend the District's school, or not entitled to transportation (if requested), the Superintendent of Schools or his/her designee will do the following:

1. Contact the school District's homeless liaison to assist in dispute resolution process.
2. Contact the student and parent (if available) and inform them of their opportunity to provide more information prior to the School District making a final determination.

In the event of a dispute regarding eligibility, school selection, or enrollment, the homeless child or youth will be entitled to immediate or continued enrollment and transportation pending final resolution of the dispute, including all available appeals.

If, after consideration of any additional information and input from the homeless liaison, the Superintendent of Schools or his/her designee makes a final determination that a student is not homeless, or not entitled to enrollment or transportation, he/she must provide the student's parent or guardian, or the student, if the student is an unaccompanied youth, with written notice that the student

(continued)

Students

SUBJECT: SCHOOL ADMISSIONS (continued)

is not entitled to their request. This written notice must also:

State the rationale/basis for the School District's determination;

1. State the date as of which the student will be excluded from the School District's schools (or transportation);
2. Advise that the School District's final determination may be appealed to the Commissioner of Education (Commissioner);
3. Provide the name and contact information for the School District's homeless liaison;
4. Inform the student's parent or guardian or the student, if the student is an unaccompanied youth, that the School District's homeless liaison is required to assist him/her in filing such an appeal; and
5. Include, as an attachment, the form petition needed to file an appeal to the Commissioner

The Superintendent of schools or his/her designee will deliver the School District's final decision to the parent, guardian, or unaccompanied youth in a timely manner. The student must remain enrolled and provided with transportation (if requested) until the School District makes a final determination and for a minimum of thirty (30) days after the determination to give the student's parent or guardian or unaccompanied youth the opportunity to appeal to the Commissioner.

If the parent/guardian or student commences an appeal to the Commissioner with a stay application within thirty (30) days of the final determination, the homeless child or youth will be permitted to continue to attend the school she/he is enrolled in at the time of the appeal and/or receive transportation to the school until the Commissioner renders a decision on the stay application.

Record and Reporting Requirements

If the District, as the school district of origin, receives a request to forward student records to a receiving district, the records must be forwarded within five days of receipt of the request.

The District will maintain documentation regarding all aspects of the District's contact with and services provided to homeless students and youth for possible on-site monitoring by the State Education Department.

The District will collect and transmit to the Commissioner of Education, at such time and in the manner as the Commissioner may require, a report containing information as the Commissioner determines is necessary to assess the educational needs of homeless children and youths within the state.

(continued)

Students

SUBJECT: SCHOOL ADMISSIONS (continued)**Student Privacy**

Any information pertaining to the living situation of a homeless student, such as his or her homeless status or temporary address, is considered a student educational record and is not subject to disclosure as directory information under the Family Educational Rights and Privacy Act (FERPA).

III. Admission of Non-Resident Students

For the purpose of attendance in the District's schools, a resident is defined as an individual whose domicile is within the district.

Non-resident families who wish to enroll children in the Shelter Island Union Free School District shall submit a request in writing to the Superintendent who shall determine whether or not admission will be granted.

The following general conditions for acceptance will be met when considering admittance:

- a) There is sufficient space to accommodate the non-resident student;
- b) No increase in the size of faculty or staff will be necessary;
- c) Admittance will not result in the establishment of a new section;
- d) Parents/guardians must work out transfer conditions with the home school district or provide their own transportation;
- e) All rules and regulations in effect for District students will be applicable to non-District students;
- f) Tuition may be charged to families of non-resident students in accordance with formulas approved by the State Education Department.

Final decisions regarding the acceptance of non-resident students rest with the Board of Education.

Tuition-Paying StudentsFuture Students

Non-residents who are scheduled to become residents of the School District by purchasing or leasing a School District residence within forty-five (45) calendar days from the date of enrollment of their child(ren) may register their child(ren) prior to establishing such residency upon the delivery of the following to the School District's Registrar:

(continued)

Students

SUBJECT: SCHOOL ADMISSIONS (continued)

- An executed copy of the contract for the purchase or lease of a residence in the School District; and
- A certified/bank check or money order made payable to the Shelter Island School District in an amount equal to 2/10ths of the yearly tuition for non-resident students.
- A Sworn affidavit, in the form annexed hereto, acknowledging the non-resident applicant's status as a non-resident, and that such status shall continue unless and until the non-resident applicant has actually established residence in the School District.

The parent/guardian of the non-resident student is responsible for transporting the student to and from school until the time that they become bona fide residents.

Non-resident students who are qualified to attend in accordance with the above section titled "Future Students" will pay tuition at the rate set forth in the Commissioner's Regulations as follows:

- Tuition shall be payable in equal installments on September 1st and January 31st. If student does not attend for a full semester, the tuition will be prorated by weeks of attendance (partial weeks are considered a full week).
- Any student whose parents become residents of the School District on or before October 1st of any school year will be refunded any tuition paid for that year. Any student whose parents become residents after October 1st shall have tuition refunded on a pro-rated basis from the date of residence on a weekly basis.
- School taxes paid on property owned within the School District, by the parents of non-resident students who wishes to attend a school in the School District, shall be deducted from the price of tuition for the non-resident student in accordance with the Commissioner's Regulations.

Foreign Students

Students from other nations who are living with District residents may be enrolled at the discretion of the District. In accordance with federal law, a foreign student who attends a public secondary school under an F-1 Visa must reimburse the school district for the full unsubsidized per capita cost of providing education at the school during the student's attendance. The administration is authorized to file with the U.S. Department of Homeland Security the forms necessary for the monitoring of non-immigrant foreign students during the course of their stay in the district in accordance with the Student and Exchange Visitor Information System (SEVIS).

(continued)

Students

SUBJECT: SCHOOL ADMISSIONS (continued)Other Non-resident Students

Non-resident students other than those affected by the above provisions, including staff members' children who wish to attend the same district in which the parents work, may be accepted as tuition-paying students at the discretion of the Board of Education on an annual basis provided the general conditions listed above are met. Requests should be submitted to the Superintendent.

Non-Tuition StudentsFormer Residents

- a) Students of any grade who move from the Shelter Island Union Free School District during the school year may be given permission to finish the semester in which the move occurs.
- b) A student who moves from the District after completion of the first semester of the year preceding his/her anticipated graduation year may be given permission to remain in the School District until graduation.

Children of Employees for the School District

Teachers and other school employees that are parent to school-aged children may choose to send their children to attend school in the district where they work. Therefore, a parent working for a district but living outside of it may apply to have his/her child attend school where the parent works at a cost of \$1,500 per year.

Foreign Exchange Students

Only foreign students participating in a recognized Student Exchange Program under a J-1 Visa may attend District schools without payment of tuition. The administration is authorized to file with the U.S. Department of Homeland Security the forms necessary for the monitoring of non-immigrant foreign students during the course of their stay in the District in accordance with the Student and Exchange Visitor Information System (SEVIS).

Proof of Residency

Such documentary or sworn proof as shall be required by the administration or Board of Education must be furnished prior to the admission of any child residing in the District with a person not his parent or who is the child of a non-resident. The admission of homeless children and youth will be in accordance with law.

(continued)

Students

SUBJECT: SCHOOL ADMISSIONS (continued)**Reservation of Claims**

Should a material misstatement of fact be made and relied upon by any administrator or the Board of Education in admitting a non-resident student without tuition, the Board shall be entitled to recover the cost of instruction for the time the student was not authorized to attend a school in the District from the person having made the misstatement or from a person in parental relation to the student.

Tuition Fees

Where applicable, tuition fees are computed according to a formula established by the Commissioner of Education.

Tuition of individual non-resident students shall be computed in advance at the time of enrollment. Methods of payment (e.g., monthly) may be arranged in the District Office and approved by the Superintendent. Non-resident status is contingent upon timely payment of tuition fees as established by the Board of Education.

Legal Residence

Parents who maintain more than one residence, but whose legal residence for the purposes of voting or filing income tax is within the District, are eligible to send their children to District schools. However, school tax payments of non-residents who own assessable property in the District will be deducted from any tuition charges levied against such non-resident.

Eligibility of Special Non-Residents under Contract from Other Districts

This policy shall not apply to non-resident students who are placed in a School District program as a result of another public school district's Committee on Special Education recommendation, when such recommendation has been consented to by the District and for which a contract between the School District and the other public school district exists.

Reservation of Rights

The School District reserves the right to refuse to admit a non-resident student if the Superintendent of Schools or her/his designee determines that:

- Placement in the School District's program would result in the exclusion of a resident student;
- The admission of the non-resident student will result in an increase in the size of the faculty or staff necessary to educate the non-resident student;

(continued)

Students

SUBJECT: SCHOOL ADMISSIONS (continued)

- The student has been disciplined, suspended or excluded from her/his previous school for disruptive behavior or endangering the health and safety of other students; or
- When such exclusion is deemed to be in the interests of the School District.

8 United States Code (USC) Chapter 12

Education Law Sections 1709(13), 2045, 3202, 3205, 3209 and 3212(4)

8 New York Code of Rules and Regulations (NYCRR) Sections 100.2(x) 100.2(y), 174.2 and 902(b)

McKinney-Vento Homeless Education Assistance Act, as reauthorized by Every Student Succeeds Act (ESSA), 42 USC § 11431 et seq.

Executive Law Article 19-H

NOTE: Refer also to Policy #7511 -- Immunization of Students

Adoption Date: April 19, 2010

Revised Date: March 20, 2017

Revised Date: _____, 2019

Revision 1st Reading: March 11, 2019

Brought to Board of Education for 2nd Reading and Adoption: April 16, 2019

Students

SUBJECT: CHILD ABUSE AND MALTREATMENT

The District takes seriously the obligations of its officers and employees to report cases of child abuse or maltreatment. To this end, regulations will be developed, maintained, and disseminated by administration regarding the:

- a) Mandatory reporting of suspected child abuse or maltreatment;
- b) Reporting procedures and obligations of persons required to report;
- c) Provisions for taking a child into protective custody;
- d) Mandatory reporting of deaths;
- e) Immunity from liability and penalties for failure to report;
- f) Obligations for provision of services and procedures necessary to safeguard the life or health of a child; and
- g) Provision of information in recognizing signs of unlawful methamphetamine laboratories for all current and new school officials (i.e., "mandated reporters") who, as part of their usual responsibilities, visit children's homes.

Additionally, an ongoing training program for all current and new school officials will be established and implemented to enable the staff to carry out their reporting responsibilities.

Reporting Information

The District will post the child abuse hotline telephone number and directions for accessing the Office of Children and Family Services (OCFS) website in English and Spanish on its website and in clearly and highly visible areas of school buildings. The District will also make this information available from its administrative offices; provide it to parents and persons in parental relation at least once per school year by electronic communication, sending the information home with students, or otherwise; and provide it to each teacher and administrator. The District may post and provide this information in other, common languages used by the school community.

Persons Required to Report

Persons required to report cases of child abuse or maltreatment to the State Central Register (SCR) in accordance with Social Services Law Section 413(1) include, but are not limited to, school teachers, school guidance counselors, school psychologists, school social workers, school nurses, school administrators or other school personnel required to hold a teaching or administrative license or certificate, and full- or part-time compensated school employees required to hold a temporary coaching license or professional coaching certificate.

(Continued)

SUBJECT: CHILD ABUSE AND MALTREATMENT (Cont'd.)

All mandated reporters must make the report themselves and then immediately notify the building principal or designee. The building principal or designee will be responsible for all subsequent administration necessitated by the report. Any report must include the name, title, and contact information for every staff member who is believed to have direct knowledge of the allegations in the report.

Prohibition of Retaliatory Personnel Action

The District will not take any retaliatory personnel action against an employee because the employee believes that he or she has reasonable cause to suspect that a child is an abused or maltreated child and that employee makes a report to SCR. Further, no school official will impose any conditions, including prior approval or prior notification, upon any staff member specifically designated a mandated reporter.

"Retaliatory personnel action" means the discharge, suspension, or demotion of an employee, or other adverse employment action taken against an employee in the terms and conditions of employment.

Report Form

The "Report of Suspected Child Abuse or Maltreatment" Form LDSS-2221A may be accessed at the OCFS website.

Child Abuse in an Educational Setting

The District is committed to the protection of students in educational settings from abuse and maltreatment by employees or volunteers.

Child abuse means any of the following acts committed in an educational setting by an employee or volunteer against a child (defined as a person under the age of 21 years enrolled in a school):

- a) Intentionally or recklessly inflicting physical injury, serious physical injury, or death; or
- b) Intentionally or recklessly engaging in conduct which creates a substantial risk of physical injury, serious physical injury, or death; or
- c) Any child sexual abuse, defined as conduct prohibited by Penal Law Articles 130 or 263; or
- d) The commission or attempted commission against a child of the crime of disseminating indecent materials to minors in accordance with Penal Law Article 235.

Administrator or **school administrator** means a principal, or the equivalent title, in a school, or other chief school officer.

(Continued)

Students

SUBJECT: CHILD ABUSE AND MALTREATMENT (Cont'd.)

Educational setting means the building(s) and grounds of the District; the vehicles provided directly or by contract by the District for the transportation of students to and from school buildings, field trips, co-curricular and extracurricular activities both on and off District grounds; all co-curricular and extracurricular activity sites; and any other location where direct contact between an employee or volunteer and a child has allegedly occurred.

In any case where an oral or written allegation is made to a teacher, school nurse, school counselor, school psychologist, school social worker, school administrator, Board member, or other school personnel required to hold a teaching or administrative license or certificate, as well as a licensed and registered physical therapist, licensed and registered occupational therapist, licensed and registered speech-language pathologist, teacher aide or school resource officer that a child has been subjected to child abuse by an employee or volunteer in an educational setting, that person will upon receipt of the allegation:

- a) Promptly complete a written report of the allegation including the full name of the child alleged to be abused; the name of the child's parent; the identity of the person making the allegation and their relationship to the alleged child victim; the name of the employee or volunteer against whom the allegation was made; and a listing of the specific allegations of child abuse in an educational setting. This written report will be completed on a form prescribed by the Commissioner of Education.
- b) Except where the school administrator is the person receiving the oral or written allegation, the employee completing the written report must promptly personally deliver a copy of that written report to the school administrator of the school in which the child abuse allegedly occurred.

In any case where an oral or written allegation is made to a school bus driver employed by a person or entity that contracts with the District to provide transportation services to children that a child has been subjected to child abuse by an employee or volunteer in an educational setting, that school bus driver will upon receipt of the allegation, promptly report or cause a report to be made to his or her supervisor employed by the contracting person or entity.

In any case where an oral or written report or allegation is made to a supervisor who is employed by a person or entity that contracts with the District to provide transportation services to children from a person employed by the contracted person or entity that a child has been subjected to child abuse by an employee or volunteer in an educational setting, the supervisor must, upon receipt of an allegation:

- a) Promptly complete a written report of the allegation including the full name of the child alleged to be abused; the name of the child's parent or guardian; the identity of the person making the allegation and their relationship to the alleged child victim; the name of the employee or volunteer against whom the allegation was made; and a listing of the specific

(Continued)

SUBJECT: CHILD ABUSE AND MALTREATMENT (Cont'd.)

allegations of child abuse in an educational setting. This report must be completed on a form prescribed by the Commissioner.

- b) Ensure that the written report is personally delivered to the Superintendent employed by the school district where the child abuse occurred or, for a school other than a school district or public school, the school administrator employed by the school where the child abuse occurred.

In any case where it is alleged a child was abused by an employee or volunteer of a school other than a school within the District, the report of these allegations will be promptly forwarded to the Superintendent of the District and the Superintendent of the school district where the abuse of the child allegedly occurred. If a case involves a school that is not a school district or public school, the appropriate school administrator or administrators, in addition to any appropriate Superintendent, must be notified of the allegations of abuse.

If it is alleged the child was abused by the Superintendent or administrator, the report of the allegations will be made to another designated administrator.

Any employee, volunteer, or supervisor who is employed by a person or entity that contracts with the District to provide transportation services to children who reasonably and in good faith makes a report of allegations of child abuse in an educational setting in accordance with the reporting requirements of the law will have immunity from civil liability which might otherwise result by reason of those actions.

Upon receipt of a written report alleging child abuse in an educational setting, a school administrator or the Superintendent must then determine whether there is reasonable suspicion to believe that an act of child abuse has occurred. Where there has been a determination as to the existence of reasonable suspicion, the school administrator or Superintendent must follow the procedures mandated in law and further described in administrative regulations including parental notification. When the school administrator receives a written report, he or she must promptly provide a copy of the report to the Superintendent and promptly forward the report to appropriate law enforcement. In no event will reporting to law enforcement be delayed by an inability to contact the Superintendent.

Where the Superintendent or, in a school other than a school district or public school, the school administrator has forwarded a written report of child abuse in an educational setting to law enforcement authorities, the Superintendent will also refer the report to the Commissioner if the employee or volunteer alleged to have committed an act of child abuse holds a certification or license issued by the State Education Department.

Any school administrator or Superintendent who reasonably and in good faith makes a report of allegations of child abuse in an educational setting, or reasonably and in good faith transmits a report to

(Continued)

Students

SUBJECT: CHILD ABUSE AND MALTREATMENT (Cont'd.)

a person or agency as required by law, will have immunity from civil liability which might otherwise result by reason of those actions.

Reports and other written material submitted in accordance with law with regard to allegations of child abuse in an educational setting, and photographs taken concerning those reports that are in the possession of any person legally authorized to receive that information, will be confidential and will not be redisclosed except to law enforcement authorities involved in an investigation of child abuse in an educational setting or as expressly authorized by law or in accordance with a court-ordered subpoena. School administrators and the Superintendent will exercise reasonable care in preventing unauthorized disclosure.

Additionally, teachers and all other school officials will be provided an annual written explanation concerning the reporting of child abuse in an educational setting, including the immunity provisions as set forth in law. The Commissioner will furnish the District with required information, including rules and regulations for training necessary to implement District and staff responsibilities under the law.

All persons employed by the District, in titles equivalent to teacher or administrator, and any school bus drivers employed by a person or entity that contracts with the District to provide transportation services to children, are required to complete coursework or training regarding the identification and reporting of child abuse and maltreatment in accordance with law and Commissioner's regulations.

Prohibition of "Silent" (Unreported) Resignations

The Superintendent and other school administrators are prohibited from withholding from law enforcement authorities, the Superintendent, or the Commissioner, as appropriate, information concerning allegations of child abuse in an educational setting against an employee or volunteer in exchange for that individual's resignation or voluntary suspension from his or her position.

The Superintendent or other school administrator who reasonably and in good faith reports to law enforcement officials information regarding allegations of child abuse or a resignation as required by law will have immunity from any liability, civil or criminal, which might otherwise result by reason of those actions.

Prohibition on Aiding and Abetting Sexual Abuse

Unless exempted by law, no District employee, contractor, or agent of the District will assist another District employee, contractor, or agent in obtaining a new job, apart from the routine transmission of administrative and personnel files, if the individual or agency knows or has probable cause to believe, that the individual engaged in sexual misconduct regarding a minor or student in violation of the law.

(Continued)

SUBJECT: CHILD ABUSE AND MALTREATMENT (Cont'd.)

Education Law Article 23-B and §§ 409-1, 902(b), 3028-b and 3209-a
Family Court Act § 1012
Labor Law § 740(1)(e)
Penal Law Articles 130, 235 and 263
Social Services Law §§ 411-428
8 NYCRR Part 83, § 100.2(nn)
20 USC § 7926

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